

***Consensus, Concordia,*
and the Formation of
Roman Imperial Ideology**

John Alexander Lobur

Consensus, Concordia,
and the Formation of
Roman Imperial Ideology

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For My Parents

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Note on Translation and Bibliographical References

Translations for all the Greek, Latin, French, German and Italian passages in the text are original unless otherwise indicated. The bibliography contains the entire set of works referred to in the text, with the exception of the articles cited from *Paulys Real-Encyclopädie der classischen Altertumswissenschaft*, abbreviated in the text as *P-W*.

List of Abbreviations

All periodical abbreviations in the bibliography conform to the list des périodiques dépouillés in *l'Année Philologique: Bibliographie Critique et Analytique de l'Antiquité Gréco-Latine*. Abbreviations of ancient authors conform to the standard citations, as listed in Liddell, Scott and Jones, *A Greek-English Lexicon*, 9th ed., 1968, and the *Oxford Latin Dictionary*, 1982. Other abbreviations include:

- CAH *Cambridge Ancient History*.²
- CIL *Corpus Inscriptionum Latinarum*.
- EJ *Documents Illustrating the Reigns of Augustus and Tiberius*.²
- HRR *Historicum Romanorum Reliquiae*.
- MRR Broughton, T. *The Magistrates of the Roman Republic*.
- ILS *Inscriptiones Latinae Selectae*.
- P-W Pauly-Wissowa, *Real-Encyclopädie der Altertumswissenschaft*.
- RIC *The Roman Imperial Coinage*, C.H.V. Sutherland and R.A.G. Carson, eds
- RRC *Roman Republican Coinage*, Michael Crawford, ed.
- SB D. R. Shackleton Bailey, *Cicero's Letters to Atticus* (Cambridge Texts and Commentaries) 7 vols. 1965–70.
Cicero: Epistulae ad Familiares (Cambridge Texts and Commentaries) 1977.
Cicero: Epistulae ad Quintum Fratrem et M. Brutum (Cambridge Texts and Commentaries), 1980.
- RS *Roman Statutes*, M.H. Crawford, ed., *BICS Supplement* 64, 1996.
- SCPP *Senatus Consultum Pisonianum*.

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Introduction

Consensus and Voice in the Formation of the Principate

The Empire needed no elaborate or sophistical justification to most classes and regions. Their feelings are known, or can be guessed. Imperial propaganda, as directed towards the inferior orders of society, might seem either superfluous or obvious and predictable. The upper classes needed a more subtle approach—or rather, it should be said, they gradually formulated the reasons and excuses for accepting the new order of things. How do men console themselves for the surrender of political freedom? With what arguments do they maintain that they have discovered the middle path, liberty without license, discipline but not enslavement? It would be an entertaining speculation, and not remote from the concern of the present age.

Ronald Syme, *A Roman Post Mortem*,
Todd Memorial Lectures, p. 17.

Though master of the world, an emperor had to acknowledge limitations. He was not able to control opinion in the educated class, which may be roughly equated with the upper orders in Roman society: that is, senators and knights.

Idem, *The Augustan Aristocracy*,
pp. 440–41.

This book fixes the set of questions posed in the first quotation as its object of inquiry, and both relies on and confirms the assertion made in the second. On the whole, they deviate from Syme's earlier approach, which tended to categorize the evidence for the opinions of the upper classes during the Roman revolution, and Augustan culture generally, under the famous rubric of "the organization of opinion." Syme's earlier vision is an inescapable product of its time. Until recently, terms such as "propaganda" and its counterpart "ideology" carried only negative connotations; again, only recently have different approaches to these concepts in scholarship on the Roman world begun to change the picture.¹

Syme applied contemporary notions of modern propaganda in his depiction of the Roman Revolution; he was writing in the 1930s, when analysis

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of the concept was still in its infancy. At the time, the prevailing method was to assume and “observe” its function in history as if this would somehow reveal its nature. Such an approach has two major shortcomings. First, the Romans had no concept of either propaganda or ideology; thus there can be no uncritical comparison between modern experiences with such matters and fundamentally dissimilar Roman political and cultural processes.² Second, on account of this widespread anachronism, Syme injected into his study skeptical, negative connotations of mass propaganda current in the West through most of the 20th century.³ These views were especially characteristic of the British, who had pioneered its use in World War I and were rather disconcerted by their own success. Indeed, the effectiveness of such measures was so great that it led to the rather unsophisticated “magic bullet” theory: the public was easily manipulated through the right methods; propaganda was a sinister thing, eschewed by democratic nations at peace, and embraced by modern autocrats.⁴

The notion of ideology, too, suffered at both ends of the western intellectual tradition (both continental and Anglo-American): from the criticism of Marx, on the one hand, that it promoted the interests of the dominant class, and from scholars outside that tradition, who again identified it with modern totalitarian apparatus.⁵ The Marxian scholars first made advances in value-free studies that recognized its ubiquitous and necessary nature (and the problems this created for the notion of scholarly objectivity). The non-continental tradition had to wait until Clifford Geertz argued that the negative view of ideologies was itself ideological. He suggested seeing them, rather, “as systems of interacting symbols, as patterns of interacting meanings.” Ideology uses symbols to construct models—“extrinsic sources of information in terms of which human life can be patterned—extrapersonal mechanisms for the perception, understanding, judgment and manipulation of the world.”⁶

According to Geertz, it is in times of great crisis and turmoil that ideology plays its most crucial role, providing ever more explicit answers “in situations where the particular kind of information they contain is lacking, where institutionalized guides for behavior, thought, or feeling are weak or absent.”⁷ The chaos of the late Roman republic then, with its dysfunctional system, provided a perfect seedbed for the development of ideology.

Rome, of course, never evolved an explicit ideology (the word, again, did not exist) such as were produced in the modern era,⁸ for it was never liberated “from the immediate governance of received tradition, from the direct guidance of religious or philosophical canons on the one hand, and from the unreflective precepts of conventional moralism on the other.”⁹ This, however, smoothed the road significantly. Romans had no need to argue for the validity of tradition, or tear it down and start from scratch, but only to assemble, articulate and stress those aspects of it that offered the right solutions. As Fergus Millar has recently stressed, the transformation was “a revolution whose public and explicit ideology was, from beginning to end, entirely conservative.”¹⁰

Syme's vision evolved somewhat to anticipate theoretical trends. He suggested that imperial "propaganda" was implausible from a top-down perspective, that it arose spontaneously, and that this reflected irrepressible elite attitudes. Nevertheless, in the balance between power and ideas, he had no doubts about which preponderated: it was up to the elites to make the best of a situation they had to accept. Their ideology was an epiphenomenon of power, a power that was practically indifferent to it.¹¹

This study will draw together recent advances in Augustan studies, and engage incipient re-appraisals of that transformation that place ideas and symbols at the center instead of on the margins. I contend that while antecedents in social-political culture exerted deep-rooted influences on notions of Roman identity and the form of any political solution to the Roman crisis, agents within that culture, reacting and adapting spontaneously to the disorder and confusion they experienced, were exploring and systematizing those antecedents, especially in the last decades of civil war. The result was that they inadvertently recreated the set of active antecedents and its possible applications in a way that underpinned the authority of the new system, yet limited it by circumscribing its form, the legitimate roles of its agents and their performative requirements. Put differently, the codification and organization of the system occasioned by cultural and political alienation became its transformation.¹² Augustus, for his part, succeeded partially but essentially because of his sensitivity to these trends, and because he became the foremost sponsor, promoter and upholder of what was produced. In fact, triumviral competition to represent these products suggests that the relationship between power and ideas was somewhat the reverse of what Syme envisioned.¹³ There are clear indications that the senatorial elite knew how to communicate the conditional nature of their support—and the example of Julius Caesar demonstrated the price of losing it.¹⁴

Recent criticisms of the applicability of the concept of propaganda to the ancient world are certainly correct if one mainly equates it with apparatus of modern mass societies. Useful here is Eich's proposed substitute concept of "representation," defined as the reflection of position in a hierarchical system through the symbolic communication of ideals, norms and values implicated in that position, and consensus oriented with respect to social guidelines and expectations. By this account, symbolic forms, mediated by act, image or text, and holdovers from elite republican practices, took shape through a dialectical process between ruler and subject, and served mainly, as Eich argues, to give the former a perceptible form to the latter.¹⁵ Yet Eich goes too far when he asserts that Roman citizens were so completely dispossessed of political influence that the "power of images," was organized according to the taste of the emperor alone, and, bereft of any message or instruction, merely acted through quantitative preponderance to shut out potential rivals, and communicated to the citizen no sense of benefit from the new system.¹⁶ Moreover, apart from giving perceptible

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forms to his subject, why should one assume that the emperor did not need his position and role to be intelligible to himself?

On the other hand, it should be clear from what follows that the concepts of both ideology and propaganda are significantly more flexible than has been supposed, and that their modern nature does not negate their heuristic potential when properly applied.¹⁷ Modern concepts of propaganda *already* embrace the notion of “representation,” and in fact, the boundaries are so fuzzy that nearly all information and communication can be classified as “propaganda.”¹⁸ In addition, recent criticisms discount phenomena analogous to modern methods of mass organization. In the late republic, for example, mid-level managers, who often fall beneath the historical radar, provided crucial support to political agents by their abilities to mobilize the urban populace.¹⁹ Octavian, too, inherited considerable managerial and secretarial apparatus from Caesar, and this, along with Caesarian charisma, primed his meteoric rise.²⁰

I thus operate under several premises. First, that the Augustan transformation (which I assume, for the purposes of this study, to have its nearest roots in the triumviral period) comprised a real and complete restructuring of political power, and that this restructuring both responded to and necessitated corresponding shifts in ideation.²¹ Second, that the products of this ideation needed to be reflected in the re-presentation (in the widest sense) of power, and that this was not a matter of indifference, according to the whim and taste of the *princeps*, but instead precise and calculated to foster a belief in the legitimacy of the ruler’s power among the governed. Third, that these products of ideation that contextualized the exercise of power and political experience were disseminated both in order to be socially shared and to be reinforced and perpetuated. Finally, I contend that the activities of ideation themselves and those that disseminated their products occurred within the realm of spontaneous elite cultural activities, and that, though the imperial house sponsored them and participated in them, its oversight and influence was far from domineering.

One scholar has recently married the study of ideology to cognitive psychology to bridge the link between abstract factual and evaluative beliefs, necessary to structure group identity, and their particularization in the individual. The key to this theory is that the construction of mental models by individuals provides this interface. People constantly, merely by virtue of being conscious, create interpretive models of what they experience and what is described to them (both are subsumed under the term “event model”). These models derive from personal beliefs and experiences, but also necessitate adaptations and instantiations of generally shared social beliefs, and it is here where they are influenced by ideologies, which control model formation. The mechanism works in the other direction too, when models created by individuals for specific experiences that either fall outside of or contradict ideological patterns become generalized, abstracted and communicated. Thus, shifts in experience can change general belief

patterns (this is why totalitarian societies are closed societies). In addition, abstract discourse can bypass the necessity of direct experience to switch from the particular to the general and socially shared. That is to say propaganda can shape and manipulate models irrespective of experience, but normally only under certain circumstances:

. . . most ideologies that control everyday life are gradually acquired on the basis of a large number of personal experiences and discourses, and hence do have their ‘empirical roots’ in personal models. It may be assumed that such ideologies are also less easy to manipulate because they need to be consistent with prevalent experience models. However, for all situations where social members have fewer, biased or incomplete experiences (models), it will be much easier to manufacture ideologies that have no ‘grounding,’ but which members acquire as a result of propaganda by elites who control the means of public discourse.²²

Group identity necessitates ideologies (which define group knowledge, opinions and attitudes), and can change according to the goals and interests of these groups. The shared social representations that constitute their content “take time to develop, and presuppose a common history of experiences, interaction and discourse. . . .” At any rate, it is the role of elites to articulate the goals, structure and identity of groups in a way that confirms their experiences.²³

The principate succeeded precisely because, far from invalidating any “event models,” it responded to and solved the turmoil experienced during the civil wars that preceded it. Indeed, the first *princeps*, himself one of the greatest perpetrators of the atrocities suffered during this period, affirmed the memorialization of these events by the victimized society, and this in turn enabled crucial ideological continuity: the socially shared beliefs and attitudes that arose during the period and justified the principate were imparted from the first imperial generation to the next, and so on.²⁴ Moreover, even in the formative years of the principate, few had experienced the republic, or had only lived during the time when the great dynasts were providing imperial prototypes in assuming unprecedented competencies by popular mandate. This vacuum of experience allowed for the “invention” of republican tradition, providing a crucial sense of continuity between the republican past and the “restoration” of the present, forming at once the primary models of Roman ideology that would both identify the commensurable roles of *principes* in the early republic, and constitute the modular touchstone for the “imagined community” of Roman citizens in Italy and beyond.²⁵ In other words, republican history, as it was authoritatively scripted at the time and learnt in “school,” offered socially shared models of political life that informed and justified the experience of such during the principate, at the same time as it imparted the essential and standard elements of being Roman to those

experiencing cultural and political assimilation both in Italy and across the empire.

Similarities exist between these phenomena and what Ellul terms “sociological,” “horizontal” and “integration propaganda” in the modern world.²⁶ But “propaganda” also figures into the way that the administration vigorously represented itself as promoting the correct vision of Roman society and values, and as fulfilling the expectations implicated within that framework. This undeniably included certain distortions—such as the imagery celebrating the victory over the Parthians; omissions—such as the silence about the proscriptions in the *Res Gestae*; and untruths—such as when Augustus claimed in the same document to have spared the lives of all who asked for mercy. Moreover, Dio contends that a veil of secrecy as never before soon obscured imperial events, occluding many key occurrences or announcing things that never happened.²⁷ Nevertheless it is narrow minded to believe that all aspects of propaganda can be reduced to such conscious deceit, just as it is undeniable that misrepresentation and misinformation (directed at one’s own citizens as well as the enemy) played decisive roles in more modern times, for example in the American revolution and the Cold War, aspects which have led many scholars to view propaganda as morally neutral in itself.²⁸ Notions of deceit also belie the fact that scholars describe it in different shades (white, grey and black) depending on the veracity of the data and how identifiable the source is. Moreover, even the most devious propagandist prefers to use the truth as much as possible for the sake of credibility—in fact most propaganda involves the presentation, interpretation or omission of the truth as opposed to outright lies.²⁹ In addition, scholarly attempts to disentangle propaganda from persuasion often prove difficult. By some accounts, it comes down to a matter of intent: the persuader has the best interest of the audience in mind, whereas the propagandist acts primarily to his or her own advantage.³⁰ Another recent account distinguishes propaganda from other forms of communication by the fundamental indifference of the agent to the truth: at best the truth is an (albeit preferred) means to some other end (the propagandist’s), and not an end in itself.³¹

The simplistic notion that propaganda consists of lies and deceit is precisely what helps it to hide: “its real power lies in its capacity to conceal itself, to appear natural, to coalesce completely and indivisibly with the values and accepted power symbols of a given society.”³² Moreover, to be effective—and it is crucial to remember that sometimes it fails—it must closely reflect the nature of those affected, who in fact carry their own receptivity into the interaction,³³ and utilize pre-existing beliefs, values, attitudes, behaviors and norms—starting points called “anchors”—to create “resonance,” whereby

the recipients do not perceive the themes of messages to be imposed on them from an outside authority to which they are required or committed

to defer. Rather, the recipients perceive the anchors on which the message is based as coming from themselves . . . a voice from without, speaking the language of the audience member's voices within.³⁴

Thus, in one major respect, the origins and purposes of ideology and propaganda essentially dovetail. Ideologies grow out of uncertainty and turmoil, whereas propaganda needs a widely recognized problematic situation (e.g. the possible return of political chaos, the need for competent military leadership, etc.) to which it can offer a solution. The average citizen, otherwise facing a world of confusion and insecurity, willingly accepts the comforting certainties.

The semiological notion of the interpretant proves useful in this regard too. Interpretants are the dispositions of sign-interpreting agents to react in certain ways to particular types of signs in certain contexts. General behavior can be influenced by understanding and tweaking the interpretants, which are a function of the integration and inculcation of an individual into society. One may assume that the chronic and negative experience of political chaos would give rise to new interpretants (or intensify old ones) that would, for example, react very positively to signs denoting peace and stability, and negatively to ones denoting instability, violence and chaos. If the imperial administration could credibly denote the former, then it was not difficult for it to depict those who stood in its way as representing the latter.³⁵

Interpretants become engrained in society and culture partly through literary elites who select (or create) both the object of interest and its interpretation. One can observe, for example, in children's literature since the industrial revolution, the crucial nature of such activities in creating the perceptions and responses necessary for the reproduction of capitalist society.³⁶ In the Roman world these presentations in turn were conditioned by the inherited qualities of the Latin social and political vocabulary that constrained the forms of possible communication and analysis, as well as the self-presentation of the principate itself.³⁷ It is undeniable that the latter firmly and exclusively reserved the most significant and legitimizing statements and symbols—at least in the most significant and legitimizing contexts—for itself.³⁸

Language and tradition constituted the elements through which the Romans constructed their defining institutional concept, the *Res Publica*. This concept (and many of its constituent concepts, like *libertas*) was “essentially contestable” (in Gallie's sense): it was “appraisive,” in that it connoted the properly functioning government and society; internally complex, with component parts and features (e.g. *auctoritas senatus*, *libertas populi*, *dignitas*, etc.) capable of being placed in various orders of priority by political competitors according to their various descriptions, and open to considerable modification according to changing and unpredictable circumstances.³⁹ Each set of competitors and their supporters claimed to realize the ideal of the *res publica* according to the exemplar set by their

common ancestors, and attempted to woo the partisans of the other side as well as the uncommitted. This essential contestability, however, instead of optimizing the functioning of the republic, created factional strife that destroyed it, necessitating an ideology that de-contested the meanings of political terms—such as *libertas*—by enforcing a certain arrangement that placed a premium on the lack of destructive competition. *Libertas* required the persistence of popular assemblies that could not be completely abolished from the *res publica*. However, they were strongly deemphasized, soon virtually nullified, while other aspects of the term—formerly marginalized but by no means completely disregarded by earlier radicals—such as rule of law and security of life and property from arbitrary interference came to the fore.⁴⁰ At the same time, the principate drew its directives from ideas honed during the last century of contention, and, most importantly, had the same objective as any faction with a certain vision of the (contestable) *res publica* during the republic: the *consensus omnium* or *universorum*, or avowed recognition by the entire citizen body that its management under the circumstances best (and thus uncontestedly) represented the exemplar(s) set forth by the *mos maiorum*. Though the removal of the republic's essential feature, its very contestability, completely belied any notion of a true restoration, the return of contestability was equated with the return of disaster. And what would be the point of contesting and proposing an alternative arrangement when the *princeps* himself commanded by edict that he and future *principes* be judged according to the standards set by the great men of the republic?⁴¹

The principate destroyed the truly republican system by monopolizing the capacity to mobilize and obtain the *consensus universorum* so dearly sought by competing republican elites. But the *princeps* did not defy the actual necessity of obtaining it. In fact he succeeded by convincing the citizenry that it was his top priority. They may have surrendered their privilege to judge between rivals in a contestable field, but by no means their right to judge altogether.

This study synthesizes and develops several recent advances in the study of the principate. First, it naturally relies on Zanker's monumental study of the material "propaganda" of the early principate, but at the same time it utilizes refinements to this picture. Robert Gurval, for example, demonstrated that imperial products showed great sensitivity toward civilian attitudes to the civil war out of which it arose, while Ann Kuttner's study of the Boscoreale cups revealed the extent to which imperial iconography depended on republican prototypes. Moreover, it merges with the recent emphasis on the "open-air" nature of political life—originally stressed, for the republic, by Fergus Millar, and for the empire by Svi Yavetz, and, most recently, for the triumviral period, by Geoffrey Sumi—that constrained political agents to adhere to the standards and norms expected by the public.⁴² It also intersects with studies highlighting the relationship between power and the standardization of tradition in the Augustan age, and other

recent works relating to the Romanization of Italy and the abrupt, rapid and modular spread of Roman culture in the provinces during the Augustan regime.⁴³ In addition, it provides something of a counterpart to Gregory Rowe's important study of the massive reorientations of power visible in early imperial inscriptions, demonstrating that the stimulus-response phenomena observed, for example, in the Pisa decrees did not play out on an empty stage. The inscriptions were effective memorials of the lives and deaths of the princes because these, in turn, reflected the received world of Roman republican culture and history, notions thoroughly permeating and enabling the exercise of legitimate authority. Along these lines, Alain Gowling has recently centralized the memorialization of the republic in the early empire and explored "the recurrent inability of Roman writers to disengage from the pre-imperial past."⁴⁴ Moreover, this study engages Osgood's recent and expansive exploration of the voices of the triumphal period, but more from the perspective of not only how they determine the imperial system in terms of form and theme, but also how this system confirms and validates them. Finally, Galinsky's cross-disciplinary study of the Augustan period, centered around the "free-willed participation" of elites, did much to detach the study of cultural expression from the top-down perspective, applying the central concept of *auctoritas* as one with explicative integrity and not something one could just will into being by becoming the most powerful man in Rome. This study, however, will concentrate more closely on how Augustus *obtained* and *kept* his *auctoritas*. This, I contend, can be answered by attending to the concept beneath *auctoritas* itself: *consensus*.⁴⁵

The first chapter, accordingly, begins with a study of *consensus* as the foundational concept of the Roman principate (determined as it was by this indispensable Roman political term), its genesis during Octavian's so-called "propaganda" war with his rival Marcus Antonius, its later presence in the official program and the social and cultural "anchors" it clearly depended on. It ends with a specific look at how elite activity, in this case the historiography of Livy, treated the term and played thereby an essential role in sharpening these resonances and in constructing standard models of legitimate political activity that bridged past and present.

Next follows an investigation into how elite voices regarding the lack of political *concordia* during the late republic and triumphal period prefigured the imperial program. Complaints about the absence of *concordia* and proposed solutions outlined the mission of the principate. In addition, voices from opposite perspectives, more specifically the so-called "optimate" and "popularis" positions, had a tendency to highlight the common elements of social and political orthodoxy that neither wished to transgress, and this in turn allowed the principate to represent both perspectives and sublimate their opposition. Chapter three investigates the notion of *auctoritas* as a mechanism of imperial leadership by asking what made it credible and effective. I argue here that the force of this concept only makes sense if it is contextualized by the forceful and irrepressible assertions of

Roman values found in sources like the proscription narratives. This demonstrates the extent to which the first emperor was constrained to represent and affirm values articulated in response to an atrocity he had helped to create, by those he had helped victimize. The same phenomenon can be observed with regard to early imperial biography, most notably Nepos' *Life of Atticus* and convergent themes that can be reconstructed from Augustus' own autobiography.

The next three chapters each focus on minor imperial prose authors—Velleius Paterculus, Seneca the Elder and Valerius Maximus—from a cultural-historical perspective, examining the role their evidence displays in the experience, creation and transmission of imperial ideology. Throughout these chapters, I have found it especially important to place these authors in their proper context vis-à-vis each other and the wider field of primary sources, and especially in the milieu of ideas that arose in the first part of the study, only against the backdrop of which can they be properly understood as illustrative evidence.

The remnants of Velleius Paterculus' two volume universal history provide important insight into how average elites experienced imperial ideology and participated in its regeneration. To that extent it provides a compelling demonstration of the *consensus* of Italy—how the reaction to civil turmoil that had originally contextualized the creation of imperial ideology had become social memory that was transmitted to the next generation, and how elite circles then applied it—and the values that had evolved from it—to their presentation of Roman history, the teleological end of which was viewed as the *principate*. Moreover, Velleius' judgments demonstrate a certain respect for consistency of character that has a tendency to efface earlier party lines (as the proscription narratives tend also to do).

The declamatory excerpts, moreover, preserved by Seneca the Elder provide crucial evidence for the interaction of culture and power in the autonomous creation and dissemination of imperial ideology. The importance of rhetoric did not diminish with the end of effective practical oratory such as had characterized politics in the republic. The practice of declamation evolved to compensate for the diminishment of “real” political forums, and although it did so inadequately, it nevertheless became the primary cultural activity whereby people learned and practiced to think and speak like a Roman, and just as importantly, show others that they could do so. Certain topics, moreover, which would appear to us as quite controversial in an autocratic political climate, were nevertheless seen as vital and indispensable in this process. Most notably, declaimers showed their Roman colors most conspicuously in deploring the proscriptions—especially the death of Cicero—or in disparaging tyrants and defending tyrannicides. The fact that powerful elites, including the imperial *domus*, permeated this activity, and that these topics most likely emerged during or right after the triumviral period, highlights the extent to which the administration harkened to and reflected norms articulated by these autonomous cultural trends.

Chapter six focuses closely on the Roman obsession with the past, in particular the *mos maiorum*, and how this, coupled with the Roman preference for the use of *exempla* in the exercise of authority and in the transmission of values, enabled the construction, generation and continuation of a new imperial ideology that was presented as nothing less than old republican ideology. In this regard Valerius Maximus' compilation of historical *exempla* demonstrates how the Romans broke up the past into significant and discrete elements, which they could then reassemble in ways that informed and justified the present. The organic method of composition of this work, together with its use of an objective criterion of evaluation, presents a "naturalized" social and cultural hierarchy. One can, moreover, reach outside the text to establish several points of contact with Valerius' contemporary Tiberian society, breathing new relevance into his work by showing how the imperial *domus* and other elites actually used and manipulated the incidents Valerius reports in their own political presentations and interactions.

1 Roman *Consensus* and the Founding of the Principate

In my sixth and seventh consulships, after I had extinguished civil wars, and at the time when with [universal consent] I was in complete control of affairs, I transferred the republic from my power to the dominion of the senate and people of Rome. For this service of mine I was named Augustus by decree of the senate, and the door-posts of my house were publicly wreathed with bay leaves and a civic crown was fixed over my door and a golden shield was set in the Curia Julia, which, as attested by the inscription thereon, was given me by the senate and people of Rome on account of my courage, clemency, justice and piety. After this time I excelled all in influence, although I possessed no more official power than others who were my colleagues in the several magistracies.

In my thirteenth consulship the senate, the equestrian order and the whole people of Rome gave me the title of Father of my Country, and resolved that this should be inscribed in the porch of my house and in the Curia Julia and in the Forum Augustum below the chariot which had been set there in my honor by decree of the senate.¹

So Rome's first emperor writes at the end of his account of his life and career. This account was inscribed on bronze tablets and displayed upon his death at the doors of his mausoleum, which he had started to build for himself at a time when no one knew who would end up in control of the empire, himself or Marcus Antonius.² His rival, allegedly more interested in acting like an eastern potentate, and too much under the indecorous influence of an actual one (queen Cleopatra), might hold triumphs in Alexandria and desire to be buried there. The thirty-year old Octavian, by contrast, used his capacity for Hellenistic magnificence to demonstrate his commitment to Rome and Roman ways.

The two sections of the text cited at the beginning of this chapter served as the climax of the entire document.³ Their immediate proximity to one another, despite the fact that about a quarter of a century separates the periods to which they refer (29/27 BC and 2 BC, respectively), marks them as thematically pendant. The context of each is honorific,

and each makes explicit or implicit reference to an important Roman political concept called *consensus*, a dynamic notion that self-consciously formed the primary ideological basis for the governmental system called the principate.

This chapter intends to answer the question: what did Romans in the time of Augustus understand by *consensus*, and how, in turn, did the imperial system exploit these understandings in its self-representation? Modern autocracies claiming to represent the will of the people are not wholly applicable as paradigms for understanding how an ancient society changed from an oligarchy to a monarchy. The imperial system succeeded precisely because through *consensus* it harnessed evolving forms of political expression tied to deep-rooted traditional norms.

In traditional Roman aristocratic culture, *consensus* was the primary standard against which the elites measured themselves in their administration of war and peace. The political leader who outperformed others in managing the state was considered, by the consent of all, a *princeps*, a (or the) leading citizen. Incompetence, degeneracy, or fraud, on the other hand, were deprecated, and tyranny or kingship, inimical to the Roman tradition, was equated with oppression and unaccountability.

Augustus came to be revered. Upon his death he was deified, and he continued to be honored as the founder of the imperial system and the model for future emperors, who would claim to rescue his optimal arrangement from corrupt predecessors. Popular approval expressed itself forcefully at the theatre, which had come to be seen as the definitive forum of popular sentiment, and which Augustus assiduously attended. On one occasion, the audience gave him a standing ovation when the line “O just and gracious lord” was uttered, and at another such event, he was hailed “father of his country” (Suet. *Aug.* 53.1, 58.1). On the other hand, his successor, Tiberius, despite the *consensus* that marked his installation,⁴ came to be viewed somewhat differently. Some time after he had retired to Capri he allegedly debauched a respectable woman who committed suicide on account of the deed. Public opinion manifested its outrage by bestowing a “stigma” (*nota*—the same word used for censorial degradation) on him at a performance, when the audience roundly applauded the line “the old goat was licking his does,” a saying which then became widespread (Suet. *Tib.* 45). Upon his death the people ran through the streets shouting “Tiberius to the Tiber,” and prayed that he be subjected to the punishment of Hades. Others wanted to mangle his corpse on the Gemonian Stairs, like an enemy of state (Suet. *Tib.* 75.1).

In exploring the nature of Augustan *consensus*, I intend first to observe its genesis and persistence in the imperial program of Augustus, both as an actual political phenomenon and as the central aspect of official self-presentation, then the resonances or “anchors” of this concept in Rome’s cultural-political history, and finally the role of elites in fine tuning these resonances in the perceived record of the Roman past, thereby

14 Consensus, Concordia, and the Formation of Roman Imperial Ideology providing narrative mental models commensurable to early imperial political experiences.

A. CONSENSUS IN THE AUGUSTAN AGE

1. *Potens Rerum Omnium*: The Triumph of a Common Cultural Identity

To return to the quotations cited at the beginning of the chapter, Augustus claims, in the first (RG 34), to have obtained autocratic power by the *consensus* of all of Roman society (*per consensum universorum*). The question of the temporal relationship of this supremacy to its legitimization through *consensus*, and the nature of that *consensus* itself, has been vexed over the past century, yet recent scholarship, and a recent restoration of the fragmentary text have now greatly resolved the confusion.

A close reading of the Latin itself is demonstrative: *In consulatu sexto et septimo, postquam bellum civilia extinxeram, per consensum universorum [potens rerum omnium, rem publicam ex mea potestate in senatus populique Romani] arbitrium transtuli. Consensus* figured most prominently in scholarly explanations for Octavian's position after his triumviral powers lapsed (31 December 33 BC) and his subsequent attainment of avowed autocracy (*potens rerum omnium*) before the restoration of the republic, which occurred in 28–27 BC.⁵ Notable is the substitution of *potens* for *potitus*, the latter being Mommsen's supplement and the standard reading until very recently. Philological observations on the use of *potitus* had already led Krömer to reject it and suggest *potens*, and a new fragment of the inscription has recently confirmed this conjecture.⁶ Prior to this discovery, Petzold, arguing from Mommsen's supplement, asserted that the pluperfect tense of *extinxeram* did not denote temporal priority over *potitus* (which did not have a perfective character) and that the Greek translation ἐγκρατῆς γενόμενος denoted the result of a process as opposed to the condition of being in power. This prompted the interpretation that Augustus began gaining complete power by *consensus* before the victory at Actium, which Dio pegs as the beginning of Caesar's autocracy.⁷ Petzold also pressed Seyfarth's claim that the Greek for *potitus* designated the passivity of the subject; hence Augustus wrote that he "came into possession of power" rather than that he "seized power."⁸

On the other hand, arguing from his emendation, Krömer claimed that *potens* denotes the *condition* of being in complete control, not the *process* of having gained control at the time of the restoration (construing the *potens*-clause with *transtuli* instead of *extinxeram*), and heightened the concessive aspect of Augustus' statement: *although* in complete control by *consensus*, he transferred control over the republic from his own personal power to the *arbitrium* of the senate and people of Rome.⁹ On this view,

moreover, Augustus is reticent about how he gained full power in the first place (whether by *consensus* or not) and only asserts that he *continued* to remain in that prominence because of it.¹⁰

Yet both Petzold and Krömer let grammar unduly condition their investigation of the primary evidence. Ironically, the former's efforts to locate instances of *consensus* that justify his understanding of the erroneous *potitus* demonstrate clearly that it appeared in the record as a political program before Actium, the result of which placed Octavian in full control of the Roman world—though strictly speaking, a real *consensus universorum* required the participation of former Antonians.

Imperial *consensus* begins with the shift of opinion (which thereby became “unanimous”) in favor of Octavian that occurred early in 32 BC. Octavian and Antonius had been waging a “public-relations” battle for some time, each adopting a separate ethos and symbols that played out at opposite ends of the cultural spectrum. Antonius associated himself with Dionysus and Eastern refinements; Octavian more prudently tuned his image to correspond with Roman and Italian attitudes. Differences in approach had a telling effect. Whereas Antonius deprecated Octavian along traditional lines of political invective, Antonius violated norms of Roman sensibility.¹¹

Dio frames the area of investigation by saying that at the end of 33 both Antony and Octavian had an equal control over affairs (50.1.1), then that on 2 September 31 Octavian for the first time held power by himself (51.1.1). This formulation corresponds to the phrase *potens rerum omnium*. The beginning of 32 saw the formal end of triumviral power and two Antonian consuls, G. Domitius and G. Sosius. The gallons of ink spilled attempting to reconcile the obvious power retained by Octavian after this date with possible constitutional justifications for it can now be considered resolved with satisfaction: both men would have retained their *imperium* regardless until the senate had sent out a successor and they had crossed the *pomerium*.¹² Antony openly kept both the title and the power of *triumvir*, promising to resign six months after victory (D.C. 50.7.1–2). Octavian, who set aside his title, left the area of the city. The consul Sosius openly inveighed against Octavian in the senate and tried to propose measures against him, but was prevented by a tribune. Octavian then urged the two consuls to read the dispatches of Antonius that they had received the previous autumn, in which the triumvir asked to have his *acta* confirmed. They refused, for fear of offending the sensibilities of the Roman citizens.¹³ Soon thereafter, however, having returned to the environs of the city, Octavian had the senate assembled outside the *pomerium* (where he still exercised *imperium consulare*), surrounded himself with a guard, and took his seat between the two consuls. There he spoke in his own defense. He told the senate to convene on a certain day, with the intent to disclose to them certain documents establishing Antonius' guilt. The consuls did not dare reply, and made their way over to Antonius, in

the company of some 300 senators, with the express permission of Octavian (D.C. 50.2.3–7).

At this point Octavian still lacked “the moral justification for war, and the moral support of the Roman people.”¹⁴ Events precipitated a shift in opinion. It became clear that Antonius was too attached to the Queen of Egypt.¹⁵ The moment came when political renegades brought news that Antonius’ last will and testament was in the custody of the Vestal Virgins. Octavian had the document seized and read it not only in the senate, but also in the assembly, a fact demonstrating the importance of public opinion at this time.¹⁶ Public outrage over its contents trumped indignation over the illegality of seizing the will.¹⁷ It confirmed the parentage of Caesarion by Julius Caesar, thus establishing a serious rival to Octavian, offered large gifts to Antonius’ children by Cleopatra, and ordered that his body be buried at her side—in Alexandria. This lent credence to allegations that Antonius intended to transfer the seat of power to that city, and Octavian thus successfully executed a coup in public relations. His rival’s blunder allowed him to corner the market in legitimate cultural and political representation, and the result was decisive.¹⁸

The disclosure of this information generated *consensus*, in that it led to unanimity of opinion even amongst neutrals and Antonians. Plutarch notes the despondence of the latter, who pleaded before the people on their leader’s behalf, and sent a delegate, Geminus, to persuade him to watch his behavior, dismiss Cleopatra to Egypt, and prevent himself from being declared an enemy of state. Geminus failed.¹⁹ Dio adds:

And they (the senators) were so angry at these things (written in the will) that all, not just his enemies, or the neutrals, but also his friends seriously censured him; for, shocked by what was read, and countering the suspicion of Caesar, they said the same as everybody else (τὰ αὐτὰ τοῖς ἄλλοις ἔλεγον).²⁰

Dio’s Greek for the phrase “they said the same as everybody else” would clearly have found expression in Latin as *universi consentiebant*.²¹

This *consensus* manifests itself in the fact that the senate, though it does not declare war on Antonius outright, deprives him of the consulship and the rest of his authority (i.e. his triumviral power).²² Remaining Antonians are encouraged to desert, and several eventually do, most notably the *nobilis* Cn. Domitius Ahenobarbus.²³ At Rome, the senators don their military cloaks, and in an ancient ritual (or perhaps an invented tradition), declare war against Cleopatra at the temple of Bellona (outside the *pomerium*), with Augustus acting as *fetialis* (D.C. 50.4.3–5). Three things are abundantly clear. First, that on all accounts Octavian needed a preponderance of public opinion at Rome to effect the declaration. Second, that Octavian decided to resurrect or invent an obsolete ritual from Rome’s earliest days, because here too, public opinion was paramount—it responded to

the desires for a restored republic. Third, that from the outset the program was designed to transcend factional division and include those on the other side, and depended, to some extent, on willing cooperation.²⁴

Great military preparations by both rivals followed, supported by the resources of the empire and confirmed by oaths of allegiance.²⁵ As it probably transpired, Octavian, still holding *imperium* and in command of forces from the Illyrian campaign, stood outside the *pomerium*, at the disposal of the senate to save the *res publica*. At RG 25, Augustus stresses the notion that he did not impose himself as leader against the forces of the East, but that he was “demanded” as such: *Iuravit in mea verba tota Italia sponte sua et me belli, quo vici ad Actium, ducem depoposcit*. This finds resonance in the Greek translation of *per consensum universorum* in RG 34 (κατὰ τὰς εὐχὰς τῶν ἑμῶν πολιτῶν), and Propertius’ narration of Apollo’s words to Octavian just before the actual battle: “free Rome from fear, for relying on you as her champion, she places the prayers of the nation on your prow.”²⁶ Augustus describes the oath made to him on the occasion, by the whole of Italy, as “free-willed” (*sponte sua*), and adds that all of the Western provinces took it too.²⁷ Thus the oath was advertised as a manifestation of the *consensus universorum*, which provided a necessary front of unanimity consequent to the declaration of war and its assignment to him as a *provincia* by demand of the people (*ducem depoposcit*).²⁸ Regardless of the fact that the average Roman citizen must have felt pressure to conform to the “*consensus*,” clearly the future *princeps* felt the need to adhere to common denominators of propriety, the violation of which had fatally damaged his rival.

2. *Consensus* “τό τε μέγιστον”: *Consensus* and the Rule of One

The visible manifestations of this *consensus*, described as such, clearly exist in the sources, elevated to the level of state mythology. Dio records that in the spring of 31 BC, just before the final conflict, Octavian

mustered at Brundisium all of the troops of value and all of the men of influence, both the senators and the knights, the former, that they might cooperate with him, the latter, that they not start a revolt if left behind, but *most of all* (τό τε μέγιστον), in order to show to mankind that he had the most numerous and powerful element of the Romans *in agreement* (ὁμογνωμονοῦν) with him.²⁹

Dio’s Greek, ὁμογνωμονοῦν, corresponds to the Latin verb *consentio*.³⁰ Virgil, in his ekphrasis of the shield of Aeneas, depicts this *consensus* with the well-known lines “on this side stands Augustus Caesar, leading the Italians in battle, with the Senate and the People, the Penates of the state, and the mighty Gods.”³¹ Also noteworthy is Octavian’s fellow consul for the year 31, the *nobilis* M. Valerius Messalla Corvinus, who had sided with

Antoni^{us} until 32, had previously served Brutus and Cassius, and had suffered proscription.³²

The victory at Actium both ended the civil wars and left Octavian in sole power, thus fulfilling the two pre-conditions necessary for the transfer of power in RG 34. Suetonius and Dio, relying on a common source, both date the beginning of Octavian's sole rule from this point.³³ It would be wrong, however, to assume that the citizen body had no stake in presenting continued expressions of *consensus*. The testimony of Tacitus is informative here. At the opening of his *Histories* he writes: "after the battle of Actium occurred, and it was in the interests of peace that all power be granted to one person. . . ." ³⁴ Similarly, in the opening of his *Annals*, he writes "with the title 'princeps' he [Augustus] received everything worn out with civil strife under his *imperium*."³⁵ The immediate fear was a relapse into civil war.

Immediately after the battle, Octavian incorporated Antonius' legions, sent the superannuated soldiers of both forces back to Italy, and assigned the rest to provincial garrisons (D.C. 51.3.1–2). The dismissed soldiers of Octavian felt cheated of their just reward, and began to mutiny. Octavian feared that Maecenas would not be able to control the situation, and sent Agrippa to Rome to help him deal with the problem, while he himself returned to settling the East (D.C. 51.3.4–7). It soon became clear that this did not suffice when demonstrations on the part of the veterans made the situation critical. Octavian "feared that they might do something bad if they found a leader."³⁶ His very position of primacy was at stake. What good was he if he was no better than someone else at controlling the soldiers? He hurried to Italy from Asia in the middle of the winter of 30 BC (Suet. *Aug.* 17.3: the fact that the Mediterranean is less navigable in winter accents the urgency), along with his colleague in the consulate, the former Antonian Licinius Crassus, to stage a show of *consensus*. Landing at Brundisium, Octavian was greeted by a show of civil concord: the senate was there, along with the equestrian order, and embassies from the plebs and Italian communities. The effect was telling. No one attempted any act of rebellion, in view of his arrival and the enthusiasm of the crowd.³⁷ The manifest expression of unanimous agreement by all orders towards an individual or an act is the primary definition of *consensus univ^{er}sorum*.³⁸ Though it was not in itself an act of legal-constitutional significance, it unequivocally displayed the primacy of Octavian's position in the state. He was the object of *consensus* because so much was invested in him by those who gave it, and he clearly understood the necessity of being on hand to receive his people. He repaid such confidence by reining in and appeasing the soldiery in an orderly fashion, no mean feat given the licenses of the previous decade. Clearly *consensus* prevented a continuation of the civil war.³⁹

Octavian proceeded to arrange for the settlement of the unruly veterans, providing many with lands belonging to Antonians turned out of their homes, but who, importantly, received immediate compensation or the credible promise thereof.⁴⁰ Thereupon he returned to the East and the pursuit of Antonius.

News of the victory at Alexandria inspired further demonstrations of *consensus*. The senate decreed that the Vestal Virgins, the Senate and the People, along with their wives and children should greet him on his return (D.C. 51.19.2), a symbol of the all-embracing notion of *consensus*, even though Octavian absolved the population from executing this measure (D.C. 51.20.4). Near the end of the list of honors voted by the Senate, Dio mentions another decree requiring the participation of the entire populace: the priests and priestesses, in their prayers on behalf of the People and the Senate, were to pray for him likewise. Moreover, everyone was to pour a libation to him at all public and private banquets (51.19.7). Later, in 29 BC, among other decrees one reads that the entire population was to celebrate his entrance into the city with sacrifices (51.20.3). This measure was in fact executed, and in addition, Octavian was honored in an unprecedented way by his co-consul, Valerius Potitus, who publicly offered sacrifices on behalf of the senate and people on his arrival (51.21.1–2).

Dio's account of Octavian's two receptions after Actium, at Brundisium in 31/30, and at Rome in 29 BC, generally correspond to Velleius' narrative at 2.89.1, which depicts the enthusiasm with the same Roman obsession for distinguishing the various segments of society who partook:

But the concourse of people, the enthusiasm of men from every class, age and social status with which Caesar was received, the magnificence of his triumphs and spectacles cannot be properly expressed. . . .⁴¹

Dio recounts the honors bestowed upon his lieutenants, the gifts granted the soldiers, and the donations of money bestowed upon the people, 400 sesterces to both adults and children. Velleius' passage continues in close correspondence:

There is nothing that men can desire from the gods, nothing the gods can provide to men, nothing conceivable in prayer or fulfilled by fortune that Caesar did not grant immediately to the Roman people and the entire world upon his return into the city.⁴²

Dio (51.21.34–5) adds that Octavian refused the gold crowns which had been voted to him and provided by the cities of Italy, paid off his own debts and forgave those owed to him.⁴³ All this made people forget that the triumph was being celebrated for a victory over fellow citizens—an aspect never officially proclaimed. The expectation of stability raised the value of real estate and lowered the rate of interest by two-thirds (Suet. *Aug.* 41.1).

Fadinger makes two important points concerning the *consensus* between the battle of Actium and the restoration of the republic: first, that we should understand statements that Octavian exercised clemency towards Antonians as fundamentally correct; second, that the *consensus* mentioned in RG 34 and operative since 32 should not be understood as a one-time affair

attached to a transferral of *potestas* but rather a phenomenon that was reenacted repeatedly.⁴⁴ Indisputable proof of the first point lies not only in the fact that several prominent former Antonians held the consulship from 31, but also in the circumstances surrounding the censorial “purge” of 28, carried out by Augustus and Agrippa. Before this review there were 1000 members of the senate,⁴⁵ whereas Augustus himself writes that 700 senators accompanied him on the Actium campaign (RG 25). Yet *after* this purge, the remaining Antonian senators caused Octavian enough anxiety that he pretended to have burnt all the letters of Antonius, in order to allay their fears of reprisal and forestall a revolt.⁴⁶ Clearly, he would not do this if he had already, or could have, simply purged the 300 or so Antonians. Regardless, celebrating a victory over fellow citizens in a civil war was loathsome to the Roman mentality, and is rarely found in authors normally taken to be loyal propagandists.⁴⁷ Octavian’s role now was to establish and preserve *concordia* and bury the seeds of discord.⁴⁸

Evidence in Dio, originating from Augustus’ autobiography, explains his position in the state prior to its restoration in 28/27—an indefinite position of sole power—as due to the *consensus universorum*.⁴⁹ Statements of this kind occur in two places, the speech of Octavian to the senate in 27 BC on the occasion of the restoration of the republic (53.3.1—53.10.8), and in the *laudatio funebris* delivered by his adopted son and successor Tiberius in 14 (56.35.1—56.41.9). On the first occasion, Octavian recounts his enormous resources: he could rule over Rome indefinitely, because he has defeated or co-opted his opponents through justice or mercy, and has bound his followers to him through the distribution of favors. No one desired a revolution, and if they did, his party is powerful and the army loyal and strong, and he has money and allies. But of singular importance (καὶ τὸ μέγιστον) is the fact that the senate and the people are so disposed towards him that they desire to be led by him (D.C. 53.4.1–3: οὕτω καὶ ὑμεῖς καὶ ὁ δῆμος διάκεισθε πρὸς με ὥστε καὶ πάνυ ἂν προστατεῖσθαι ὑπ’ ἐμοῦ ἐβελῆσαι). A little later, after recounting similar resources, he cites again as most important to his position of power (καὶ τὸ μέγιστον), the fact that all willingly obey him D.C. 53.8.2: ἀλλὰ πάντων ὑμῶν καὶ εἰρηνοῦντων καὶ ὁμονοοῦντων καὶ εὐθενοῦντων καὶ τὸ μέγιστον ἐβελοντηδὸν πειθαρχούντων. . .). It is precisely this *consensus* which Tiberius refers to in his *laudatio funebris* delivered from the *rostrum*. There is no question that it forms a justifiable basis for autocracy (which Augustus implies he could implement without *consensus*), and there is no hint of any legal or constitutional principle that justifies it. Dio(56.39.1–2) relates a series of statements that by now have become a leitmotif and find clear resonances with the terse phraseology of the beginning of RG 34:

Having done these things, and having settled all remaining factional strife through his benevolence, and moderating the victorious army with his generosity, though he was able, for these reasons and on account of

his forces and money, to have been undisputed (ἀναμφιλόγως) master of all, of whom he had become master under the influence of events, he refused to, . . .⁵⁰

Here the word ἀναμφιλόγως, though not a translation of *per consensum universorum* of RG 34, does refer to the undisputed nature of the *potestas* he surrendered to the senate and people. A little later (56.39.4), one reads a similar statement, but with reference to *consensus*:

He [Augustus], who possessed all of your forces, being as great as they were, and had possession over all of the money, the greatest amount, not fearing or suspecting anyone—though it was possible for him to rule alone with the approval of all (πάντων συνεπαινούτων μόνω ἄρχειν)—did not think it fit to do so, but placed the armies and the provinces and the treasury under your common control.⁵¹

Here, again, the last phrase corresponds clearly to the restoration described in RG 34.

Thus, *consensus* is crucial to understanding Octavian's position from 32 until the restoration in 28/7. Though legal-constitutional justifications for his political activities were at hand—the *consular imperium* after the expiration of the triumvirate, and an annual consulship starting from 31—they pale in comparison to the statement that the *res publica* was completely in his personal *potestas*, and there was nothing constitutional about his unabashed statement that he could have kept it there.⁵² During his triple triumph, he emphasized this fact by having the magistrates and senate follow his chariot, reversing the traditional order (D.C. 51.21.9).⁵³

Augustus' statements, then, are inconsistent, for the preposition *per* in RG 34 implies that this *potestas* depended upon *consensus*. It does not refer to something secondary or inessential, but rather denotes modality, and thus by *consensus universorum* the *princeps* claims here to have attained his power because or on account of the fact that everyone wanted him to take it.⁵⁴ This inconsistency reflects the wish to emphasize two favorable things simultaneously: that the restoration of the republic was his decision, and that he had gained control through *consensus*. Regardless, in the passages from Dio, the *princeps* carefully emphasizes in every way that his guiding principle (τὸ μέγιστον) is to provide the leadership and management the Romans desire. This management is precisely related to his later claim in RG 34 that, after restoration, he possessed no more *potestas* than his colleagues, though he surpassed them in *auctoritas*.

Consensus in Roman political vocabulary creates and maintains arrangements; it is not appended to them, as Instinsky's review of the inscriptional and literary evidence demonstrates.⁵⁵ Mommsen, moreover, emphasizes that *consensus* does not signify an aspect of constitutional law, but implies that it was at least supposed to underwrite and influence

official measures. He asserts that in *RG* 34 it justified a completely extra-legal situation without any constitutional sanction.⁵⁶ Many scholars, uncomfortable with this explanation, posited some sort of far-reaching legislation that eluded the sources.⁵⁷

Nevertheless, *consensus*, though separate from a decree that would give it legal expression, was normally connected with it, permeating the social and political field as the basis of legitimate power.⁵⁸ As we shall see in the next chapter, Cicero had already complained that the constitutional mechanisms of the late republic were only as good as the *consensus* they expressed, had already used the *consensus omnium bonorum* to arrogate to himself greater rights to represent Roman society than he permitted to other politicians, and appealed to it precisely when he was on thin ice constitutionally.⁵⁹ For the rest, *consensus* does not find mention in legal decrees of a transactional or administrative nature because there were few circumstances in which constitutional mechanisms were not in place. It occurs more frequently in honorific contexts (or in elections and triumphal decrees in Livy) precisely because it is through these means that the Romans affirmed themselves by affirming the outstanding performance of their leaders, since Roman politics and society was personality oriented. *Consensus* in this area only needs to be mentioned when it concerns the exceptional and exemplary. This is not, however, to banish its latent power from the ordinary.⁶⁰

Octavian did not base his position from 32–28/7 BC on *consensus* alone, but also on an official capacity to execute an officially delegated task with consular *imperium*. As we shall see at the end of the chapter, the interplay between autocracy, constitutional office, and *consensus* comes into clear focus in Livy's narrative of certain early republican leaders. That is to say, Octavian's justifications resonated with a republican past that was undergoing a substantial clarification and standardization by contemporary elites, and thus corresponded to fundamental mental models of Roman culture. But the power these early republican leaders held was temporary, and Octavian's triple triumph of 29 emphasized that he was indisputably *potens* over the whole world. By its very nature, the restoration was meant to draw a distinction between itself and what went before.

This program has recently been clarified by the discovery of an *aureus* dated to 28 BC by the titulature on the obverse (COS VI), bearing a togate Octavian seated on a *sella curulis* holding out a scroll to an unidentified recipient. The legend reads LEGES ET IURA P R RESTITUIT (he restored the laws and rights to the Roman people).⁶¹ It is paired with a cistophorus from Ephesus dated to the same time, with a laureate bust of Octavian on the obverse with the inscription LIBERTATIS P R VINDEX—the champion of the liberty of the Roman people—an honorary epithet he received by senatorial decree for the act described in the companion issue—and a figure of peace on the reverse with the inscription PAX. The restoration of *leges*, *iura* and *libertas*, all the constitutional

hallmarks of a properly functioning *res publica*, stood in contrast to the previous 20 years of civil war and illegality which were finally over.⁶² The first act of restoration would have been reviving the republican practice of monthly alternating the *fascēs* with his consular colleague Agrippa (D.C. 53.1.1). At the end of this year, he also took the customary oath that he had done nothing contrary to the laws, and this in turn relates to his annulment by edict in the same year of everything he had enacted illegally up until 29 BC.⁶³ Moreover, in this year he also restored free elections to the people (the triumvirs had previously nominated the magistrates for confirmation), restored oversight of the treasury to the magistrates, and in the following year, he returned the armies and the provinces, though he reclaimed a substantial portion of both in response to protests at his resignation.⁶⁴ It remains now to understand the *consensus* implicit in the next section of RG 34, with respect to the position of Octavian's prominence on account of the restoration.

He writes that, in return for the restoration, he received the title Augustus, a word connoting something more than human.⁶⁵ Velleius Paterculus confirms that the appellation constituted an act of *consensus*: “the *consensus* of the whole senate and Roman people gave him, a man, the surname Augustus on the motion of Plancus.”⁶⁶ Velleius's report comes as the climax of a lengthy list of services rendered by the princeps.⁶⁷ In the RG there follows an account of the separate honors Augustus received which would become the leitmotifs of the new imperial system: his doorposts were covered with laurel, a universal sign of victory; the *corona civica*, the highest military honor, bestowed for saving a citizen's life in battle, was fixed above his door; and a golden shield, recounting his *virtus*, *clementia*, *iustitia* and *pietas*, was placed in the senate house (the *Curia Julia*). This assemblage of virtues was not canonical but put together *ad hoc* to respond to the immediate political context.⁶⁸ Augustus goes on to say that after receiving these honors, he was superior to everyone in authority (*auctoritas*) but had no more actual power than each of his colleagues in office.⁶⁹ Officially, the *consensus* of Roman society, therefore, that he best embodied certain traditional Roman values that reflected the needs of the times, inaugurated the “final” position of Augustus, formulated in traditional terms, and the foundation of the principate itself.

Augustus collapses time in the next and final paragraph of the document (RG 35), which leaps over a 25 year span in order to provide a compositional pendant to RG 34. It recounts the bestowal of the title *pater patriae* and its inscription on the vestibule of his house, the *Curia Julia*, and under the triumphal *quadriga* voted to him by the senate and placed in the middle of the newly dedicated *forum Augustum*,⁷⁰ surrounded by the statues of the most prominent men in Roman history, the *summi viri* “who had raised Rome from obscurity to greatness” along with inscriptions recounting their deeds in the service of the state.⁷¹ Augustus had proclaimed the purpose of these statues by edict: that “both he himself and the *principes*

of future ages be required by the citizens to live according to their lives, as if they were examples.”⁷² The title and the chariot with its inscription was the senate’s response. It recorded all of the countries subdued by Augustus, and “these clearly showed him to be the greatest of the great.”⁷³ The official message, therefore, was one of organic continuity between past and present, and one of unified wholeness and completion. With the obvious exception of Antonius, the divisions which had racked the Roman state and led to the very creation of the principate succumbed to a shift in perspective that transcended the need for conspicuous absences. Marius, Sulla, Pompey, Lucullus: all were venerable members of this collection.⁷⁴ Thus, Augustus’ central presence in this venue made him a synecdoche for the totality of the positive elements that went into a Roman’s understanding of his own identity.⁷⁵ This aspect presented itself at his funeral as well, where all of the *summi viri* appeared as his ancestors through the presentation of their *imagines*.⁷⁶

There can be no doubt that the *princeps* presented the appellation *Pater Patriae* as the pinnacle of his career.⁷⁷ Appian, writing in the second century AD, contends that there was no higher honor, and that it was *not* conferred as a matter of course, but only after a long, deserving career. While this is only partly true, it is the case that this honor evolved in the context of the highest military decoration (the *corona civica* Augustus received in 28/7), for saving a citizen’s life in battle, and was then transferred in the late republic to the political sphere to designate those responsible for saving and preserving the state as a whole.⁷⁸ Augustus did not want to receive it before it was clear that the new system, marked by long peace and tranquility, had been proven over time.⁷⁹

The official account provided by this chapter (RG 35), not to mention the words of the *princeps* himself on the occasion, demonstrate that *consensus* played the key role: *Tertium dec[i]mum consulatu[m cum gereba]m, sena[tus et e]quester ordo populus[ue] Romanus universus [appell]av[it me pat]re[m p]atriae. . . .* The three main divisions of the Roman citizen body participated in their entirety (*universus*) to bestow the appellation, an act synonymous with *consensus universorum*.⁸⁰ Augustus himself allegedly described the appellation as an act of *consensus* at the time of the event itself. Suetonius (*Aug.* 58) provides the fullest account:

The whole body of citizens with spontaneous and exceptional *consensus* conferred upon him the title Father of his Country: first the *plebs*, by a delegation sent to Antium; then, because he would not accept it, at Rome, as he was entering the theatre, which they attended in throngs, all wearing laurel; soon thereafter, the senate, not by decree, nor by acclamation, but through Valerius Messalla. With everyone charging him with the deed, he said “Good fortune, and divine favor to you and your house, Caesar Augustus! For thus we believe that we are praying for perpetual prosperity for our country and happiness for our city. The

senate, in *consensus* with the Roman people, hails you Father of your Country.” Augustus responded to him in tears with these words—for I give his words *verbatim*, just as I did those of Messalla—”Having attained my prayers, conscript fathers, what more can I pray to the gods for than that I be allowed to preserve this *consensus* of yours all the way to the end of my life?”⁸¹

There is no clearer indication of the overt recognition of the performative requirement of the *princeps* in attaining and maintaining the *consensus* of Roman society. Augustus here has a preponderance of popular support, but rightly refuses to be satisfied with achieving merely what the demagogues of the late republic had used to dismantle the conservative oligarchy.⁸² He only accepted the title on the senate’s approval, at the motion of a former partisan of Brutus and Cassius and onetime Antonian.

Official statements make constant references to a similar amount and range of support that the first *princeps* received. Favorable narratives of his career demonstrate that from the very beginning he wished to present himself as trying to prevent civil war and as embodying the *consensus* of the citizens.⁸³ The principate required the periodic restaging of the ceremony in which the structure of the system was recreated and its legitimacy reconfirmed. The preponderance of support by the lower orders, moreover, who were pleased with the arrangement and careless of political taboos, allowed significant refusals on Augustus’ part to undertake untraditional offices that were freely offered to him. In RG 5, for example, one reads that the people and the senate offered him the dictatorship, and that he likewise refused the consulship offered on the basis of annual renewal or for life.⁸⁴ RG 6 recounts the refusal of the unprecedented office of “overseer of laws and morals,” conferred on three occasions, again by the *consensus* of the people and senate. Instead, he professes to have acted in accordance with the wishes of the senate and in the official capacity of his *tribunicia potestas*.⁸⁵ At RG 8, he refers to the order of the people and senate that he increase the number of patricians, and in the next chapter that, when he fell ill, prayers were undertaken by the consuls and priests for his health by senatorial decree, and that the entire citizen body unanimously performed continual sacrifices on his behalf.⁸⁶ Later, Augustus relates that he was elected *pontifex maximus* “with such a multitude coming together from all over Italy as has never been recorded to have been in Rome before.”⁸⁷ The following two chapters, RG 11 and 12, relate further honors decreed by the senate upon his return from separate tours of the provinces.

The sources indicate that Augustus had more support than he needed. Apart from the refusal of extraordinary office, one recalls that he rebuked the populace for applauding the line “o just and gracious lord” at the theater, as if it referred to him. The same source records that he tried to enter and exit the city at night, so as to avoid disturbing people by the obligations of ceremony (Suet. *Aug.* 52.2). This hardly makes sense if such popular expressions of goodwill were contrived. Along the same lines, in listing the honors paid

to Augustus, Suetonius (*Aug.* 52) deliberately passes over all of the decrees of the senate, “because it may seem as if they were compelled by necessity or awe,” implying that what follows is not.⁸⁸ He then relates that the equestrian order always celebrated his birthday for two days “spontaneously and by *consensus*.” All of the orders threw a coin every year into the Lacus Curtius on behalf of his health, and brought new year’s gifts to the Capitol for him. When his house on the Palatine burned down, the multitude, detailed in its various social divisions, brought him money to rebuild it.⁸⁹ The author then narrates the occasion on which Augustus was hailed *pater patriae*, quoted above.⁹⁰

Soon after his account of Octavian’s cruelty as a triumvir, and just after he relates the two instances in which he contemplated truly restoring the republic, Suetonius records his goodwill in keeping control of it, and expresses doubt as to whether the intention or the outcome was better. It was Augustus’ policy to express these good intentions from time to time by edict:

Thus may I be allowed to establish the state safe and sound in its natural position, and to enjoy the fruit of that deed, which I seek, *viz.* that I be called the author of the best arrangement of state, and upon my death, that I may take with me the hope that the foundations of the state, which I laid, may remain in place.

The author adds: “And he fulfilled his vow, having endeavored in every way that no one regret the new system.”⁹¹

The fact that *consensus* shows up so readily in descriptions of the emperor marks it as the hallmark of the *novus status*; the word does not appear on coinage or official inscriptions until the beginning of the principate. Thus, it should come as no surprise that it serves to designate the highest honors of state for members of the imperial family who were unofficially presented as the political heirs of the *princeps*.⁹²

This is clear from a papyrus recording a Greek translation of the *laudatio funebris* by Augustus at the funeral of Agrippa (March, 12 BC), who had been unofficially designated his successor.⁹³ It witnesses the genesis of the terminology used to perpetuate the principate beyond the life of the founder.

For the *tribunicia potestas* was granted to you for five years in accordance with a decree of the senate . . . and again for another five years . . . it was granted. And it was ratified by law that, into whatever province the Roman state should bring you, no one should have greater authority than you in them. But you, elevated to the highest peak, both by our enthusiasm and your own proper virtues, according to the *consensus* of all mankind. . . .⁹⁴

Unfortunately, the papyrus breaks off mid-sentence at the crucial point. Nonetheless, Augustus scrupulously details the constitutional and non-constitutional support that bolstered the position of his son-in-law.

Though the measure would have been duly passed in an assembly of the people, he emphasizes the role of the senate in the conferral of *tribunicia potestas ex senatus consulto*. The *princeps* then balances this by emphasizing the legal ratification (by assembly) of the so-called *imperium aequum* which enabled Agrippa to intervene in both imperial and senatorial provinces.⁹⁵ Such unprecedented power finds justification: the *res publica* (τὰ κοινὰ τῶν Ῥωμαίων) summons a reluctant Agrippa to periodically intervene in those regions where needed.⁹⁶

Finally, however, Augustus explicitly contrasts (ἀλλὰ) the strictly legal equality of Agrippa's *imperium* with a wider, extra-constitutional *consensus* that set him apart and above his colleagues (a position clearly analogous to the last sentence of RG 34). It is odd that it is not the *consensus* of the Roman citizens or the *ordines* that comes into play. Whereas the Greek translator explicitly emphasizes the former in RG (34), and the honors for Gaius and Lucius and for Germanicus stress the latter (see below), this document refers to the *consensus* of all mankind (σὺμπάντων ἀνθρώπων). This could reflect that this translator was less informed than his earlier counterpart in rendering the word *universi* in the original phrase *per consensum universorum*, and, being an easterner, was naturally inclined to celebrate the emperor in Hellenistic terms.⁹⁷ Yet this does not preclude another possibility. The "highest peak" to which Agrippa is "elevated" (in Latin, the phrase was *ad summum fastigium . . . evectus*) does not, as was once believed, denote the *tribunicia potestas* or any other specific office exclusively.⁹⁸ Rather, the position reflects the wider opinion of Agrippa's qualities in exercising these competences. The *consensus* is the public recognition that results from Augustus' eagerness to cultivate (σπουδῆι = *studio*) Agrippa's career and entrust him with tasks, and Agrippa's manifest qualities in executing them (ἀρεταῖς ἰδίαις = *virtutibus propriis*). The notion that the *summum fastigium* reflects an unofficial prestige achieved after a distinguished career finds support elsewhere, not least in Livy's account, written within the same decade, of Scipio Africanus at the end of his career.⁹⁹ Here, Scipio's enemy Sempronius Gracchus refuses to prosecute him, claiming that to do so would be an insult to the state, for "Scipio, by the *consensus* of gods and men (*deorum hominumque consensu*), had attained that summit (*id fastigium*) through his own deeds and the honors of the Roman people."¹⁰⁰ The *consensus* of gods and men (not just citizens or orders) recurs under Tiberius, and in Tacitus' account of the elevation of Galba.¹⁰¹ In this case, though Augustus does not include the *consensus* of the gods towards Agrippa, nothing would prevent him, in a panegyric *laudatio*, from mentioning that of all mankind. His subject spent a good deal of time administering the provinces, and the Romans did specify the support of provincials when this was useful.¹⁰² For the rest, this document clearly demonstrates that heirs to the imperial station were cultivated by the *princeps*, who, by activating constitutional mechanisms and thus including the senate and the people, charged them with unique opportunities to

demonstrate superior qualities, their *virtutes*, that, by *consensus*, would endow them with the extra-constitutional standing to justify a succession that was not presented as automatic but couched in terms of merit. Livy's narrative also inadvertently provides a convenient Republican precedent for constructing an "unimpeachable" position through *consensus*.

Similarly, *consensus* figures prominently in the posthumous honors accorded to Gaius and Lucius Caesar, the sons of Agrippa and Julia, later adopted by Augustus himself and designated *principes iuventutis*, and in the honors granted to the dead Germanicus in 20 AD. The entities responsible for the honors detail the wide support within their own citizen communities, and thus emphasize the cooperation of the divisions (*ordines*) that comprise them.¹⁰³

Later imperial views of the new construct, and the role of its founder in it, are nowhere more clear than on an undated dupondius from the reign of Caligula. The obverse bears the head of Augustus, radiate with the legend DIVUS AUGUSTUS in the arc above, S[ENATUS] C[ONSULTO] to the left and right. The reverse bears an image of Augustus, laureate, togate, seated on a curule chair and holding a laurel branch. The legend reads CONSENSU SENAT[US] ET EQ[UESTRIS] ORDIN[IS] P[OPULI]Q[UE] R[O]MANI.¹⁰⁴

Pseudo-Seneca's *Octavia*, written shortly after the death of Nero (68 AD), illustrates both the strength of the attachment to the Augustan *consensus*, and the extent to which quasi-religious, sentimental elements had intensified in the course of a few generations.¹⁰⁵ In this scene, the character Seneca adjures his protégé to be a just ruler sensitive to the *consensus* of his people (ll. 459–60):

Nero: Let them obey my orders. Seneca: Order just commands—
Nero: I myself shall decide. Seneca: Which *consensus* may ratify.¹⁰⁶

A little later, he argues at length (ll.472–91):

It is a beautiful thing to tower amongst illustrious men,
to take counsel for the fatherland, to spare the downtrodden,
to abstain from mad slaughter, and to give delay to anger,
tranquility to the world and peace to one's time.
This is the summit of virtue, by *this* path one seeks heaven.
Thus that first father of his country Augustus
embraced the stars and is worshiped in temples as a god.¹⁰⁷ (l.478).
(l. 485) Sad hate, conquered, gives way under pious *consensus*;
the favor of the senate, of the knights is enflamed;
you, chosen by the prayers of the people and the judgment of the
fathers,
the author of peace, the arbiter of the human race,
now rule the world with godlike mien, the father of the country;

Rome asks that you preserve this name,
and she commends her citizens to you.¹⁰⁸

The many strands explored in the preceding investigation come together here, and attest to the persistence of the Augustan exemplar: the *princeps* is a bringer of peace and tranquility who prevents civil war; his fame and reputation are tied to performative standards; his goal is to deserve the title *parens patriae*, and to continue to deserve it, just as Augustus described his own goals on receiving the appellation; *consensus* appears as the opposite of violent usurpation; the *princeps* is chosen for his position of unquestioned moral and personal supremacy by the prayers of the people and the judgment of the senate; the support of all of the separate orders is detailed. Written after the fact, the lesson was clear: Nero's disregard for this *consensus* was fatal. This play also serves as a reminder that aspects of imperial ideology even several generations after the founding of the principate included visions of legitimate rulership that were much more republican in aspect than absolutist.¹⁰⁹

Thus far, an important distinction has not been made with regard to the significance of the sources examined. Some narrate the occurrence of acts of *consensus* as essential political events, whereas others memorialize these events, converting a historical episode into something both permanent and emblematic, and, in circumstances such as the *Res Gestae* or *Tabula Siarenis*, published in all areas of the empire. Thus, the *act of consensus*, though itself indispensable, is significant precisely because its commemoration lends itself so neatly to symbolic representation, and it is this symbolic nature that makes it central to the transition from republic to principate. As a symbol, the commemorated act draws a contrast between the current and successful political *consensus* and the lack of *consensus* that had ruined the state in the past or could do so again in the future. At the same time, the concept had resonance as a Roman term in the Roman tradition, and thus had a central role in the vision of the restoration as a *revival* of what had been missing, simultaneous to cultural formulations as to exactly what it was that *was* missing.

B. CONSENSUS AS BINDING LINK BETWEEN REPUBLIC AND EMPIRE

The fall of the republic was the failure of the senate to secure the *consensus* of the citizenry of Rome, and especially Italy, that its management of the state was competent and sound. Demographic changes and the growth of empire had produced a state of affairs whereby the ancient political structure, centered on Rome, came under the sway of the common populace organized by non-traditional leaders in the popular assembly. This coalition dominated the rest of the Italian citizen body, too diffuse to consistently

participate in the legitimate political forums of the City.¹¹⁰ When the dust settled, most people did not share the concerns of a few disgruntled senators who had the same ambitions as their republican predecessors, especially in the wake of the civil wars. Peace and security were more valued than republican *libertas*, if that ideal was inseparable from instability and war.¹¹¹ “In the interests of peace it was expedient that all power be conferred on one person.”¹¹² At the same time, the political classes worried that the new ruler would overshadow the *res publica* and distort it into something alien or un-Roman, and Julius Caesar paid the price for ignoring that anxiety. Augustus, learning from this mistake, had no choice but to find a solution acceptable to the political classes and a cultural elite thoroughly steeped in Roman tradition.¹¹³ One advantage was that those classes could see in that tradition precisely what they wanted to.

Julius Caesar had widespread public support and loyal followers among the political elite, but the sources do not advertise or celebrate this as *consensus*. Yet understanding *consensus* as mere public support does not appreciate the embedded nature of the term in tradition; *consensus* could be evoked to highlight continuity with the republican past. There are three essential and closely related ways this could happen. The first relates to the practical and performative aspects of the Augustan revolution, the second to the particular forms, images and culture through which the system presented itself. Finally, the very construct of *consensus*—a concept with roots stretching back at least to the middle republic—was very amenable to imaginary reconfigurations by elite narratives that could mirror (or perhaps even prefigure) imperial political behavior.

First, on the practical side, it was no longer an issue *that* Augustus attained an untraditional level of predominance, but rather *how* he exercised it vis-à-vis traditional structures and norms. Practically, he could instill a sense of tradition and restoration in two related ways: first, by exercising his power in defense of traditional social limits—and the hallmark of the sickness of state (and its culmination, civil war) had been the breakdown of this sense of limits—and, second, by accepting that same sense of limits with regard to himself, especially when political support allowed him to disregard them.¹¹⁴ Augustus succeeded in the former task by maintaining an ordered society where hierarchical designations, though based necessarily on a guaranteed stratum of wealth, nevertheless obtained dignity through the enforcement of meaningful moral qualifications. In fact, wealth was the *secondary* (but necessary and legitimate) means whereby a position attained and maintained chiefly (or supposedly) by merit could distinguish itself from the other orders.¹¹⁵ At the same time, the *princeps*' fiscal conservatism and devotion to the protection of private property, *otium*, and the rule of law—all part of the restoration—formed a sharp contrast to the excesses of the triumviral period.¹¹⁶ An essential aspect of this policy, as the following chapters will show, is precisely the fact that the Romans, in particular the elite, had already elevated their

experience of the excesses and violence that had occurred in the civil wars to the status of social memory, which they then perpetuated through their cultural activities, thus giving the princeps a 'negative template' against which he could highlight his legitimate and beneficent activities, and exert his *auctoritas*.

No other politician had his power, money and influence, and hence no one could engage in moments of condescension, both in the social circumstances of daily life (a breaking of recognized limits that reinforces the natural appearance of those limits) and in highly charged moments of investiture (the *recusatio*), and have it mean so much, both in the sense of making his authority appear naturally justified, and in making his attachment to traditional forms appear more real. In this manner, Augustus doubled the interest of the political capital invested by *consensus*. By refusing the dictatorship, he affirmed his commitment to the restoration and thereby became more authoritative than any *dictator*,¹¹⁷ by acting moderately and for the public good, he set himself apart from self-promoting competitors; by following the letter of the law, and enforcing the same ideology on those seeking promotion, Augustus distinguished himself from earlier dynasts.¹¹⁸ This moderation, too, was the essence of the *exemplum*.¹¹⁹ By refusing triumphs, and by having his close associates do the same, he could compel ambitious men to remember their place.¹²⁰

Rule by *consensus* also determined the forms, symbols and culture of the principate. The transition from republic to empire was organic, more a reaction to a self-inflicted cataclysm than the imposition of a new form of government.¹²¹ Julius Caesar came to power after a long political career built upon subverting the constitution for his own ends. He called the *res publica* "a nothing, a mere name without body or form," and was counseled by a powerful outsider not to rise before the senate but "remember he was Caesar." His reign was a hiccup in the process.¹²² His heir Octavian's weak position vis-à-vis his political competitors, on the other hand, left him no alternative but to pay strict heed to traditional structures of legitimacy.¹²³ Instead of creating his own position, he let himself be constructed, and in rhetoric he ends up alongside the *res publica* or even as synonymous with it precisely because he successfully represented it.¹²⁴

Accordingly, much of the iconography used to embody the principate already finds its roots in republican tradition, and constitutes not so much a new ideology as a reconfiguration of the old.¹²⁵ Visual spin-offs from official prototypes, containing implicit information concerning power and succession, were readily absorbed in various sectors of society, most notably in the military and in domestic life, because the ideology behind the style was readily acceptable.¹²⁶ The self-representation of the elite, moreover, adapted to avoid direct competition with the princeps—their goal now was to resemble the official *exempla virtutis* promoted by the princeps through his use of the *summi viri*.¹²⁷ Private portraiture begins to incorporate characteristics reflecting the civic-minded values apparent in the portraiture

of the imperial family.¹²⁸ Thus, there was much agreement as to what the imperial system should represent—in fact, it was so successful precisely *because* no one could disagree with what it did represent without risking a transgression of the cultural *doxa* that informed a Roman’s experience of his very world. It is wrong to assert that such a pictorial vocabulary was imposed. Rather, the *princeps* articulated and represented what the Romans desired.¹²⁹ He did not censor expression; indeed, he tolerated a degree of criticism inconceivable under modern totalitarian regimes.¹³⁰

The principate was a constructed arrangement and an Italian phenomenon. The permanent reassertion of the peninsula which characterized the end of the political transformation led to the creation of an “imagined community.” More precisely, Octavian sponsored the strengthening of this community by widening its scope, by fixing, among other things, a set of generic symbols (the *corona civica*, the *clipeus virtutis*, etc.) that represented to its inhabitants their values and integration into Roman tradition.¹³¹ *Consensus* as a political construct played a key role in the restaging and re-enactment of the republic that partially constituted the restoration.

This was not a disingenuous affair. As will be shown later, it mirrored the intense interest in the standard clarification of the Roman past by recognized national experts like Atticus and Varro—a past autonomously developed and crucial for the self-identity of imperial society.¹³² This close relationship between the past and self-identity had a reciprocal effect: narratives of the distant past were refracted by recent political experiences, while the new system itself reflected this newly (re)constructed past—which for its part the imperial *domus* could self-consciously mirror.¹³³

The concept of the *princeps* as first among the foremost had deep roots in the Roman religious, cultural and political system, and several studies throughout the prior century have explored the modes of transformation culminating in the principate.¹³⁴ Thus, though the *clipeus virtutis* had a Hellenistic precedent, nevertheless, in the *Res Gestae*, *consensus* is presented as a natural and familiar Roman concept, while, on the other hand, there is no obvious equivalent for this concept in the Greek language.¹³⁵ As a social and political concept, it finds currency in the oldest records of the Latin language as the lynchpin of elite ideology throughout the republic.¹³⁶ The sarcophagus of L. Cornelius Scipio, for example, who was consul in 259 and censor in 258 BC, reads:

*Honc oino ploirume consentiont R[omai]
duonoro optumo fuise viro,
Luciom Scipione. Filios Barbati,
consol, censor, aidilis hic fuet a[pud vos]. . . .*

Most Romans agree that this one man,
Lucius Scipio, was the very best of the
aristocrats. He was the son of Barbatus,

and consul, censor and aedile among
you. . . .¹³⁷

The phrase *hunc unum plurimi consentiunt* followed by a claim to civic primacy was formulaic at this period.¹³⁸ This is attested by Cicero's description of the epitaph of A. Atilius Calatinus (consul in 258 and 254, censor in 247 BC.):

*hunc unum plurimae consentiunt gentes
populi primum fuisse virum. . . . (de Sen. 17. 61).*

most families agree that this man alone
was the first of his people . . .

Though these epitaphs reflect the influence of Hellenistic epigram, they exhibit a characteristically Roman emphasis on the *consensus civium* that judges Roman statesmen.¹³⁹

Cicero continues: "The entire epitaph is well known, inscribed on his tomb."¹⁴⁰ Calatinus is one of Cicero's favorite Roman heroes, so one finds him and his tomb mentioned elsewhere, along with those of other ancient celebrities near the *Porta Capena* at the entrance of the *Via Appia* into the City.¹⁴¹ This establishes not only the archaic nature of *consensus* in the Roman tradition, but also that it was widely recognized as the pinnacle of civic greatness by people at the end of the republic, who viewed the old monuments of their city. This context shows clearly the types of resonances the program of the *forum Augustum* would evoke with respect to its content—yet even the form, highlighting as it did the permanent centrality of the *princeps* at the pinnacle of society, would have seemed more traditional than in fact it was.

The *elogium* of Barbatus' son opens with a rhetorical double antitheton "one/many," "good/best,"¹⁴² and that of Calatinus offers a similar construction. In both, the verb *consentiunt* mediates the poles of this dichotomy. Thus, from the beginning, it presents the categories of universality and singularity, unique preeminence and totality of agreement.¹⁴³ At times, the sources insist that such a *consensus* was not simply asserted through self-advertisement.¹⁴⁴ The claim to be the *princeps* by its very nature necessitates an appeal to *consensus omnium*, which is thus integral to the pyramidal configuration of Roman society which characterized both republic and principate.¹⁴⁵ However, as will be shown in the next chapter, there was more to this *consensus* than the possession of primary honors in the political field. The last century of the republic demonstrates a more forceful use of the construct as a solution to chronic problems, and a more forceful articulation of the authority it warranted.

In the principate's budding years, this ready-made construct found a convenient counterpart in the historical tradition of the *unus vir*, who, in

a time of grave crisis, represents the one person with the requisite talent to rescue or preserve the *res publica*. The actual historical reality of these *singuli viri* is secondary to the fact that they appear in traditional narratives—Ennius’s famous praise of Fabius Cunctator immediately comes to mind—in a way that is easily transferable to the imperial construct.¹⁴⁶ The triumviral author Nepos, for example, seems to echo contemporary hopes and expectations when he writes at the end of his life of Epaminondas that “one man was more valuable than the citizen body.”¹⁴⁷ It occurs frequently, too, in Livy, whose vision of the republic soon became standard.¹⁴⁸ Santoro l’Hoir has shown, for example, how the epithet “*unus vir* is . . . the most important of Livy’s recurrent historic expressions,” which “represents the highest compliment that the historian can bestow on one of his characters,”¹⁴⁹ and how through several of these figures the historian provided easy reference to the official figure of Augustus in various respects at various times in his career. Most strikingly, the construct as it operates in the Alexander digression (9.17–19) alludes to Octavian’s role as the Roman *unus vir* on the eve of Actium, who defeated the *unus hostis* Antonius, weakened, like Alexander himself, by eastern refinements.¹⁵⁰ Moreover, just as with the official autobiographical account of the eve of Actium in the *RG*, *consensus* often plays the crucial role in these constructs. Sometimes, especially in the case of the early republican figures Camillus and Fabius Maximus Rullianus, it bestows a type of “autocracy” that seems to anticipate the principate.¹⁵¹

The influence of art or life, the one upon the other, is difficult to establish, just as it is hard to find the point where the influence of historical tradition ends and contemporary influences begin. From the beginning, Roman historiography was oriented towards self-identity and prioritized fundamental values over that of historical “reality.” It already constructed the past in order to deal with slow but sweeping changes in traditional society.¹⁵² Though Livy’s work started right at the beginning, it was, like the program of restoration itself, firmly tied to the moral regeneration of his society through the proper *exempla* of the past, and thus was geared explicitly to bring the present into conformity with it.¹⁵³ This is not a case of deceitfully rewriting the past under the influence of overwhelming power. It is more the case that Livy, who may easily have started composing prior to Actium, independently provides the script for the contemporary political drama.¹⁵⁴

The quintessential passage occurs in Livy’s account of Camillus’ war against Etruria and Antium. With war looming, Camillus obtains control of the government, as military tribune, even though he has five colleagues in office.¹⁵⁵ The senate gives thanks that he is already a magistrate, for otherwise he would have to be appointed dictator. His colleagues themselves argue for the need for autocracy (*regimen omnium rerum . . . in viro uno*),¹⁵⁶ and willingly defer to him, saying that it in no way constitutes a derogation of their own dignity. The senate praises the tribunes, and Camillus, deeply moved (a sign of his modesty),¹⁵⁷ offers his thanks.

He said that a great burden had been placed upon him by the Roman people, who had now elected him for the fourth time, a large one by the senate, with such judgments of him by that order, and the greatest by his colleagues' honorable deference. Consequently, if he were able to add any labor and diligence, vying with himself he would strive to make steadfast his citizens' estimation of him, which was the greatest, held with such great *consensus*.¹⁵⁸

The language is, in many respects, quite similar to the actual words of Augustus on the occasion when he was hailed *pater patriae* in the senate.¹⁵⁹ The latter occasion occurred at least twenty years after Livy would have published this section, leaving open the possibility that life imitated art. More striking is perhaps the fact that, if a recent dating scheme is correct, this passage would have been written during the political limbo after the expiration of the triumvirate and before the restoration: precisely the period Augustus accounts for with the words *potens rerum omnium per consensum universorum*.¹⁶⁰

As was the case with Cincinnatus,¹⁶¹ one person is unanimously held capable of managing the state in a situation of great peril. Camillus pointedly details all of the corporate entities who have placed the burden of state upon him—the plebs by electing him to his position for the fourth time, the senate with its judgment of his capabilities, his colleagues by their obedience.¹⁶² This scrupulous respect for each entity that elevates him evokes the *consensus* that recalled him from Ardea.¹⁶³ P. Valerius, whom Camillus had selected to share in the command, says that he will instead regard Camillus as dictator and himself as the master of horse, adding that the Romans should have hopes for the war equal to their opinion of their singular (*unico*) commander. The senator's response to this *sententia* marks the *consensus* towards Camillus as the ideal of republican synergy—in short concord and the cooperative unity of all on behalf of the commonwealth:

The senators in their joyful eagerness roared their assent that indeed they did foster good hopes about war and peace, and the *res publica* as a whole, which would never need a dictator if it had such men in office, united with such concordant sentiments, equally willing to obey and command, and rather conferring glory on all alike than drawing it to themselves.¹⁶⁴

Through *consensus* Livy presents an archaic republican substitute for dictatorship at precisely the time when such a substitute was crucial.

Livy's later presentation of Fabius Maximus Rullianus offers similar political constructs and performative models.¹⁶⁵ A study of the wider use of the term in Livy, moreover, shows how such usages emerge naturally from traditional republican conventions that would have been found in the narratives of the earlier annalists.¹⁶⁶ One observes, for instance, individuals pressured to take up office, even when not standing as candidates. Nor

does electoral unanimity appear at all anachronistic. It is a phenomenon occasionally experienced by the upper echelons of the Roman elite, and should be understood in the same light as the *elogia* of the Scipiones and Calatinus.¹⁶⁷ The difference between these moments and the extraordinary elevation of Camillus and Fabius Maximus Rullianus, and, in Livy's own day and age, Augustus, is not great, more a matter of degree than of kind. *Consensus* bestows autocratic commands, and insistently creates what the leader never presumes to claim for himself. Moreover, Livy places it at the basis of constitutional arrangements like the Twelve Tables, and at times, the *consensus* of a wider body like the senate or general populace exerts an irresistible pressure on magistrates, who in all cases must conform to it.¹⁶⁸

Such prototypes are replete with all of the performative aspects with which they appear in real life. Camillus, for example, meets the enthusiasm that marks his elevation with a signal *modestia*. These forms of exchange were ritualized in the investiture of the emperor through the emotionally fraught "refuse du pouvoir," which was essential for the institution of legitimate authority.¹⁶⁹ Similar performative aspects, moreover, encapsulated in the Roman (and not the Greek) notion of *civilitas*, enabled an old sense of legitimate authority and cultural identity to remain, precisely because traditional social distinctions remained meaningful.¹⁷⁰

2 Order from Chaos

The Narrative of Discord as the Early Imperial Political-Cultural Template

Chapter 1 demonstrated how Augustus promoted the new imperial regime by orchestrating expressions of *consensus* that reflected both the numerical multitude and the social diversity of those who participated, and then commemorated them as emblematic of his regime. This *consensus*, as Augustus experienced and harnessed it, had emerged in all of its significance as a late-republican development involving *tota Italia*, and can be characterized as a response to a crisis in political representation: on the one hand, the elevation of individuals to tackle the problems of empire, which were no longer tractable by the senatorial oligarchy; on the other, “a fundamental and widespread conviction that the senate’s regime, and only the senate’s regime, was legitimate and correct.”¹ The dynasts dominated the political theater against the wishes of this group, mainly through the *comitia tributa*, which mostly comprised the urban poor who, in number and composition, did not represent the wider citizen body. This fragmentation was objectively and subjectively problematic—objectively because it enabled competing and coextensive claims to legitimacy, and subjectively because it prevented individual pre-eminence from acquiring legitimacy, both from the standpoint of the leader himself, and from the standpoint of the magistrates and citizens beneath him.² Consider the following excerpt from Dio (who at this point reflects Livy, his source), which relates Marius’s public relations success after a major military victory in 102 BC:

And from these acts [the manner in which he distributed war-booty], although he was formerly popular only with the multitudes because he originated from them and grew great through them, now he overcame the opposition of the nobles by whom he was hated, so that he was even praised by all alike. They, willing and consenting, elected him consul for the following year too, in order to finish the job.³

Pompey, too, had so much support upon his return from the East, that few would have minded if he had actually used his troops to extort power.⁴ Instead he dismissed them, dispelling fears that Sulla’s politics

had returned along with his former lieutenant. Later, when people started openly recognizing the need for a single ruler, they preferred Pompey, precisely because he was both pleasing to the people *and* led the Senate by virtue of his rank.⁵

Ironically, at the very end of the republic, there was a great deal of *consensus*, and desire on the part of great men to represent it. The problem was that it was too diffuse and inconsistent. On the eve of the civil war between Pompey and Caesar, for example, the senate *did* commission the former with summary powers to deal with the latter, and Dio details the number and composition of his following upon evacuating Italy.⁶ Shortly before this event, all of the cities of Italy promised sacrifices on his behalf when he became dangerously ill. This impressive show of support led to overconfidence.⁷ All the same, Pompey feared that if Caesar were allowed to present his case before “the people” at Rome, who were unenthusiastic about the prospects of war, he would come off the loser.⁸ Important, too, is the event Appian reports at the end of 44 BC—when Antonius, after the defection of two legions to Octavian, made his troops renew their *sacramentum* at Tibur before decamping to Mutina: “nearly all of the senate, most of the knights, and the most influential plebeians came . . . and willingly (ἐκόντες) swore not to abandon their goodwill and loyalty towards Antonius.”⁹

This *consensus universorum*, to which Octavian would one day appeal—which, as we have just seen, ancient commentators could unproblematically envisage as spontaneous—recurred intermittently in the late republic. I have shown already that the role of literary elites in the success of this program was crucial. In particular, Livy’s standardized representation of the Roman past inevitably highlighted aspects of the republican record that could be imitated by the imperial regime; thus *consensus* had a certain authoritarian aspect visible in the annals of the early republic, which responded to the way Augustus presented things.

But elites had a much larger role to play in enabling the principate both to present itself as a restoration of republican ideals that had deteriorated, and *consensus* as a viable mechanism for doing so. This chapter illustrates how the Roman political classes, on the eve of the principate, felt their way through the traumatic process whereby ineluctable social, administrative, logistical and political realities necessitated a transformation of the traditional *res publica*. It is as if, in a moment of historical self-consciousness, they took stock for the first time of what they had lost and what they could not do without. The imperial raiment was woven from the threads of that discourse.

I intend to explore several aspects of this process by observing the late republican and early triumviral anxieties regarding *concordia*. This concept must frame the investigation, because it constitutes the political ideal, and its parameters inform any Roman analysis of the success or failure of the state. It delineates the assumptions and conditions that

must obtain for political *consensus* to be possible, and the discourse surrounding it demonstrates the extent to which the Romans, plagued by decades of civil conflict, were fixated on the dysfunction of their own system. I will then turn to Sallust's famous description of the origins of Roman discord in the *Bellum Catilinae*, a text that both analyzes the problem in traditional terms, and at the same time reflects the author's contemporary experience of anarchy and proscription—the epitome of discord. The elaboration, in theoretical and political narratives, of this distressing annihilation of cultural norms in turn formed the negative template against which the construction of the (legitimate) imperial political system could take place. From there, I will explore how traditional political ideals were recycled at the end of the republic through the elaboration of opposing stances in the field of political representation (partly through self-legitimation and partly through an attempt to woo support from the other side). This dialectic articulated the necessary foundations of Roman identity, its irreducible common denominators, in a way that prefigured the sublimation of opposites through the political unity of the principate. The parameters of this discourse are provided, on the one hand, by the voices in Sallust's texts, as well as the pseudo-Sallustian (and probably Augustan) letters to Caesar. The text and career of Cicero, on the other hand, presents further elucidation of these norms from the opposite, “conservative” side. The important thing to observe here is how the criss-crossing of opposite sides, like the beams of two spotlights, serves to highlight whatever stands at the point of intersection.

Finally, Cicero provides the most eloquent attempt in the late republic to achieve political goals through the *consensus omnium*. In addition to arguing for carte blanche, extraconstitutional authority for its recipient, he elevated the individual who garnered it to the level of spokesperson for traditional Roman society: the very demonstration of *consensus* obtained unique legitimacy since it served by its very nature as a reflection of this society. It was not accidental that Augustus in the *Res Gestae* mirrored Cicero's language; conveniently for Augustus, Cicero was viewed by later generations as the quintessential mouthpiece of the republic (see Chapter 5)

The Romans were driven to self-reflection about their needs through the cultural alienation they experienced from the dysfunction of their own system. *Consensus* came to solve two problems simultaneously: through the elevation of a single individual, it prevented the competition that had made *concordia* impossible in the late republic and triumvirate. Second, it unified, in a demonstration composed of a social conglomerate, the disparate elements of society that had hitherto been susceptible to competing political representation. *Consensus omnium* and *concordia ordinum* were two sides of the same coin. Cicero failed because he could not consistently mobilize this *consensus*. The success

of the imperial system, on the other hand—as Gregory Rowe’s treatment of the Tiberian inscriptions and Geoffrey Sumi’s analysis of imperial ceremony demonstrates—can be seen through the constant reaffirmation received by the emperor and his *domus* through demonstrations on the part of the separate organs of state (duly recorded and publicly advertised) over the whole of Italy, organized around significant events in the life of the imperial family.

A. CONCORDIA: THE ROMAN POLITICAL DIRECTIVE

Concepts are defined in part through opposition. The ancients would not have cared so much about characterizing social and political cohesion were they not aggravated by its deficiency. The Roman concept epitomizing this cohesion, *concordia*, only appears on the scene after episodes of internal turmoil, behaving like its prototype, the Greek concept ὁμόνοια.¹⁰ *Concordia* has a long history in Roman tradition, which grants it anachronistic centrality to the “struggle of the orders” in the early republic.¹¹ It is an issue precisely when there were distinct and potentially opposing elements of the socio-political body, the dissension of which could seriously undermine the solidarity of the state. It is not surprising therefore that *Concordia* becomes one of the “abstract” concepts (like *Spes*, *Salus*, *Pietas*, etc.) that appears as a deity in its own right, honored with temples and dedications after periods of internal strife.¹² It recurs, with modifications in the object of emphasis, from the early to mid-republican period well into the imperial age.¹³

In the first century BC, with the exception of the campaigns against Mithridates, the Roman experience of conflict had been primarily that of civil war, to the extent that the very word “*bellum*” came to mean “*bellum civile*.” By the same token, the word “*pax*,” a term too connotative of external relations, changes into “*pax civilis*,” *otium*, or *concordia*.¹⁴ Of these terms, it is *concordia* that carries the most powerful appeal, belonging not to a mental, but a sentimental category, that is to say the general vocabulary of friendship (*amicitia*).¹⁵ Unlike the words *consensus* or *consensio*, which the Romans never saw fit to deify, it is never used pejoratively.¹⁶ One could, for instance, refer to a particular domestic *pax* as *saeva* or *cruenta*, or to an *otium cum servitute*, as the consul Lepidus refers to Sulla’s settlement in Sallust’s *Histories*, but there could never be a *saeva concordia*.¹⁷ At worst there was a phony pretense, a *specie concordiae et pacis* (Sall. *Hist.* 1.25.24). But though radical voices tended to deprecate it when the *status quo* favored conservative interests, nevertheless they never denigrated it outright—that would amount to advocating anarchy. Such cynicism was attributed to one’s enemies only, precisely because such notions lay outside the bounds of legitimate political discourse.

A Sense of Limits vs. the Crossing of Bounds: the *Concordia-Avaritia* Complex

Nicolet, in the course of his wider study of the equestrian order, has charted the semantic field of *concordia*:

First, a philosophical elaboration of Platonic origin, which considers concord from the point of view of the foundation of the city; then a political realization, founded not only on that universal and reciprocal “benevolence,” but on mutual concessions, and especially on a kind of sharing of powers and responsibilities. Finally, we shall find—both at Rome and in the Greek cities—an entire school of thought which views the city as nothing but a closed field of inescapable struggles, for which concord is neither the foundation nor the goal of national life, and which, consequently, if it does speak of it, matches it to all sorts of demands, essentially economic, which make it pass to the second rank.¹⁸

Before investigating the positions outlined here, however, it is worth examining the cultural norms that frame them. The Romans did not understand social problems in terms of the complex factors that inform the modern historian. For them, it was a simple matter of personal and social morality.¹⁹ Skard has shown how *ὁμόνοια* (concord), the Greek civic ideal, was closely connected to the notions of *ἀνδρεία* (courage), *ἀφέλεια* (simplicity) and *εὐτέλεια* (thrift) and contrasted especially with *πλεονεξία* (greed). Elaborated by the cultural middlemen Polybius and Posidonius, the entire nexus was imported to the Roman perspective, and it was seen as central to the functioning of the consummate mixed constitution (Sparta and Rome being viewed as such).

These concepts are central to the notion of concord, since civic turmoil occurs through the arrogation of privileges or resources by one group or individual at the perceived expense of others. On the other hand, the civic virtues of courage, simplicity and thrift subordinate the citizen to the higher good of the community. Problems occurred when classes or individuals were seen (usually reciprocally) as appropriating more for themselves than was acceptable to the other parties. This induced the failure of a system based on distinct but mutually dependent social and political elements (*a concordia discors*). *Discordia* at its most virulent was civil war, the dominant metaphor for which was fratricide. This reflects a particularly Roman outlook, inasmuch as the essence of Roman civic identity was based on belonging to a group of citizens—the word *civis* appears to be connected with the Germanic, Baltic and Slavic for “family”—as opposed to a physical entity such as was denoted by the Greek *πόλις*, from which is derived the Greek word for citizen, *πολίτης*.²⁰ The most horrific feature of civil war was proscription, the epitome of *discordia*, since the authors of the deed purposefully used fear and money (the opposites of courage and

thrif) to overturn the most basic ties and hierarchies by which Romans structured their world: wives betrayed husbands, children fathers, slaves masters, etc. But proscription, which I will treat fully in the next chapter, was only the extreme manifestation of a symptomatic social inversion that accompanied the chronic *discordia* of the late republic, an impudent and unrestrained transgression of boundaries, an absence of a sense of limits. By contrast, stories of the opposite behavior—wives, sons, slaves, etc. who resisted the temptation to profiteer and risked their lives in order to save their proscribed fathers, husbands etc.—affirmed, directly and emotionally, the Roman social and cultural norms that dictated the ideological basis of the principate: its social and moral sense.²¹ The “Roman Revolution” was not a redistribution of property and wealth based on an overt and paradigmatic shift in doctrine or ideology. The final mandate was an end to civil war and the suppression of the seeds of *discordia* through moderate behavior and the restoration of the austere and dutiful morality of Rome’s ancestors, the *mos maiorum*. Elite narratives played an essential role in this process by telling stories that highlighted the horrors that the new system was meant to end, and the values that it claimed to uphold.

The strength of the sense of limits that gave the Roman an immediate understanding of his society and his place within it cannot be properly understood without a brief look at the highly ritualized institution of the Roman *census*.²² This institution operated along two conceptual parameters that at first glance seem contradictory: equality and hierarchy. On the one hand, it was meant to establish a standard personal status, the Roman citizenship, the rights of which were the same for all citizens; on the other, it also established a wide series of roles and duties based upon a system of differential classification. Such concepts were not unknown in other systems in the ancient world, yet the Latin word reflects idiosyncrasies of the ritual conferral of status. As opposed to the Greek root for census, *tim-*, with its notions of “value,” “estimate,” and “public office,” the Latin word, *census*, though it has these meanings, has at its root the notion of “make a solemn declaration” and derives from the religious sphere. Further elucidation comes from comparison with the Sanskrit root *sams*, a derivative of the Indo-European root **kens*, which, according to Nicolet, “means to evoke in speech, or almost to call a thing into existence by naming it.” He continues:

... Dumezil speaks of ‘siting a man, an act or an opinion, etc. in his or its correct place in the hierarchy, with all the practical consequences that this entails, and doing so by just public assessment, by a solemn act of praise or blame. . . . ‘ This . . . has the merit of emphasizing at the outset a permanent characteristic of the Roman city, viz., that an individual’s status does not depend solely on objective criteria, even as defined in a law or regulation, but largely on the assent of the community expressed

by its competent magistrates in a solemn declaration expressed in words of praise or blame and summed up in a designation (*nomen*). *In order for the status to exist it must be formulated and express a consensus of opinion.* No doubt the status exists before the title, but, conversely, the bestowal of a title . . . largely creates the status; it invests the individual concerned with a whole range of very precise duties and privileges which, in effect, endow him with a second nature. Hence the ritual and formalistic character of a series of solemn obligations by the city—in abstract theory an aggregate of equal and independent legal agents—becomes an organic and rational structure, every member of which receives a designation assigning him his proper place in a system of reciprocal relationships.²³

This division informed the most solemn political rituals, such as the (pre-Marian) muster, or the centuriate assembly, in which a citizen fulfilled his role *qua* citizen (e.g. to the exclusion of foreigners, slaves, women, etc.). The synchronization of groups established by the censorial rite in such traditional collective activities—in which also the symbols and insignia, which divide members of each classes and unite individuals of the same class, are on full display—reinforced this division and the hierarchy thus established by requiring participation in a manner suited to the station with which one was endowed.²⁴

Ancient theorists promoted this traditional “geometrical” equality as a fair way of ensuring that those who carried the greater burdens of their society through their wealth and valor received adequate distinction, while the wealthy who received a monopoly in honor and decision-making had a commensurable number of obligations. At Rome, this reflected the property qualifications for office and one’s position in the centuriate assembly, which elected the higher magistrates and was structurally weighted in favor of the wealthy. On the other hand, the privileged needed to make “sacrifices in order to secure the consent of the population as a whole.”²⁵

It is necessary, too, to realize the importance that moral qualifications played in the functioning of the entire system. Classification was not simply a matter of wealth—“it might be reinforced, or the lack of it corrected, by physical, moral and social factors,” and members of the equestrian and senatorial orders could always be degraded for opprobrium.²⁶ Roman censors, endowed with wide discretionary powers, reviewed the moral conduct of a citizen and could impose a sanction (*nota*) or a fine. Moreover, “the higher a man’s position in the hierarchy of the census, which purported to be the model of the social hierarchy, the more rigorously he should be judged.”²⁷ The privileged were also expected to engage in honorable professions and to show proper care for the maintenance of their property,²⁸ provide the state with manpower by rearing children, and be unimpeachable in their conduct as soldiers and civil servants. In general, this function of ensuring moral rectitude, in particular among members

of the senatorial and equestrian orders, lasted well into the empire (the censorship itself ended with Domitian), and Augustus and later emperors ensured that worthy but impoverished members possessed the wealth their position required.²⁹

Thus, the system of Roman citizenship meant fitting into a specific place and playing a certain role that everyone agreed was appropriate for that person. The honorific, monetary, and performative characteristics of each place in the hierarchy were only the external indications of internal virtues, supposedly manifested through one's conduct and achievement. The maintenance of the civic *consensus* that underwrote the embedded hierarchy (i.e. symbolic violence) depended on the apparent devotion of those whom it elevated to the values and norms of the group. Moreover, a redistribution of goods and services from the top down was necessary to the functioning of this system of domination, yet it could not be an overt traffic of goods in return for recognition. Rather, it had to be layered and nuanced through performative strategies, and especially overt self-sacrifice, which affirmed the values of the group.³⁰ Quite reasonably, then, the Romans understood political dysfunction in terms of wealth, expressed as a state in which the political classes (i.e. the senate and the *equites*) acquired official positions in order to act in their own (pecuniary) self-interest, "bought" the positions to begin with, and used the wealth selfishly and conspicuously. The sickness of the state naturally appeared as a problem of misalignment: external privileges were seen to be bestowed upon the unworthy, or individuals of talent were excluded from them. The resulting social and political alienation was envisaged as an "inverted" society.

The Roman annalists gave this problematic state of affairs a long history. Going back at least to the sentiments of Cato the Elder, Scipio Nasica and Scipio Aemilianus, its origin was variously dated but generally associated with the hegemony of Rome in the world and its consequent overindulgence in luxury.³¹ *Concordia* and its associated virtues denoted a state of consummate strength for a community, but the opposite was seen as inevitably leading to its downfall. This view, associated especially with Polybius, the Scipios and Posidonius, had a lasting effect on Roman historical thought.³² An associated concept was the *metus hostilis*, an external threat necessary for the preservation of *concordia*, and which, according to Polybius, primes the mechanism of cooperation that marks the Roman system as so successful.³³

Sallust's Presentistic Portrayal of Discord

In the *Bellum Catilinae* Sallust canonized the destruction of Carthage as the moment that touched off the greatest internal crisis of Rome.³⁴ There are two important points of interest here. First, this historian wrote during the second triumvirate, and most likely composed this his first monograph

during the proscriptions and Perusine war, before the amnesty of 39 BC. Thus, his view of the deterioration of his community reflects his disappointment at the contemporary situation.³⁵ Second, his narrative became canonical and thus provided an essential cultural encapsulation of what went wrong with the republic shortly before Octavian went about trying to correct things and restore it to its pristine status. Wiedemann has shown, for example, that the contemporary context of Sallust's *Jugurtha* informs its moral lessons on the dangers of discord and the virtues of cooperation. It is likewise no accident that Agrippa lifted one of his adages straight from Sallust's depiction of the dying Micipsa, who told his sons that "small states grow great through concord, but discord undermines the greatest."³⁶ The anecdote at once powerfully proves the currency of Sallust's narrative, as well its reception and replication by those in power.

Sallust begins with the normal, healthy state, before the fall (9–10 ff.):

So, in peace and war, good morals were practiced, there was the greatest *concordia*, the least greediness, and justice and righteousness were upheld not so much by law as by disposition. The Romans dealt with the enemy with quarrels, strife and animosity; between themselves the citizens contended only about virtue. They were sumptuous in making offerings to the gods; at home they lived frugally and never betrayed a friend. They looked after themselves and the state by these two habits: boldness in war and fair dealing (*aequitas*) when peace was restored. . . . 10. Thus when, by hard work and just dealing (*iustitia*), the power of the state increased . . . and Carthage, the rival of Rome's empire, had been annihilated, every land and sea lay open to her, and fortune began to vent its rage and throw everything into confusion (*miscere omnia*). Leisure and riches, generally regarded as desirable, proved a burden and a curse to those men who had so easily endured toil and peril, along with uncertain and harsh circumstances. As a consequence, first the desire for money, then for power grew, and these were, so to speak, the root of all evils. For greediness destroyed honor (*fides*), integrity, and every other virtue, and instead taught men to be proud and cruel, to disregard religious obligations, and to hold nothing too sacred to sell. Ambition compelled many to be false. . . .³⁷

The historian then describes a state of social and moral inversion, complaining that avarice prevents his society from functioning properly and making sense. This is expressed in terms of a confusion of elements (*miscere omnia*).³⁸ The cause of this symptom—as the next quotation will show—is *precisely* the lack of a sense of limits (*modus*, *modestia*, both of which convey the idea of a "limit") that orders both the social and cosmological world (of which the social is the reflection) into a set of discrete yet harmoniously interconnected elements.³⁹ Respect for limits is especially undermined by *avaritia*, which reduces all of the qualitative distinctions

based on merit, the basis of the system of geometrical proportionality, to the quantitative one of money.⁴⁰ This lack of propriety also induces a lack of distinction in ownership, and a lack of proper restraint towards fellow citizens. Contrasting ambition (*ambitio*) and avarice (*avaritia*), Sallust continues, doubtless thinking of the recent proscriptions (11.3–12.3):

what distinguishes avarice (*avaritia*) is the desire for money, which no wise man ever longs for. Steeped, so to speak, in deadly poison, it renders a manly mind and body effeminate. It is always limitless (*infinita*) and insatiable. . . . But after Sulla recovered control of the government by force, despite making a good start of things, he brought them to a bad end. Everyone robbed and pillaged; one man coveted a house, another an estate. Nor did the victors show restraint or moderation (*neque modum neque modestiam*), committing abominable and savage outrages against their fellow citizens . . .

12. After riches began to be considered a mark of distinction and renown, military command and political power followed in their wake, and virtue became feeble; it began to be a disgrace to have moderate means, and integrity was considered spite. Accordingly, riotous living, greed and pride attacked our youth. They stole, they squandered, they disregarded their own possessions and wanted those of others. Honor and modesty, all laws divine and human, were alike disregarded in a spirit of recklessness and intemperance (*nihil pensi nihil moderati habere*).⁴¹

The lack of distinctions based on inner worth leads to social disorder reflected in the transgression of gender roles, to which (again) corresponds a lack of form in the cosmos as a system of discrete, that is to say perceptible elements. Sallust writes (13.1): “Why should I mention those things which only an eye-witness would believe—how several private citizens have leveled mountains and paved seas. . . . men played the role of women, and women sold their chastity in the open.⁴² Women are operating in outer, “male” space, as opposed to inner “female” space.⁴³ The lack of distinction between land and sea appears elsewhere in Latin literature as a metaphor for the lack of the outward manifestation of inward qualities (virtues) which inform human society itself and make life meaningful.⁴⁴ It is not a coincidence that the passage above displays similarities to Near Eastern apocalyptic descriptions of the chaos and injustice that precedes the arrival of a king who ushers in a new era of justice and prosperity.⁴⁵ According to Sallust, things had declined to such an extent that virtually no one displayed the qualities of those few leaders who raised Rome to greatness anyhow (53.6): “for a long time there has been scarcely anyone great in virtue.”⁴⁶ A contemporary reader of Sallust might perceive a subtle reference to Rome under the triumvirs.⁴⁷ At the same time, one finds a response of sorts in the program of the *Forum Augusti* several decades later, through which the

princeps requested that he and future emperors be judged according to the standards of the great *summi viri* of the republic, whose images lined the exhedrae (Suet. *Aug.* 31.5).

B. CONCORDIA DISCOURSE: THE ARTICULATION OF A SHARED SENSE OF VALUES IN THE LATE REPUBLIC

Shared cultural norms, paradoxically, emerge clearly in the controversy surrounding *concordia* that occupied a central place in the political practice and theory of the late republic. Ways of understanding this concept reflect the two opposing political stances in this period, which (to oversimplify) correspond to the radical (*popularis*) and conservative (*optimata*) dispositions.⁴⁸ The relationship of these groups to *concordia* has already received a measure of scholarly attention. Essential developments in this political discourse prepared a set of more or less unanimous principles which the triumvirs, in their concern for political legitimacy, appropriated during the struggle for power, and planned to represent when the dust settled. These principles, rather than highlighting the incompatibility of these stances, illuminate the boundaries of a common universe of discourse that framed them and became clearer as time passed. It is precisely this universality that allowed the principate to succeed, by simultaneously standing for matters that had, in the previous period of political competition, only been fuel for the flames of contending factions. In other words, Augustus was neither an *optimata* nor a *popularis*; he was both, or rather, could be either one as the situation required.

I shall begin with the *popularis* voices present in Sallust, and then demonstrate the unexpected conservatism these “radical” voices display in their criticism of the senatorial oligarchy, and how the text to a certain extent prefigures the language of the Augustan restoration. Cicero, on the other hand, furnished the quintessential *optimata* voice, which he structured around the concepts of *concordia* and *consensus*. He attempted to obstruct *popularis* tactics first by cementing an alliance between the senate and the knights (the *concordia ordinum*) and then through an all-inclusive appeal to those with a vested interest in the *status quo* (the *consensus omnium bonorum*). Not only did he advocate the legitimacy of mass demonstrations of *consensus* outside of traditional political forums—whereby the principate would come to justify itself—but he also did so through reference to the Romanness reflected in their composition, in contradistinction to demonstrations mounted by the opposition. Through his speeches, and, more importantly, the textual publication of these speeches, Cicero played an essential role in formulating a practical ideology of *consensus* out of events. Also significant was Cicero’s afterlife in the imperial cultural imagination—his undisputed oratorical primacy and his die-hard republicanism and subsequent victimization meant that he de facto became the

“voice” of the dying republic. This is underscored by the fact that renditions of Cicero’s death and invective against Antonius for causing it became the central topic of the rhetorical culture of the early principate (see Chapter 5). His “authoritarian” vision of *consensus* along with his undisputed republican status in Roman cultural awareness transformed his memory into an essential mental hinge between the republican past and the imperial present.

1. *Concordia* and the *Populares*: The Evidence from Sallust (and Pseudo-Sallust)

The *populares* in Sallust do not offend traditional standards by promoting upheaval. Rather, they assert that the restoration of the traditional system entails the vindication of the *libertas populi*, the suppression of which the *optimates* euphemistically justify by reference to *concordia*, *otium* or *pax*. These voices do not, moreover, advocate a class war, the violent overthrow of the social system, or wanton license in taking what belongs to others.⁴⁹ Their political strategy deplores the absence of traditional standards; they complain that the leadership is without virtue and that civic norms have become meaningless through greed.⁵⁰ Thus they urge the people to assert their traditional popular sovereignty in defense of traditional values, and not to destroy the dignity of the senate, but rather to restore it.⁵¹ The *populares* repudiate materialistic purposes when they use violence as a last recourse to regain traditional rights,⁵² but they also sometimes explicitly tell those whom they represent to *refrain* from it, or claim to go into voluntary exile for the purposes of forestalling civil war.⁵³

In short, while it is true that Sallust describes the unraveling of the fabric of the state through a natural proclivity on the part of the social orders toward a *contentio dignitatis libertatisque* (*Jug.* 40.5, 41.5, 42.4), neither he nor his radical characters cynically embrace this as something necessary or natural or propound a Thrasymachean view of justice.⁵⁴ On one occasion (*Cat.* 33.2), in a letter to the opposing general Marcius Rex, the Catilinarian C. Manlius laments the lot of the debtor and reminds him of the many historical instances in which the senate relieved the miseries of the poor, or allowed the payment of arrears in copper instead of silver. As we shall see, the “conservative” Cicero will also glorify the ability to conciliate the citizen classes without bloodshed, while Livy, relying heavily on Ciceronian formulations, will elaborate on this essential aspect of elite ideology in his portrayal of outstanding leaders.

Regardless, the *populares* have real complaints, and clamor aggressively for real change. It is important to remember that the presentism in Sallust’s narrative, noted above, still operates, and these voices to some extent mirror the author speaking *propria voce* in the monographs. At *Jug.* 3–4, for example, he claims to have withdrawn from politics because merit and honor were no longer given their due, and the age was rife with arrogance,

fraud and extravagance—it is not a far stretch, again, to apply what is said to life under the second triumvirate. At the same time, it almost seems that the language used to describe the restoration of the republic by Augustus, discussed in the previous chapter, mirrors clamorings in Sallust for popular control over “the laws, the courts, the treasury, the provinces, the kings . . . the power of life and death over citizens,” which are in the hands of one or a few.⁵⁵ The championing of the people *in libertatem*, a phrase oft repeated in the century of Rome’s civil wars to justify violence, heralded the simultaneous restoration and abolition of the Republic and ended its long history with the opening paragraph of the *Res Gestae*.⁵⁶

Defending the freedom of the state did not disqualify the dynast from further participation in its management. It is in this light that one should view the Pseudo-Sallustian oration and epistle to Julius Caesar, which, though forgeries, nevertheless illuminate the directives faced by this solitary dynast, and demonstrate elite participation in the formulation of governing principles. The impostor went to some lengths to make his documents look historically genuine, and indeed eminent modern scholars have defended their authenticity. Syme mentions two possible times of composition: the Augustan and early Tiberian period, or the time of Fronto and Gellius in the Antonine age. The curious observations on proscription might incline one towards the earlier date.⁵⁷

In these documents, Caesar is praised for rescuing the Roman people from the domination of a clique of nobles.⁵⁸ Nevertheless, several exhortations scattered throughout indicate various aspects of *concordia* that were important to Roman political thought: for example, the destruction of the state of Rome can only occur through inner turmoil; otherwise it will be invincible, making the statesman’s task to “strengthen the blessings of *concordia* and drive out the evils of *discordia*.”⁵⁹ The author insists that the tasks of peace are as important as those of war, or more so (*Rep.* 1.1.8, 3.1, 5.1, 6.1–2) and calls for restraint on the part of the victors (1.1.7, 1.3.3–4, 1.6.1; cf. 2.4.1). Issues of avarice, discussed above, have a strong presence—each must be content with his own property, and the excesses of debt and the need for usury must be curbed lest people desire another revolution.⁶⁰ The lower classes require employment for their own benefit, not largesse (*Rep.* 1.7, 2.5.8), and the upper classes need to be industrious and honest, not extravagant (1.7.2). The economic reforms traditionally demanded by the *populares* must be addressed, but it is also essential to see that the statesman’s primary role is to foster a moral citizenry (1.6.4).⁶¹ The letters, in the end, retain a certain conservative flavor similar to sentiments found in Cicero—the people should retain their *libertas*, but likewise the *dignitas* of the senate must be upheld, and the latter should have the decisive influence in the state.⁶² This all documents a clear—and conservative—understanding of the needs of the period, even though the ideas are put into the mouth of a *popularis* advisor to the most successful of *popularis* politicians.

It is not necessary to argue in detail here the way in which the Augustan program answered the *popularis* voices by respecting popular privileges, seeing to essential services, and looking after the well-being of the Roman *plebs* at the same time as it emphasized the moral requirements of the governing elite. At the same time, it trumpeted the end of civic turmoil, respected property rights and showed due deference to tradition and the senate. It is interesting to note that, in Cassius Dio, the *laudatio funebris* spoken by Tiberius describing the restoration was delivered from the *rostra* before the people, whereas the speech given by Octavian on the very occasion of the restoration was addressed only to the senate. In the *RG*, Augustus restores the republic to both the senate and the people.⁶³

2. Cicero and the Conservative Politics of *Concordia* and *Consensus*

Cicero represents the conservative side of *concordia*, rejected by the *populares*, which saw the beginning of civil discord with the Gracchan *lex iudicaria* (which pitted the equestrian order against the senate) and which brutally celebrated moments of upper-class triumph, when the equestrians united with the senate to topple Gaius Gracchus in 121 BC, or other “subversives,” like Saturninus and Glaucia some 20 years later, and M. Livius Drusus in 91.⁶⁴ Yet even before Cicero could conjure this alliance, the so-called *concordia ordinum*, into being and thereby maintain senatorial authority against the dynasts, he engaged from the very start in a traditional and closely related politics of *consensus*. This runs as a current throughout the length of his political career, but became especially prominent beginning with his election to the consulship in 63 BC. This reminds us that Roman politicians strove to maintain the support of all sectors of society, not just the senate and *equites*, but also the *plebs*. The fact that Cicero swept every election on his march through the *cursus honorum* speaks for his success.⁶⁵ *Concordia*, too, was more than just a slogan. Together with the *consensio bonorum* against the “radical” *populares*, it underpinned his policies during his consulship, even before the Catilinarian conspiracy, as when he defeated Rulla’s land bill. Just as his opponents assert their respect for the traditional prerogatives of the senate, he too maintains that the common people appreciate his devotion to public order.⁶⁶

Later, he describes the demonstrations of *consensus* on his behalf during the Catilinarian debacle and his recall from exile several years later as the high points of his career. As with his old slogan *concordia ordinum*, these were notable, but impermanent successes.⁶⁷ There is no need to detail the all-inclusive demonstrations on his behalf that he gladly itemizes (and embellishes) in his Catilinarian orations and the *pro Sestio*.⁶⁸ The important thing is to observe the manner in which his formulations were recycled and transferred to the world of the early republic, exemplified in Livy’s narrative written at the dawn of the empire. The historian, for instance, echoes the *consul togatus*, whom Cicero constructed after his own position

in the Catilinarian conspiracy.⁶⁹ This is the public leader who, through the peaceful art of politics gathers about himself in time of crisis the whole of legitimate society and wins a “bloodless victory” by which he “equals” or “surpasses” the great military dynasts.

In developing these themes, Cicero drew a distinction between himself, who acted with the *consensus* of all of the legitimate elements of Roman society (even if the action itself was unconstitutional),⁷⁰ and the dynasts who, through the unscrupulous use of *popularis* tactics, were disturbing the state for their own selfish reasons. His construct passed vividly into early imperial understandings of republican political culture. The source usually proposed for Livy’s anachronistic retrojections of civil strife in the “conflict of the orders,” that is to say Licinius Macer, a *popularis* historian who deprecates *concordia* as a conservative-*optimata* slogan, cannot account for his presentation of people like T. Quinctius Capitolinus, who is praised for his abilities to reconcile the interests of all the diverse elements of society in the name of civic unity. In one case (4.10.8) he equals the glory of his military colleague for so doing:

Quinctius, in his role as consul, achieved no easy feat. In a non-military capacity (*togatus*) he equaled the glory of his campaigning (*armatus*) colleague, because, by tuning (*moderando*) the law to those of low and high station he saw to the preservation of *concordia* and domestic peace in such a way that both the senators took him seriously as a consul and the plebs thought him mild enough.⁷¹

The similarities are too striking for there to be any other source of inspiration for this passage than Cicero’s construct of his own consulship and subsequent position from Dec. 63 to Dec. 60 BC.⁷² It is worth noting, too, that Quinctius’ particular accomplishment, the maintenance of *concordia*, consists of tuning the application of the law (*iura moderando*) in a manner appropriate to the status of citizens, that is to say with a “dueness” sensitive to the social sense of limits (*moderando*).

There are further parallels between the usage of *concordia* in Cicero and Livy (the only other author in whom the phrase *concordia ordinum* occurs).⁷³ This *Nachleben* may be understood from his virtually unequalled success in mobilizing the *consensus omnium* to crush the Catilinarian conspiracy, an event that led to unprecedented honors and a rather inflated self-importance.⁷⁴ Yet his devotion to *concordia* spurred imitation, and possibly the appearance of the goddess on coinage for the first time.⁷⁵

Cicero provided other practical and theoretical pre-formulations that prepared the way for the political culture of the principate. The *consensus omnium bonorum* was reprised in his recollection of his exile and recall. Here, the statesman colored his descriptions of the mass demonstrations on his behalf (possible due to the logistical support of Pompey), and stressed their unprecedented nature in what he asserts is a national cause,

an attempt to reemerge as a dominant political personality.⁷⁶ This opinion made it into the historical tradition proper: Plutarch (or rather his source, because the statement implies autopsy) actually says that Cicero's hyperbole was understated.⁷⁷

The relevance of Cicero's language is direct and twofold. First, the demonstrations on his behalf have a superior claim to legitimacy due to the number and diversity of the participants, the "real" *populus Romanus*, constituting all the social elements (or *optimus quisque*), who respond to the well-known program of *otium cum dignitate*, as opposed to those orchestrated by his *popularis* opponents (namely Clodius), even though these demagogues dominate the main legislative organ, the *comitia tributa*.⁷⁸ According to Cicero, his support is more Roman and legitimate since it represents the wider Italian citizen populace (*tota Italia*), and comprises orderly, disciplined expressions that preserve meaningful distinctions (the *gradus dignitatis*), structured around hierarchical principles of geometric proportionality, in contradistinction to the undisciplined, chaotic, un-Roman (or, rather, Greek-like) demonstrations by the *plebs contionalis*.⁷⁹

In addition, two of the main forums for the expression of public opinion, which Cicero mustered against the abuses of the *comitia tributa*, the theatrical events and gladiatorial games, gained in significance through the building of permanent installations such as the theatre of Pompey.⁸⁰ Many more enclosures of this kind emerged in the early principate under the patronage of the political elite, bolstering the reconfiguration of political society from a relationship between the republican oligarchy beholden to the sovereign populace at the constitutional assemblies, to a ruler and his house directly confronting popular opinion at public entertainments.⁸¹ Moreover, by the time that the theatre started playing a significant political role, laws concerning seating arrangements had partitioned the audience by social order: the senate, the knights and the ordinary people (marginalizing slaves, non-citizens, and possibly women). Thus the distinctions of society were properly observed—elements divided in identity and interest were clearly visible and their reactions could vary. Consequently, unanimous demonstrations carried special significance, and the participants themselves were unproblematically taken to represent "the true and uncorrupted judgment of the whole People, and the inmost feelings of the country."⁸² Such experiences also aided a differentiated, hierarchical social integration, for the audience "saw" these designations embodied in itself, and its members thereby came to understand themselves as Romans.⁸³

These concerns mirror sentiments found in the pseudo-Sallustian treatises mentioned above: the Roman *plebs* is servile in origin and behavior; it is unfit to rule an empire; it must be re-energized with an infusion of Italian stock to preserve the traditional virtues (*Rep.* 2.5.6–7, 2.7.2). This reflects a very real paradox: Italians had more of a say about what constituted Roman culture in the Roman revolution than the inhabitants of the city itself.

In seeing expressions of *tota Italia* in demonstrations of support for himself, Cicero exploits this trend by promoting *concordia* as the Roman way, by which each citizen finds his proper place and proper due, and ties it to stability and property rights through his program of *otium cum dignitate*. This he contrasts to the chaos, violence, instability and un-Romanness that characterize his opponents and their support.⁸⁴ In this, he can only act as the theoretical herald to the practical political arrangement—the true civic unification of Italy—that marked the success of the Roman revolution.

Second, the clear manifestation of diverse support allows the statesman, who vows his life to the state, to practically identify himself with it, to be necessary, in fact, for its *concordia*, preservation and prosperity.⁸⁵ It also lends him a practically absolute authority through his investiture by public opinion. To Cicero, these formulations, sometimes surprising in the amount of authority they arrogate to themselves, are entirely traditional. He felt that he could reasonably and conservatively state that his claims were only the voice and articulation of opinion concretely realized through mass political behavior.⁸⁶ Throughout, the politics of *consensus* ranks constitutional principles below the higher aims of national purpose, program, and representation.⁸⁷

Cicero failed to consolidate these momentary gains into anything permanent. More important for our purposes, however, is the fact that he provides evidence for the prefiguration of the “one-party” state so vividly and so insistently in terms of *consensus*; and that he united the elements of state in a configuration that was couched in republican terms, using as political currency real demonstrations which could easily be transferred to imperial practice, which allowed for a virtually unprecedented identification of individual and state, and which justified the use of a hand unfettered by constitutional scruple. For all his errors in political calculation, Cicero made the most he possibly could out of the traditional language of legitimate political respectability. Aspects of pre-eminence, so ingrained in the ancient republican notion of *consensus*, shaded naturally into autocratic hues in his very attempt to preserve the republic itself.

Cicero’s impact on the form and justification of the principate leaves observable traces.⁸⁸ First, his construct of the role of the *privatus* who takes drastic action “on behalf of the state” was fundamental to Augustus’ defense of his early career (Augustus recycles Cicero’s *Phil.* 3.3, justifying Octavian’s raising of an army, in the first sentence of his *RG*—down to the *clausulae* used).⁸⁹ Cicero’s ability to legalize Octavian’s entirely private act (and also the essentially illegal acts of the Liberators) against a consular magistrate (Antonius) with *imperium* and the sanction of law was a true feat of rhetoric.⁹⁰ But once he used his *auctoritas* to legitimize certain unconstitutional political practices by cloaking them in the language of social and political orthodoxy, these practices could be adopted and re-used. There is, for example, Cicero’s famous defense of Cassius’ illegal invasion of Syria: “for the law is nothing but correct reason drawn

from the power of the gods, commanding honorable things, and forbidding the opposite.”⁹¹

Octavian’s career overlaps with his political “mentor’s” manipulation of *consensus*, which justified a war against Antonius more than a decade before Actium: of the significant uses of the word in all of Cicero’s extant speeches, around 40% of them occur in the Philippics, where it plays a leading role.⁹² The theatre, again, figures prominently as Cicero describes the unanimous opinion expressed there as if it were the decisive stamp of legitimacy, e.g. the audience’s approval for Dolabella in suppressing the cult of Caesar.⁹³ Similar demonstrations in the theatre are recalled to Antonius,⁹⁴ and he is reminded to pay heed to the fate of Caesar. At the same time, Cicero extols the audience’s reaction on behalf of the Liberators at the *Ludi Apollinares*, where the *Tereus* of Accius was played and its attack on tyranny applauded. It is here that one finds the strongest formulation of the theatre as the perfect gauge of political opinion (note the detailing of the social orders):

I for one always had little esteem for those accolades when they were awarded to the *popularis* citizens; yet I, when it comes from the highest, middle and lowest status in common (*a summis, mediis, infimis*), when, in short this same thing is produced by everyone, I do not consider it to be applause, but a verdict (*iudicium*).⁹⁵

This crowd does not consist of the artisans and shopkeepers around the forum from whom Julius Caesar had garnered his support, but the wider, more diverse citizen body whose judgment lent a more legitimate stamp: they, perhaps, were the ones who had encouraged Brutus to assassinate Caesar in the first place.⁹⁶

The famous third Philippic vaunts the *consensus* of the state in every conceivable form against Antonius, whom Cicero attacks as if he were a Catiline.⁹⁷ He is no “real” consul, because of the *consensus* of the legions who, “for the purpose of restoring the republic,” disobeyed their commander and defected to the republican side (i.e. Octavian) (3.7, 31, 38). Decimus Brutus acts with the *consensus* of Cisalpine Gaul—further proof of Antonius’ illegitimacy (3.13, 5.36). The *consensus* of the people confirms the senate’s opinion that he should be declared an enemy of state, and can only be a sign of divine support.⁹⁸ The opponent is weak because he does not have a concordant and consenting state behind him (4.14). When the embassy is sent to Antonius at Mutina, Cicero tells the people that they are seeing whether the *consensus*, which he himself will represent, can (as it should) prevail upon Antonius.⁹⁹ He continues to urge the senate to act aggressively on it, and in the eighth Philippic uses it to justify a declaration of war—the first civil war, he says, which arose out of the *consensus* and *concordia* of the citizenry instead of their opposites.¹⁰⁰ After the engagement at Forum Gallorum, Cicero recollects the enthusiasm of the crowd, which

had declared that he had seen to the interests of the republic and escorted him from his house to the capitol and back—a virtual triumph granted by the *consensus* of the community.¹⁰¹ Finally, one might add that the letters of this period too are laced with references to such unanimity, clearly meant to influence the decisions of men of power.¹⁰² Ironically, it is nowhere more evident than in the very closing days of the republic that politics was seen as a “game” of *consensus* played by the fulfillment of structured positions and binding on both the political and non-political classes, the former to articulate and adhere to acceptable policy and the latter constrained to support these legitimate personalities and oppose deviants.

Most importantly, however, Cicero’s thought and vocabulary became inescapable in the imperial period. The Roman way of viewing and expressing things would, shortly after his death, come very much to be framed by Cicero. This alone was enough to prompt the notion that the republic of imperial rhetoric—that is to say of the imperial period—was the republic of Cicero. The brilliant afterlife of Cicero, in comparison with that of Cato and Brutus, owes to the fact that neither of these men were considered the undisputed fountainhead of imperial rhetoric. Octavian, immediately on the death of Antonius, with good reason reassociated himself with his former political mentor to promote his memory and cause.¹⁰³

For all that, it is clear that Cicero never ceases to stress *concordia* throughout his career, while *consensus* fades in and out of view according to the times when the orator feels he can reap the harvest of sentiment and situation. Soon after the *Pro Sestio*, Cicero claims to have recanted his opposition to Caesar (after Luca), which he had so carefully articulated in terms of *universal consensus*, in the interests of harmony.¹⁰⁴ He avows the same purpose when Pompey and Caesar come to an open breach, writing to each in turn in an effort to prevent war.¹⁰⁵ Caesar encouraged his efforts;¹⁰⁶ Pompey and the *boni*, on the other hand, ruined any chance of a settlement. At one point Cicero even considered writing a *de Concordia* based on a Περὶ ὁμόνοιας by Demetrius of Magnesia.¹⁰⁷ Cicero would later praise the dictator’s “desire for concord and peace” in a speech delivered at his house in 45 BC (*Deiot.* 11.12).

The great *imperatores* of the last century of the republic advertised, to a citizenry worn out with fratricidal strife, their ability to bring *pax* and *concordia* through their victories, and arrogated the salubrious powers of the deified Roman *virtutes* to their own persons in novel ways that prefigured imperial practice.¹⁰⁸ But it was Caesar who first, as *pontifex maximus*, utilized the goddess *Concordia* and her associated symbols (for example the clasped hands and the caduceus on coins) to distinguish his *clementia* from the brutal excesses of Sulla, and also the ephemeral peace of Sulla and Pompey from his promise of durable peace. The symbols he used survived him.¹⁰⁹ The religious imagery was also closely attached to the dictator’s wider imitation of such figures as Romulus, Camillus and Numa.¹¹⁰ Nothing is more indicative of the statesman’s role than the temple of *Concordia*

Nova decreed by the senate in 44 BC in Caesar's honor. The proposition that a day be added to the *ludi Romani* in commemoration elevated the dictator from the normal pattern of dedications that punctuated the history of the city and placed him in direct association with Camillus, the purported first founder of the cult.¹¹¹ Likewise, on his return from Munda he emphasized these themes by resurrecting the obsolete *ovatio* and celebrating it in conjunction with the *Feriae Latinae*.¹¹² Several colonies also appear under the name *Concordia Julia*.

Upon his assassination, *concordia* continued to play a very important role in the propaganda of the period, utilized alike by the Liberators, Antonius and Cicero (the *Philippics*, again, contain more references to *pax* and *concordia* than the rest of his speeches),¹¹³ who soon thereafter spoke of a general amnesty and confirmation of Caesar's *acta* in the name of *concordia*. When the Liberators descended from the Capitol, the crowd would not listen to anything the Caesarean consuls Antonius and Dolabella had to say until they had clasped hands with them.¹¹⁴ There was clearly a strong demand to prevent or end civil war. The advertisement of the goddess on coinage (and through temples and programmatic statuary displays) celebrated good relations between dynasts (usually cemented with a marriage), and thus the avoidance of conflict. She must, however, have appeared horrific on the early coins of the second triumvirate, which, paradoxically, was officially promoted as an act of *concordia*.¹¹⁵

The strength of the desire for peace in this period is reflected in programmatic changes in political symbols. The coinage of Pompey's son Sextus, for example, adjusted the program inherited from his father (notions of peace and *felicitas* tied to eternal victory) to include the head of Janus, the closing of whose temple would signify an end to hostilities.¹¹⁶ The forced reconciliation at Brundisium in 40 occurred for the sake of *concordia*, and this fact was commemorated again by decreeing the triumvirs an *ovatio* in celebration.¹¹⁷ In 35, after the battle of Naulochus, Octavian skillfully manipulated the cult to place the blame squarely on Antonius, by dedicating statues in the temple and extending to Antonius the right to banquet there with his wife (Octavia, the sister of Octavian) and children. Since Antonius had abandoned them in 37 in order to be with Cleopatra, this honor had a barb attached, and demonstrates the political leverage to be gained from seeming to stand in the interests of reconciliation.¹¹⁸

These concerns emerge in the third book of Sibylline oracles, which, in a section of the text reflecting first century conflicts between Rome and the Hellenistic kingdoms, places *concordia* foremost among the needs of the time.¹¹⁹ After the supposed victory of the East over the West:

. . . all good order shall come from starry heaven to mankind, and righteous dealing, and with her—most excellent of all to mortals—sound Concord (ὁμόνοια σαόφρων), and affection and honesty and love for strangers . . .¹²⁰

Concordia forms the central element of this author's conception of the golden age, a mystical-philosophical arrangement derived from theories of Hellenistic kingship:

as the king corresponds upon earth to the divine ruler of the universe, and as in an earthly state existence is impossible without communion and love, the king must promote these things as a copy of the universe; and in practice inscriptions show kings and their representatives . . . trying to bring about *Homonoia*.¹²¹

In the Sibylline text, the author pairs *ὁμόνοια* with the adjective *σαόφρων*. Skard noticed that the concept of *σωφροσύνη* was so central to the *ὁμόνοια-ἀνδρεία* complex, which served as an antidote to state-destructive *πλεονεξία*, that it often replaces *ὁμόνοια* to form an interchangeable *σωφροσύνη-ἀνδρεία* pairing.¹²² *Σωφροσύνη* is perhaps the Greek concept closest to Latin *moderatio*, the absence of which, as we have seen, was the hallmark of a discordant society. It is highly significant that both concepts operate on the subjective and objective levels. On the one hand, both denote temperance and self-restraint; on the other, *moderatio* also expresses the act of governing or managing, *σωφροσύνη* a sense of prudence and discretion. Both are closely associated with a sense of limits, the chronic transgression of which was the primary symptom of the dysfunctional community.¹²³

Posidonius, moreover—one of the primary Greek theoreticians through whom such ideas gained currency in the Roman mentality—demonstrates an extension of the concept *ὁμόνοια* to the scale of the unifying principle (*ἄρμονία, δεσμός*) of the opposite elements of the universe, a great *complexio oppositorum* that traces its origin to Pythagorean philosophy, and finds currency in Roman literature as a *concordia discors*.¹²⁴ This, in turn, influences understandings of the political world, the counterpart of the cosmological one. The city, like the universe, consists of opposite elements that cohere.¹²⁵

Cicero echoes these and other standard motifs: the end of the *metus hostilis*, the consequent unleashing of *avaritiae* and *cupiditates*, the old *ὁμόνοια-ἀνδρεία* complex, etc.¹²⁶ He favors the notion of the divine *recta ratio* “that orders the city in a harmonious microcosm where each unit finds its place and fulfillment,”¹²⁷ and forms the highest law, justifying even unconstitutional actions (like Cassius' invasion of Syria). The *locus classicus* for this point of view is found in the famous musical metaphor in the *De Re Publica* (2.42.69), which clearly associates the job of the ideal statesman with the creation of *concordia*. He is to

never cease improving himself and contemplating himself, that he may call others to the imitation of himself, so that by the splendor of his character and life he provides, as it were, a mirror to his fellow citizens. For, just as in harps and flutes and as in song or voices

there is a certain harmony (*concentus*) that has to be preserved, which trained ears cannot stand if changed or discordant, and this harmony is made concordant (*concors*) and proportioned by way of the moderating (*moderatio*) of the most dissimilar of voices, thus out of the intermingled social orders—the highest, the lowest and those in the middle—just as in sounds, the state harmonizes (*concinat*) by a *consensus* of the most dissimilar folk, when reason has governed it (*moderata ratione*); and this, which in song the musicians call harmony (*harmonia*), is concord (*concordia*) in a community, the closest and best bond of soundness in every state, which can in no way exist without justice (*iustitia*).¹²⁸

Here *concordia* reflects the *consensus* of disparate social elements (*ex summis et infimis et mediis*) just as, in a practical political speech, Cicero emphasized the applause for Brutus at the theatre upon slaying Caesar as special exactly because of its diversity: *cum a summis, mediis, infimis, cum denique ab universis hoc idem fit . . . non plausum illum, sed iudicium puto*.

For the rest, Cicero's theoretical ordering of the state is markedly conservative and weighted in favor of the senate. He proposes that it usurp the legislative function entirely, yet he does not propound a one-sided lack of political reciprocity (the continued election of its members and the abolition of censorial adlection are nods to popular sovereignty). The governing classes have a responsibility to lead moral lives and to guide society through their example. Thus he writes: "since supreme power is with the people and authority with the senate, that balanced (*moderatus*) and concordant (*concors*) constitution of the community is preserved, especially if the next law is followed . . . let the senate lack vice, and be a model to the rest."¹²⁹ The *princeps*, moreover, ultimately guarantees the *concordia* envisaged by tending to the diverse interests in the community with impartiality to resolve the conflicts that tear it apart—one must explicitly *not* act like either an *optimatus* or a *popularis*.¹³⁰ That this paradigm operated in early imperial understandings of the principate is shown clearly by Livy's presentation, noted above, of early Roman statesmen who perform the role of mediator, which Cicero also claimed for himself.¹³¹ Thus Cicero and Sallust converge in their deprecation of *contentio* and *factio*. But even more importantly, Cicero's insistence on the exemplary conduct of the ruling class would be clearly mirrored in the early principate as the primary mechanism for endowing the *novus status* with integrity, continuity with the past and a moral standard that justified hierarchy and preserved stability. This subject is reserved for my discussion of Valerius Maximus (see Chapter 6).

3 Proscription, the Autonomous Creation of Imperial Ideology, and *Auctoritas*

This chapter focuses on how the Roman elite constructed the social and political ideology of the principate by recounting their experience of proscription. Sufferers of this atrocity were of the republican, that is to say anti-Caesarean party, and comprised a large segment of the upper classes of the first generation of the imperial period. By attending to portrayals of this experience, we can observe how the imperial administration succeeded by responding to and assimilating these perspectives, thereby easing the inconsistencies of the new arrangement with the old *res publica*, by affirming values self-consciously asserted in the narration of their violation. Political competition between triumvirs necessitated an avowal of these norms, but more importantly, from the standpoint of legitimate leadership, their endorsement over time enabled Octavian to acquire the *auctoritas* by which he would change from triumvir into *princeps*.

This *auctoritas*, when used to understand Augustus' success, must take into account the reasons for its effect as a social mechanism in order to avoid begging the question. That is to say, one cannot speak of how Augustus used his *auctoritas* so successfully without understanding how it was acquired and why it worked—simply claiming to have it does not make it effective.¹ I intend to address this concretely by observing Roman narratives that reflect the limits of their own self-understanding. By doing so, one can see the expression of needs and desires that the triumvirs intensively adopted, supported and represented in an effort to build a solid basis of credibility in a period of fierce political competition. Moreover, after Actium and the restoration of the republic, the fact that no one could compete with Octavian's extensive record in various civic and military aspects stood him in good stead. The fact that in *RG* 34 he claims to surpass everybody in *auctoritas* by 28 BC invites one to investigate the record of the period prior to that point as its basis. One must first, however, clarify the concept itself and the underpinnings of its effectiveness.

**A. THE PRINCEPS AS CULTURAL SPOKESMAN:
 CONSENSUS, FIDES AND THE UNDERPINNINGS
 OF IMPERIAL AUCTORITAS**

According to Suetonius, Augustus believed that a “divine radiance” emanated from his gaze and liked it when people showed visible signs of its effect (*Aug.* 79.2). Suetonius is probably not referring to the emperor’s *auctoritas* here, but its effect as a commanding presence would have been somewhat similar; Cicero ascribes such effects to *consensus*. Speaking of the heights of *auctoritas* reached in old age (*Sen.* 61), he cites Calatinus’ epitaph and says that the man rightly had a *gravitas* (a word meaning “weight” or “heaviness” but by extension meaning “influence”) based on the “*omnium . . . fama consentiens*.” In the case of other great men, he asserts that “their *auctoritas* rested not only in the opinions they expressed, but even too in their very nod.”² This at one and the same time points towards the non-constitutional weight of the man of authority—the misrecognized effect of granting recognition experienced as a visceral force upon oneself—and the source of that power, namely widespread public opinion.³ Yet this *consensus* and its consequent *gravitas* or *auctoritas* does not occur randomly. To exercise such unofficial authority one needs a substantial record and one needs it vis-à-vis accepted norms and valued abilities.

It is revealing that Cicero says that *auctoritas* peaks in old age. Thus, the radically beneficial effect Pompey “had” on the economy when commissioned to lead Rome against the pirates was nothing more than a misrecognized “decision” to feel confident on the part of the public that placed their confidence in him—Pompey the famous general and administrator, not Pompey the novice.⁴ Moreover, Cicero, in *De Re Publica*, recognized that a *princeps* must “reflect” the values of his society and provide a “mirror” to his citizens in calling them to imitate his example (2.69). This means that the misrecognition—by which I mean experiencing a self-imposed constraint or self-induced enthusiasm as a power emanating from some authority—depends on the extent to which that authority seems to represent something greater and more legitimate than himself as an individual. The leader becomes the guardian and servant of his people.⁵ A man of *auctoritas* does not justify himself by saying “because I said so.” Rather, people who defer to him with regard to something do so since they think that his “saying so” is sufficient because of what he stands for and who he is widely recognized as speaking for.

The *auctoritas* that achieves such prominence in *RG* 34 must be understood likewise in terms of personality, competence and successful representation. Heinze, who wrote the fundamental article on the concept, renders Augustus’ claim thus: “My pre-eminence rested on the influence people freely conceded to me more than to any other, as the most authoritative person in political questions.”⁶ This assertion reflects a traditional practical construct operative in Roman (as opposed to Greek) society whereby

people willingly deferred matters of importance to those more qualified to deal with them. Moreover, the associated charismatic qualities, though partially resulting from the pre-structured dynamic of political interchange at Rome, operate primarily in the moral dimension and withstand any attempt to view the evolution of the principate as the constitutional institutionalization of *auctoritas*.⁷ Rather, overt demonstrations of the *omnium fama consentiens* that Augustus and his supporters eagerly detailed established, strengthened and reified its extra-constitutional power.⁸

The protests against Augustus' marriage legislation demonstrate that *auctoritas* did not always command obedience.⁹ Popular demonstrations could demand Augustus' installation as dictator, but they could also force him to compromise his political arrangements, as when they forced the recall of Julia to the mainland.¹⁰ Moreover, the principate had not yet become a self-standing institution in his lifetime, and the way pointing towards his successor had to be carefully prepared. The success of the system necessitated both the creation of an imperial "career," so that ostensible successors could gain credibility through experience, and an entire apparatus of theme and image that again reflected the identities and values of those who expressed their politically legitimizing *consensus*.

The ability to foster *concordia*, which, as the last chapter demonstrated, encapsulated the primary political directives to be implemented by the head of state, lay uniquely in the gift of the man of *auctoritas*. Both *concordia* and *auctoritas* relate to *consensus*, because the *omnium fama consentiens* creates *auctoritas*, and implies by definition the agreement of diverse interests, which is the basis of *concordia*. *Auctoritas* establishes, distributes and arranges. It sets forth and maintains limits, but also allows for their ritual transgression in ways that reinforce the established order of things. It creates and preserves that order with a sense of due proportion (*modus*), which is reflected in a term used to describe the active process of governance, *moderatio*, and it instantiates, on a social level, those principles of uniting and separating which, as we have seen, inform the sensible universe in a *concordia discors*. The Empedoclean parameters of *philia* ("love") and *neikos* ("strife") are clearly operative: *philia* because the *concordiae auctor* will foster sentiments of benevolent unity amongst citizens, *neikos* (or *eris*) because he will uphold hierarchical divisions based on a contest of *virtus*, which operate both as the principle of division in the system of geometric proportionality and the ideal practice of the healthy state.¹¹ One can, moreover, clearly see a moral dynamic at play in the princeps' censorial "purges" of the senate, which are clearly associated with the theme of restoration. In the first, for example, in 29 BC, he let unworthy elements censor themselves (and there is little evidence for political disingenuousness).¹² When this did not suffice, there was a second "purge" which, again, was meant to rid the disreputable elements admitted during the triumviral period, or those intolerable on account of their flattery (D.C. 54.13.1). In this he is clearly responding to

elite opinions articulated in triumviral literature, outraged at seeing the lowly and unworthy in positions of honor.¹³ One could protest this only by pointing to his actual merit. For instance a victim indignant at the fact that others less worthy than himself were retained while he was stricken from the lists “rent his clothes in the senate itself, and laying bare his body enumerated his campaigns and also pointed out to them his scars.”¹⁴

Moreover, Augustus meticulously restored and fostered the traditional divisions of the social hierarchy. In fact, “innovations now gave distinctions of rank sharper definition,”¹⁵ and this is nowhere more evident than in his *lex Iulia theatralis* which organized seating for events in the theatre and amphitheater.¹⁶ These events, at which the entire citizen body was represented, were viewed as the most trustworthy gauge of public opinion by the late republic, and became the primary political forum of the empire. The theatre correspondingly came to be used as a metaphor for politics in general and provided an institutional and cultural bridge between the republic and empire. Most importantly, it was a regular and ideal medium for what Bourdieu terms those “acts of theatricalization through which groups exhibit themselves (and above all, exhibit themselves to themselves) in ceremonies, festivals, etc.,” and which

constitute the elementary form of objectification and . . . conscious realization of the principles of division according to which these groups are objectively organized and through which the perception that they have of themselves is organized.¹⁷

Again, as with the *census*, divisions were made according to *virtus*. Distinguished military service, for example, was particularly honored by privileged seating.¹⁸

This venue, then, in which the citizen body, differentiated according to status and merit based upon a *consensus* reflecting the organizing principles of civic life itself (the *census*), objectifying the *concordia discors* through its representation of a unified totality of distinct elements (the *discrimina ordinum*: Tac. *Ann.* 13.54), was the fundamental forum for the expression of political *consensus* directed towards the “performance” of the *princeps*.¹⁹ Moreover, the line between the theatre as a social and political mechanism, and the wider social and political context in which the politician operates, became blurred in the ancient world.²⁰ Augustus’ careful cultivation of these events is also well known, so it is not surprising to find the metaphor operative in the famous “speech of Maecenas” in book 52 of Dio Cassius, where Octavian is advised to govern by example, inasmuch as he “will live as it were in the theatre of the whole world, and it will not be possible for you to be overlooked if you make even the slightest mistake.”²¹ Clearly the success of the system, and the credibility of the *princeps* depended on an openly accepted dialectic of performance and judgment, as it did for the *principes* of the republic.

In addition to *auctoritas* and *consensus*, however, a third concept, *fides*, essential to Roman political life, provides crucial insight, because it demonstrates how important it was for a political leader to secure the genuine trust of his community that he acted in good faith, and also because it shows how seriously Romans were willing to uphold the core values of their society. As we shall see, proscription narratives become quintessentially Roman documents central to imperial ideology precisely because this concept informs its every aspect.

The writer of the third Sibylline oracle cited at the end of the last chapter speaks of a return of πίστις, the Greek equivalent of the Roman concept *fides*.²² Many aspects correspond to the Greek notion of δικαιοσύνη (Roman *iustitia*, or “justice,” also closely related to πίστις by the oracle).²³ Moreover, there are peculiar subjective and objective qualities attached to *fides*, manifest on several levels that sometimes coalesce. For our purpose, the term carries with it a notion of causing or exerting feelings of “trust,” “assurance” or “reliability,” i.e. as an objective quality. In the legal sphere, the concept becomes the morally qualified, binding and conscientious expression of an agreement or obligation that then grounds the belief of the other that this arrangement will be fulfilled. The act of giving one’s *fides* (*fidem dare*) with respect to promises or obligations is really the activation in a specific instance of a unified essence of loosely defined credibility, which one either preserves or loses in its entirety. Dependent, again, for its effect on general acknowledgement, it forms an essential component in the Roman personality, a sense of moral credit as intimately connected to personal worth as one’s lineage and talent.²⁴ The senate invoked this quasi-religious sense of honor when it commonly instructed a magistrate to act *ita uti ei e re publica fideque sua videretur* (“as it seemed best to him according to public interest and his own conscience”).²⁵ The greater one’s “credit” and influence, the more people came to recognize it and rely on it; the more people who recognized it and gave a visible demonstration of this recognition, e.g. through the numbers of clients at a *salutatio*, the greater one’s “credit.”

One aspect of *fides* in particular requires emphasis because it closely relates Roman *consensus* to the early imperial ideological atmosphere. An analysis of the phrases *obsecro vostram fidem* or *vostram ego imploro fidem* etc., a Roman method of imploring help from bystanders, shows that the afflicted invokes a pre-existing “faith,” i.e. a moral obligation of one’s fellow-citizens to assist, a meaning that comes out clearly in the word *quirito*, “to cry out in protest at some illegal action, make an outcry.” Varro, a highly respected scholar of the late republic (who himself figured prominently in the proscription narratives), derives this word from the phrase *Quiritum fidem clamans implorat* “a man crying out beseeches the faith of the Romans (*Quiritum*).”²⁶ Whether the etymology is in fact correct matters less than the force of Varro’s derivation—particularly, as we shall see, in the context of the times in which it was written. It implies both a widely

recognized reliance on the community in the face of outrage, and that part of what it meant to be a Roman was a strong *consensus* over what was outrageous and an obligation to support the individual fellow citizen against such acts.²⁷ I contend that it is precisely this *consensus* that intervenes in the creation of imperial ideology through the widely-read narratives of the proscriptions circulating during the second triumvirate. To put it differently, through the narratives themselves, the *cives Romani quiritaerunt* and at the same time memorialized that irresistible outcry.

The youth Octavian, at the start of his career, lacked every qualification for political ascendancy but money and the name of Caesar (and thus the loyalty of Caesar's veterans). At the time, Cicero said of him that he had too little of the *auctoritas* with which he would come to justify his leadership of the state over a decade later,²⁸ and nothing could guarantee that he would eventually attain this position.²⁹ Cicero worked hard to officialize what his protégé asserted *de facto* and made the forgivable mistake of thinking that the young man depended entirely upon him. People had to take him seriously, but for a while he commanded little real respect.³⁰ As a person of prominence, however, with requisite cultural and economic capital sufficient to make an initial political "investment," he had the opportunity to eventually build a record of credibility, of activated and preserved *fides*, of behavior consistently approved by social *consensus* that could coalesce into *auctoritas*. At any rate, it is overly cynical to dismiss *auctoritas* as a smokescreen for bare *potestas*, and this invites one to investigate the context within which it makes sense and to which it refers.

B. PROSCRIPTION NARRATIVES AND THE SELF-CONSCIOUS ASSERTION OF NORMATIVE VALUES

The phenomenon of proscription, whereby Roman leaders who acquired power by force published a list of their enemies along with a bounty on their heads, only occurred twice in Roman history, the first under Sulla (82–81BC) and the second under the second triumvirate (in 43–42 BC).³¹ It is worth noting an essential difference in the portrayal of the two experiences. The literary narratives such as emerged from the first event are much fewer in number and detail than those from the second, and generally center around the experiences of the Sullan victims at the hands of the Marian party, before the formal proscriptions began. In other words, only a limited literary repertoire developed from the experience, and the stories of a great number of victims went largely untold, inasmuch as the Marians, the victims of the proscriptions proper, were either killed or banished and their descendants barred from holding office until the *Lex Antonia* of 49 BC.³² In Appian, who provides the premier source for the numerous stories of the second proscriptions, the anecdotes and narratives surrounding the first are generally slanted in favor of the Sullans. Particularly noteworthy

are the pathetic stories of the Sullan “innocents” Merula and Catulus (BC 1.8.74)³³ who were falsely accused and commit suicide, and the report that the slaves enrolled in the army by Cinna (1.8.65) killed, plundered and victimized their former masters until Cinna had them all killed (cf. Plut. *Mar.* 43.3–4.).

On the other hand, Appian can only deprecate Sulla abstractly.³⁴ After mentioning that he first instituted the practice of proscription proper (1.11.95), he only devotes three sentences to his account of this period. There are no names, no stories, and only the most general statements as to the horrors experienced. One section only is devoted to the punishment of the Italian Marians and the settlement of the veterans (1.11.96). Plutarch (*Sull.* 31–32) offers little more.³⁵ By contrast, Appian provides the names of the four senators whom the younger Marius has killed before Sulla captures Rome, and narrates their deaths (1.10.88). For all that, the sources do relate the breakdown of social and familial ties that occurred at the time, but there is an apparent paucity of material for fleshing out these phenomena with the dramatic examples one finds for the second proscription.³⁶ That is because the material is simply not there for the later sources to do so. One might even argue that accounts of the first proscription came to be strongly colored in wording and theme by the more widely circulated accounts of the second. Valerius Maximus preserves one particular anecdote that appears very similar in strategy and sentiment to those that appear in the accounts of the second—that is to say, the feelings of those who deprecate Marian atrocities become reflected by onlookers in the narrative, who are then depicted as refusing complicity in the atrocity in an exemplary fashion. In his chapter *de Abstinentia et Continentia* he writes (4.3.14b):

In that tempest also, which C. Marius and L. Cinna inflicted on the state, the abstinence of the Roman people was admirably seen: for when they put forth the houses of those proscribed by them to the hands of the crowd to plunder, no one could be found who sought loot from citizen grief: for each one abstained from them as if they were sacred buildings. This so merciful self-control of the plebs was a silent outcry against the cruel victors.³⁷

The sympathies of the author (and presumably reader) become the sympathies of the narrative audience, and this mental model then becomes a powerful medium for the expression and transmission of social norms. As shall be observed, the accounts of the second proscriptions become utterly fixated on these types of portrayals.

Be that as it may, Sulla’s measure was meant to restore stability and put an end to chaos by identifying and permanently removing those incorrigibly hostile to his regime; it was an act of limitation reassuring the rest that these men and their associates alone were the target. Many in Rome generally supported his measures, however unenthusiastically,

and in the interests of public security Cicero himself defended the *lex Cornelia* forbidding the full re-integration of the sons and grandsons of proscribed Marians.³⁸ What blackened Sulla's reputation more than anything, however, was his unprecedented and official use of the lists themselves, and the systematic and spectacular nature of the measure. The dictator himself could not bully the senate into adding its sanction (though the senators could hear the cries of those being executed in the *villa publica*) precisely because they did not approve of the example it would set.³⁹ Julius Caesar found him a useful foil in promoting his own policy of clemency when the Pompeians were clearly looking forward to imitating Sulla's example.⁴⁰ In addition, when the second proscriptions came along, narrating his atrocities became a convenient medium for decrying present circumstances (as we have seen Sallust do in the previous chapter). Imperial authors also found it safe to cast him as the prototypical tyrant through which they could influence the behavior of the emperor in the form of a negative *exemplum*.⁴¹

One cannot underestimate the significance of this. Sulla's final victory was secured by ruthlessly snuffing out the opposition. The measure could only be justified by recounting the atrocities Sulla's enemies had committed, his own attempts at reconciliation, and their steadfast refusal to come to terms.⁴² Octavian, by contrast, upon final victory simply absorbed the Antonian opposition at a time when the remnants of the triumviral proscriptions had already been re-integrated into Roman society for at least eight years, and the narratives of their experience had achieved such wide circulation that they comprised a new genre of literature that lies at the heart of Appian's narrative (App. *BC* 4.3.16).⁴³ Those proscribed, or whose relatives had been proscribed, played very prominent roles in the political life of the early empire.⁴⁴ As we shall see, the triumvirs themselves had been ostentatiously competing to represent the values outlined in the proscription narratives, and to attract as many republican luminaries to their own side as they could. The price for not doing so would have meant permanently alienating the Roman elite both politically and culturally. In addition, whereas the *Lex Cornelia* put the final stamp on Sulla's measures to blot out the enemy from the face of the earth, Octavian, as part of his program of restoration, annulled all the illegal acts committed under the triumvirate. Instead of confirming what had been done, the new restoration was to a great extent about undoing it and not letting it happen again.

At any rate, the second proscriptions, a consequence of the second triumvirate formed between Antonius, Lepidus and Octavian in November 43 BC, made real the late republican fears that the horrors suffered under Sulla would return. The main sources for the event can be found in the historical narratives of Appian (*BC* 4.1.1–6.51) and Dio (47.1–19.4). The triumvirs explicitly referred to the Sullan atrocities in their edict that Appian preserves (App. 4.2.8–11), and stated that their purpose was to

be more merciful than Sulla by only punishing the guilty. The absence of a ban on mourning, of public execution and the mutilation of bodies, and the fact that some goods of the proscribed were reserved for their children was also a milder aspect. Yet unlike the prototype, designed as a measure of finality, this was designed from the beginning to initiate confusion and terror. The system of rewards for assassins and, in this case, informers, was more extensive—slaves, for example, would receive their freedom in return for betraying a master and be enrolled in his tribe—and the punishment for those who aided and abetted was more severe than Sulla's in that those who did so were added to the list.⁴⁵ The atrocity opened with a surprise attack against 17 of the most prominent victims, and when the consul Pedius tried to allay the ensuing panic at Rome by affixing a list of the rest of the victims, the triumvirs purposefully did nothing to rectify this error in order to keep the element of surprise; and they left the lists open.⁴⁶

The respective intentions of Appian and Dio complement the purposes of this investigation nicely.⁴⁷ On the one hand, Appian desired not so much to blame this or that triumvir, but concentrated on the sophistic deceit found in the discrepancy between the words and acts of the syndicate. He refutes the promises of the edict through narrative and presentation, and also highlights the cruelty of the experience itself along with its social implications. Dio shares his disgust, drawing a significant distinction between the fact that the Sullans only proscribed their enemies, whereas the triumvirs proscribed even their own relatives and friends (47.5), and he works in standard rhetorical elements for effect. In general, he has less interest in adducing anecdotes than his counterpart. When he does so (47.10–13) they are generally less colorful, chosen for their unusual nature and moral content. More importantly, however, Dio admired Augustus, and thus sources exculpating the *princeps* from the atrocities he committed have a greater sway on him. This bias illuminates the official view of Octavian's role in the proscriptions, an event he preferred not to mention in the *Res Gestae*.

Immediately after relating the contents of the edict, Appian lists four names of those who headed the list, all of them relatives of the triumvirs or their close associates, the Antonians Plancus and Pollio. Then, almost as an afterthought, he adds that Octavian's tutor allegedly (*λεγόμενος*) appeared on the list as well (4.3.12). This "alleged" aspect might reflect the improbable assertion of Augustan propaganda that the young Octavian did not partake in the violation of even the deepest ties of loyalty and piety as the others did. It is also true that the measures in general reflected the interests of Lepidus and Antony, since they and their armies had been condemned and outlawed by the senate, while Octavian had already justified his pursuit of the liberators through the *lex Pedia*.⁴⁸ The proscribed hid, fearing their wives, children, freedmen, slaves and neighbors no less than the assassins themselves. The description of the turmoil and social inversion that ensued must have shocked the highly class-conscious Romans (4.3.13):

For some feared their own wives or their own children who were not kindly disposed to them no less than the *percussores*, and others their freedmen and slaves, and others feared their debtors of loans and the neighbors of their property who coveted it. For there was a general insurrection, and however many people were inwardly hostile before were present in their masses at that time, and there was a lawless change in the position of senators, consulars, praetors and tribunes, those still canvassing for offices or already holding them. They threw themselves at the feet of their own slaves with lamentations and made the slave their savior and master. Most pathetic of all was the fact that even when they promised these things they were not pitied.⁴⁹

The elite concerns of Appian's sources emerge here quite clearly, as do similarities with Sallust's general description of the Sullan proscriptions, mentioned in the previous chapter. Appian then contends that the calamity exceeded normal civil dissension or military occupation, since people had to fear from their own households—hatred and greed compelled the unfaithful to treachery, and even faithful and well-disposed slaves were afraid to help because the edict made them liable to proscription too (4.3.14). He then describes the pathetic fate of the victims in general terms, but also adds that there were outstanding examples of virtue and attentive care (σπουδῆ καὶ ἀρετῆ) on the part of women, children, brothers and slaves, who rescued and facilitated the escape of the victims, and even committed suicide when they failed. He ends the section, finally, by pointing forward to the re-integration of these victims, saying that some survived to become magistrates, generals and even *triumphatores* (4.3.15). The historian then calls attention to the finality implied by this re-integration by comparing it with the times of Marius and Sulla, and concludes that the present occasion was “more remarkable on account of the repute of the three men, and the fact that one of them (Octavian) by his excellence and good fortune established the government on a secure foundation and left his lineage and name now ruling behind him as a legacy.”⁵⁰ He further asserts that the particular stories he describes are “the last of the kind” (τελευταῖα), and that by way of abbreviation he will relate the most extraordinary of each category of experience “with a view to the truth of each and the happiness of the present time.” Thus part of the ideological effect of the stories consisted precisely in comparing one's own experience as a citizen under the empire with the models presented in the stories.

Appian programmatically chooses two leitmotifs in presenting the narrative proper (4.4.17–6.51). Apart from anecdotes of shocking memorability, he wishes to relate that which confirms the general statements he has already made.⁵¹ That said, his method is to methodically counterbalance examples of treachery with those of fidelity.

Several interesting patterns emerge. First, a fascination with tales of inverted status. Apart from the shocking lawlessness associated with the

proscription of government officials (4.4.17–18), the audience reading Appian's sources must have sympathized with the contradictions involved when men of high station suffer (very frequently) situations beneath their rank or have to disguise themselves as members of the lower class in an attempt to escape.⁵² Valerius Maximus decries such unworthy behavior hysterically: "The escapees who endured these things were too eager for their own lives, the proscribers, who forced others to suffer them, too eager for their deaths!"⁵³ Likewise, apart from a general sympathy for those victims betrayed by dependents, one sees an interest in those who loyally save them, or who die (or commit suicide) on their behalf, especially for those slaves who purposefully masquerade as their masters.⁵⁴ Valerius Maximus (6.8.5) relates another episode, in which the brother of Munatius Plancus surrenders when he cannot stand hearing his slaves tortured while they loyally conceal his whereabouts (cf. Pliny *NH* 13.25). There is also general sympathy for those proscribed merely on account of their property, and this too reflects the sensibilities of the upper-class audience.⁵⁵ Appian says that little beyond greed prompted so many disgruntled lower-class people to violence, though he does mention debt (4.3.13), and it is hard to see why he depicts the perpetrators as "smouldering with resentment" (ὑπουλα) unless abuses by the upper class were common.

One can also observe other matters of interest. For one, the sympathies of the narrator are mirrored in the attitudes of onlookers in the narrative. In some cases, these "onlookers," or the public, protest on the part of the victims against the outrages they suffer, or compel the triumvirs to redress something unacceptable. The *consensus omnium* identifies and upholds the norms that inform society, trumps the edict and forces the triumvirs to ignore its force only at the cost of incurring infamy and of losing every pretense of legitimacy. Whether Appian's narrative records an actual state of affairs correctly reported by his sources every time or reflects a projection of sympathies onto a historical account is inconsequential. He includes it in his *history*, seen as a presentation of reality, not fairy tales (*facta*), and he demonstrates how the generation of the proscribed, certainly at the heart of his sources, understood their own experiences, as well as how those experiences were presented to later generations who enjoyed the stories. *Consensus* appears as something that intervenes very forcefully to correct what cannot be tolerated, and this informed the political expectations of early imperial society.

The phenomenon occurs near the outset, when onlookers insist on preserving one of the Ligarii brothers who was trying to drown himself, even after he tells them that they run the risk of being proscribed for assisting him (4.4.22). Even the soldiers try to spare Largus when, on the trail of another, they accidentally run across him (4.4.28). Hortensia, the spokeswoman of the group of prominent women whom the triumvirs have subjected to a heavy impost, and who have forced their way into the forum, protests that by being deprived of their wealth, her class are treated in a

manner “unworthy of their birth, their manners and their gender.”⁵⁶ The triumvirs tell the lictors to drive them away but relent on hearing cries from the crowd (πλήθος) outside, and consequently relax the impost (4.5.32–34, cf. V. Max. 8.3.3). This incident is similar to others in which women who assist the proscribed indict themselves publicly, in front of the triumvirs, with the result that they arouse a pity that overwhelms any desire to enforce the edict. Such is the case with Ligarius’ wife (4.4.23), or Antonius’ mother (4.6.36, cf. D.C. 47.8.5), who is protecting her brother, Antonius’ uncle. Clearly Antonius cannot proscribe his outraged mother. The triumvirs themselves, generally powerless to control the soldiery who were killing and plundering the unproscribed, at least published an edict that the consuls should restrain them, but the latter only have the nerve to punish slaves masquerading as soldiers (4.5.35).

Even more insistent reinforcements of the social structure can be found in two instances (4.4.29). First, the people (ὁ δῆμος) become so vexed that they compel the triumvirs to crucify one slave who snitched on a fellow slave masquerading as his master; moreover, they also force them to give the good slave his freedom. Second, they force the triumvirs to re-enslave a person who betrayed his master and then bid against his sons for the property. The sons followed the perpetrator around in tears making a public spectacle of themselves until the people were fed up. The triumvirs punished the slave for overstepping his bounds.⁵⁷

Most significant, however, is perhaps the incident in which Oppius saves his father by carrying him on his back outside the gates of the city, then bringing him to Sextus Pompey in Sicily—no one suspected or mocked him (4.6.41). Appian then compares the act to Aeneas rescuing his father from Troy, whose enemies likewise let him pass unmolested. The people (ὁ δῆμος) elect Oppius aedile out of admiration, and since he is too poor on account of the confiscations to perform his office, the artisans voluntarily contribute their labor and resources, and the spectators shower him with money in the theatre, until he becomes a rich man. Thus the author of the account depicts a voluntary assertion of social *consensus* informed by a sense of geometric proportionality. A counterpart to this episode, one which likewise illustrates the force of *consensus* in the theatre, but to the opposite effect, can be found in Velleius Paterculus (2.79.6). Here, M. Titius is driven by the audience from the theatre of Pompey during the very games he is providing, on account of the fact that he is responsible for Sextus Pompey’s death, the very man responsible for rescuing him from proscription (cf. Vell. 2.77.3).

The comparison to Aeneas—a figure emblematic of Roman *virtus*—merits greater consideration. Octavian, of course, who recently became Julius Caesar’s son by posthumous adoption, could, at the time of the incident, now trace his ancestry back to Aeneas. In fact, it appears that this triumvir modified his coinage to respond to this particular tale of heroism. In his autobiography published sometime around 23 BC, Octavian stressed his filial piety in avenging his foster father during the early part of his career.

Four or five years prior to the proscriptions, moneyers of Julius Caesar in Africa struck a type (47/46 BC) bearing the diademed head of Venus on the obverse, and on the reverse, Aeneas carrying the *palladium* in his right hand and Anchises on his left shoulder, facing to the left, the same direction Aeneas is running (RRC 458):

Triumviral minters in 42, when the proscriptions were in full swing, reintroduced the type of Aeneas and Anchises on an *aureus*, but with a twist (RRC 494/3a):

The obverse on the left carries the portrait of the youthful Octavian, while the reverse has Aeneas running to the right, holding Anchises in both hands, who is clearly looking backwards at his pursuers.⁵⁸ It appears as if here Octavian's party responds to stories of Aeneas-like piety, such as that of Oppius, that were starting to circulate because of the proscriptions, reminding the receiver that in fact Octavian is descended from Aeneas, and perhaps that his motivations in avenging his foster father are just as pious.

Vergil appears to respond to elements in both the story and the coin when he depicts the flight of Aeneas from Troy. Like Oppius' father, the aged Anchises at first refuses to attempt escape, not wishing to endure exile (*Aen.* II.634–49). When Aeneas convinces him to be carried, he declares “whatever happens, there will be one common danger and one safety for both.”⁵⁹ This, of course, would be the case for a son who aided a proscribed father: the penalty was to suffer proscription oneself. In fact, the very next anecdote in Appian after Oppius' relates an epitaph in which a father praises his son for taking precisely that risk. Finally, Vergil seems to draw on models reflected in the second coin when he depicts Anchises' vigilance in discerning the enemy—not unlike a proscribed person on the run and looking out for assassins: “suddenly the rapid fall of feet seems to come to my ears, and my father, looking out through the shadows shouts ‘run son, run, they are approaching.’”⁶⁰ Vergil does not, however, reflect the tradition that Aeneas' enemies left him unharmed out of respect for his filial piety.⁶¹



Figures 1 RRC 458: Coin of Julius Caesar (47/46 BC), reverse showing Aeneas and Anchises.



Figure 2 and 3 RRC 494/3a: Coin of the Triumvirs (42 BC) showing Octavian on the obverse and Aeneas and Anchises on the reverse.

The celebration of defiance of the triumvirate finds a counterpart in Valerius Maximus, who, in his chapter in “Things Said or Done Freely,” provides a surpassing example in the case of a jurist named Cascellius. This jurist, possibly as praetor (6.2.12),

could not be compelled by the favor or authority of anyone to compose a formula about any of the things which the triumvirs bestowed, by this judgment placing all of the benefactions of their victory outside the process of law. The same man spoke rather freely about the times, and when his friends admonished him not to do this, responded that two things which are normally very bitter to people gave him great freedom, namely old age and childlessness.⁶²

This anecdote demonstrates how free speech was seen as dangerous at the time, but more significantly it attests to the memorialization of a jurist, prominent enough to appear several times in the *Digest*, for the fact that

he refused to comply with the triumvirs in something he deemed illegal.⁶³ Telling as well is the fact that after Actium, Octavian aligned himself with this defiance by annulling all of the things enacted illegally by himself or the triumvirs up to 29 BC.

Although Appian does not exonerate Octavian, one detects a clear bias in his favor, and the narrative thematically unites the closure of the proscriptions with his exemplary mercy and generosity. From the very beginning, the historian, when recounting the family members of the triumvirs that head the list of the proscribed (4.3.12), gropes to find a comparable example of treachery on the part of Octavian. The best he can do is provide one Thoranius, “who is said by some to have been the tutor of Octavian.”⁶⁴ Most of the examples involving Antonius, on the other hand, are not favorable, and systematically associate him (or Fulvia, cf. D.C. 47.8.2) with all of the worst excesses of the time,⁶⁵ likewise with Lepidus’ decree, presented near the middle of the narrative (4.5.31), requiring rejoicing at his triumphal celebration on pain of proscription.

On the other hand, numerous anecdotes favorably portray Octavian or his associates.⁶⁶ One particularly notes the pathos in the death of Cicero, the only victim of consular rank, and the infamy Antonius incurs for it.⁶⁷ The proscriptions proper begin with the death of a member of Cicero’s faction (4.4.17, Salvius), and the so-called “first list” of victims, published by the consul Pedius to calm the frenzied situation in Rome, contained a preponderance of members from this circle.⁶⁸ Thus, it is not surprising to find that a certain closure occurs in the narrative when Appian recounts the restoration of Cicero’s memory and reputation through Octavian’s promotion of his son, who as suffect consul proclaims the notice of Antonius’ death and affixes it to the very rostrum where the triumvir had affixed his father’s head (4.6.51). In doing so, the historian carries out his programmatic statement at the beginning of the narrative (4.3.16), where he points forward to the time when Octavian would re-establish the state on a firm foundation. This should be seen in the same light as those anecdotes which relate reintegration of members of the republican party, like Messalla Corvinus, and L. Sestius (4.6.38, cf. D.C. 47.11.4, App. BC 4.6.51).

The slant of the sources suggests the influence of propaganda favorable to Octavian. All of the sources but Suetonius generally exonerate him and it is absolutely the case that the proscriptions mostly served the interest of Antony and Lepidus.⁶⁹ Dio (47.7–8) adamantly absolves the young Caesar,⁷⁰ placing most of the blame on the older Antonius. As proof, he adduces that he did nothing of the sort when he attained sole power, and continues:

And even at this time [= the time of the proscriptions] he not only did not kill many people, but he even saved a very large number, and he treated very severely those who betrayed their masters or friends and very properly those who helped them.⁷¹

By way of confirmation, Dio adds an anecdote Appian omits. He tells (47.7.4–6) of a certain Tanusia who conceals her proscribed husband Titus Vinus in a chest in the house of a freedman named Philopoemen. She waits for a popular festival, and through the influence of Caesar's sister Octavia, arranges that, of the three triumvirs, only Octavian attends. Tanusia then informs him of the deed, and conveys the chest into the middle of the theatre and produces her husband. On this account, an astonished Octavian frees all three from the edict, and rewards Philopoemen with equestrian status. Appian (4.6.44) mentions Vinus and Philopoemen (Philemon) only, omits Tanusia and the incident at the theatre altogether, and merely says that the freedman hid his former master in an iron chest until the peace of Misenum (his restoration would thus be due to Octavian's enemy Sextus). This account is confirmed by Suetonius and is more probable.⁷²

By contrast, Antonius "savagely" and "mercilessly" killed the proscribed and all who assisted them.⁷³ Dio adds that if he and Fulvia nevertheless saved many, it was only for the sake of profit, proscribing others to fill up the empty spaces on the list. He ascribes only one "good deed" (χρηστόν) to this triumvir alone, that of saving his uncle at the entreaty of his mother.⁷⁴ These statements cannot be trusted. If it were politically expedient to appear merciful and to act in favor of the traditional order, that would have been cause enough for Antonius and Fulvia to spare some people.⁷⁵ Plutarch (*Cic.* 49.2) similarly writes that Antonius did commit one "moderate" (μέτριον) act in his otherwise disgraceful treatment of Cicero, handing over Quintus Cicero's treacherous freedman Philologus to Pomponia, Quintus' wife, for an agonizing death. For the rest, Valerius Maximus and Plutarch record that this triumvir treated the body of Brutus with great reverence, covering it with a costly purple cloak and entrusting the body to one of his freedmen for burial. He later executed the knave for stealing the garment.⁷⁶

Suetonius, on the other hand, offers a valuable corrective to Augustan sources. Though he says that Octavian opposed the proscriptions initially, he "carried them through more severely than either, for while they, in the case of many individuals, were moved by entreaty and favor, he alone tried as hard as he could not to spare anyone."⁷⁷ The biographer (27.2) adds the testimony of Julius Saturninus, who contends that before the proscriptions officially ended, when Lepidus addressed the senate in justification of the past and held out hope of leniency for the future, Octavian said that he had "placed an end to the proscriptions on condition that all things remained free to him."⁷⁸ For the rest, Suetonius provides several otherwise unattested anecdotes demonstrating Octavian's savage cruelty (27.3–4), which made him rather odious at the time, before pointing towards the later improvement of his image, saying that, though he held on to the government after almost restoring it on two occasions, that it was uncertain "whether he did this with greater success or goodwill."⁷⁹

Though he clung to his capacity to proscribe without limitation, and proved inexorable to many, in particular Caesar's assassins condemned under

the *lex Pedia*,⁸⁰ it became expedient to demonstrate concern for citizen life, property and the traditional republic on behalf of which their enemies had fought. One might date this shift, during which time the narratives probably began to circulate, to some time shortly after the peace of Misenum and the protests that led to it. The fact that Sextus Pompey had published an edict offering those who saved a proscribed person double the reward granted to the assassins had doubtless made him extremely popular, as had the fact that he offered refuge to the escapees of Philippi and Perusia.⁸¹ That the triumvirs were forced by the population of Rome (ἠναγκάσθησαν . . . καὶ ἄκοντες) to make peace with him because he had cut off the grain supply of Rome does not explain the demonstrations of favor and support on his behalf—as when they applauded the statue of Neptune carried in processions and rioted when it was not produced (D.C. 48.31).

At any rate, after Misenum in 39, the proscribed *en bloc* regained their rights and ¼ of their immovable property, and some were granted their magistracies and priesthoods, while those political refugees who had merely fled and whose goods were confiscated were granted full restitution.⁸² Several of those who were rehabilitated came to hold consulships and celebrate triumphs—16 imperial consuls had once been proscribed, to say nothing of their descendants.⁸³ Even Velleius, despite his negative, loyalist portrayal of Sextus, cannot but praise him for securing the amnesty that restored the emperor Tiberius' father (added to the list after he escaped from Perusia) *et alios clarissimos viros* (2.77.2, cf. Appian *BC* 5.143). Shortly after the peace, Octavian married Tiberius' wife. Though romantic reasons may have inclined him to do this, it cannot be denied that it was very expedient politically: Livia had illustrious republican ancestors on both sides of her family.⁸⁴

The proscription narratives have shown us that the *consensus* which manifested itself on several occasions saved the lives of many individuals, rewarded those of inferior status for their loyalty, and punished those who were treacherous. Apart from the tales of Oppius and M. Titius, it is significant that Dio's story of Tanusia and her husband (though probably inaccurate) places the denouement in the theatre, and that the women who denounce themselves on several occasions do so in the open, before the triumvirs, in the sight of all.⁸⁵ It is as if the powerful hand of *consensus* can be ignored only at the cost of irreparable notoriety. At one point, before the Perusine conflict (41–40 BC) when the soldiers still retained a sense of self-importance that made them difficult to restrain, another incident occurred at the theatre in which a common soldier took a seat in the place reserved for the knights. Appian (5.2.15) writes:

The people pointed him out, and Caesar removed the soldier, but the army made a fuss and, surrounding him, demanded their colleague who had left the theatre, for not seeing him, they thought he had been put to death. But when he suddenly appeared they thought that he was produced right then from the prison, and when the soldier denied this and

explained what had happened, they said that he was saying what he had been told to say, and they reviled him as a traitor to their cause.⁸⁶

Suetonius adds that Octavian almost lost his life (*Aug.* 14).⁸⁷

To have suffered proscription, to have assisted or rescued the victims dishonored no one, and in fact was a badge of honor, as when the friends of the historian Varro are described as vying for the privilege of harboring the condemned man (*App. BC* 4.6.47). This is especially significant since he was so instrumental in recovering and preserving Roman tradition for contemporaries—as the rhetorical laments over Cicero’s death as the font of Roman eloquence demonstrate (see ch. 5), the proscriptions seemed to attack not just the social order and citizen life, but the cultural identity of Rome itself. Finally, the narratives have shown the level to which political behavior, even in this lawless and violent time, was constrained by public *consensus* in a very real way, something which *a fortiori* confirms its force in more settled times.

More evidence, notably inscriptions, confirms this interpretation. In his list of the family members proscribed by the triumvirs, Appian mentions one Thoranius, the former *tutor* of Octavian (4.3.12), a confusion for the actual C. Toranius.⁸⁸ This Toranius had been a colleague of Octavian’s father in the aedileship, becoming *tutor* to his child upon his death in 58. Suetonius attributes his proscription to Octavian alone and there is no evidence for extenuating circumstances.⁸⁹ Nevertheless, the case demonstrates a striking change of attitude towards this victim that is not attested in any of the literary sources. It comes from an inscribed *elogium* of Augustus’ natural father dated from the titular epithets to between 27 BC and AD 14, that was probably from a shrine once near the palace of Augustus, and perhaps attached to an *imago*.⁹⁰ It reads:

C. Octavius C. f. C. n. C. pr[on], | pater Augusti, | tr(ibunus) mil(itum) bis, q(uaestor), aed(ilis) pl(ebis) cum | C. Toranio, iudex quaestionum, | pr(aetor), pro co(n)s(ul), imperator appellatus ex | provincia Macedonia.⁹¹

Gaius Octavius, son of Caius, grandson of Gaius, great-grandson of Caius | the father of Augustus | twice military tribune, quaestor, aedile of the plebs with colleague C. Toranius, member of the judicial board, | praetor, proconsul, and hailed emperor for victory in the province of Macedonia.

The idiosyncratic naming of Octavian’s colleague for plebeian aedile cannot have been accidental. It must have expressed “a wish to honor the memory of the man earlier proscribed.”⁹²

In Appian’s account (4.6.41) an otherwise unattested senator named Arrianus writes on his epitaph: “Here lies one who, when proscribed, was

hid by his son even though he was unproscribed, and who fled with him and rescued him.”⁹³ Valerius Maximus also recounts a story in which a slave changes clothes with his master, Urbinius Panapio, and dies in his stead. Panapio “acknowledged how much he owed his servant by making a splendid monument to him by rendering a testimonial of his loyalty (*pietas*) in a grateful inscription.”⁹⁴ This urge to commemorate the faithful is most famously documented in another contemporary inscription, the so-called *Laudatio Turiae*, a eulogy by a husband praising his wife’s virtues and loyalty when he was vulnerable. Apart from demonstrating the various difficulties faced by the propertied class during the long period of civil turmoil in the first century BC (the wife’s parents may have been murdered during the unrest caused by Julius Caesar’s invasion of Italy and the consequent civil war),⁹⁵ two sections from the second column offer particular insight.

The first (II.2a-9a) concerns a period around the time of the battle of Pharsalus (48 BC). The husband had previously fled Italy with the Pompeians, and, after the battle, as was generally the case with Caesar’s adversaries, needed special permission to return.⁹⁶ He praises his wife for providing for his needs during his flight, even sending him her gold and pearl jewelry (II.2a-5a), extols her bravery in appealing to the mercy of those she supplicated on his behalf (6a-8a), and her defense of his home from a troop of men under the invading exile Milo, whose house he had bought. Thus, common elements associated with the proscription narratives find commemoration for a period before the proscriptions proper.

The second section (II.1–19), however, comes even closer to these narratives, showing that they were not all merely fabrications. It demonstrates in particular the intra-triumviral competition for the reputation of being responsible for restorations, the fact that open-air appeals to clemency of the kind we have observed were very real, and that there were serious political consequences for trampling over such public supplications. The relevant text reads (Wistrand, trans.):

. . . (0) (lacuna of 12 lines or so) that I was brought back to my country by him (Caesar Augustus), for if you had not, by taking care for my safety, provided what he could save, he would have promised his support in vain. Thus I owe my life no less to your devotion than to Caesar.

(4) Why should I now hold up to view our intimate and secret plans and private conversations: how I was saved by your good advice when I was roused by startling reports to meet sudden and imminent dangers; how you did not allow me imprudently to tempt providence by an overbold step but prepared a safe hiding place for me, when I had given up my ambitious designs, choosing as partners in your plans to save me your sister and her husband . . . all of you taking the same risk? There would be no end, if I tried to go into all this. It is enough for me and for you that I was hidden and my life was saved.

(11) But I must say that the bitterest thing that happened to me in my flight befell me through what happened to you. When thanks to the kindness and judgment of the absent Caesar Augustus I had been restored to my country as a citizen, Marcus Lepidus, his colleague, who was present, was confronted with your request concerning my recall, and you lay prostrate at his feet, and you were not only raised up but were dragged away and carried off brutally like a slave. But although your body was full of bruises, your spirit was unbroken and you kept reminding him of Caesar's edict with its expression of pleasure at my reinstatement, and although you had to listen to insulting words and suffer cruel wounds, you pronounced the words of the edict in a loud voice, so that it should be known who was the cause of my deadly perils. This matter was soon to prove harmful to him.

(19) What could have been more effective than the virtue you displayed? You managed to give Caesar an opportunity to display his clemency and not only to preserve my life but also to brand Lepidus' insolent cruelty by your admirable endurance.

(22) But why go on? . . . In gratitude for your great services towards me let me display before the eyes of all men my public acknowledgement that you saved my life.

. . . (1) *me patriae reditum a se [na]m nisi parasses quod servar[et] cavens salutis meae* (2) *inaniter opes suas pollice[ret]ur.*—*Ita non minus pietati tu[a]e quam Caesari* (3) *me debeo.*

(4) *Quid ego nunc interiora [no]stra et recondita consilia s[e]rmonesque arcanos* (5) *eruiam? ut repentinis nu[n]titiis ad praesentia et imminencia pericula evoca-* (6) *tus tuis consiliis cons[er]vatus sim?*—*ut neque audac[i]us experiri casus* (7) *temere passa sis et mod[es]tiora cogitanti fida receptacula pararis* (8) *socioque consilioru[m] tuorum ad me servandum delegeris sororem* (9) *tuam et virum eius C. Cl[uv]ium, coniuncto omnium periculo? Infinita sint,* (10) *si attingere coner.*—*Sat[es]t mihi tibi que salutariter m[er]uisse.*

(11) *Acerbissimum tamen in vi[ta] mibi accidisse tua vice fatebo[r], reddito me iam* (12) *cive patriae beneficio et i[ud]icio apsentis Caesaris Augusti, [quom] per te* (13) *de restitutione mea M. L[epi]dus conlega praesens interp[ell]aretur et ad eius* (14) *pedes prostrata humi [n]on modo non adlevata, sed tra[cta] et servilem in* (15) *modum raptata, livori[bus] corporis repleta, firmissimo [animo] eum admone-* (16) *res edicti Caesaris cum g[r]atulatione restitutionis me[ae] auditisque verbis eti-* (17) *am contumeliosis et cr[ud]elibus exceptis verneribus pa[lam] ea praeferes,* (18) *ut auctor meorum peric[ul]orum notesceret.*—*Quoi no[nc]uit mox ea res.*

(19) *Quid haec virtute efficaciu[s], praebere Caesari clementia[le] locum et cum cu-* (20) *stodia spiritus mei not[a]re infortunam crudelitatem [Lepidi] egregia tua* (21) *patientia?*

(22) *Sed quid plura?—Parcamu[s] orationi, quae debet et potest e[ss]e brevis, ne maxi-* (23) *ma opera tractando pa[r]um digne peragamus, quom pr[o magnitudine erga me]* (24) *meritorum tuorum oc[ulis] omnium praeferam titulum [vitae servatae.]*

The opening and close of this section provide a thematic frame which demonstrates its twofold purpose: to render thanks to his wife and to the *princeps*. The husband owes his life and restoration to Octavian's intervention, while the wife is more immediately responsible for saving his life, and thus giving the man of power the opportunity to show his *clementia* at the expense of a political rival whom she "brands" with a reputation for cruelty (l. 20). Sections 4–10 clearly show that the husband was placed on the proscription list. If he were merely a refugee, there would have been little emphasis on having to hide, nor would his wife and those who assisted him have incurred any danger (l. 9).⁹⁷ In all likelihood, the victim originally planned to make his way to Brutus and Cassius in the East, or to Sextus Pompey in Sicily, and it is these "rash" designs which his wife prevented him from undertaking.

Somehow the husband secured an edict from the "absent Caesar Augustus" that either reinstated him or promised to do so (II.10–11). This edict probably did not constitute an official reinstatement, but was "an expression of sympathy for a wrongly proscribed man and a promise to support his case," though this, in effect, might have settled the matter.⁹⁸ It was necessary, however, to confront the present triumvir Lepidus with the request, who was most certainly responsible for his proscription.⁹⁹ Understandably, the husband would not want to do this in person, and so we find a public appeal on the part of the wife similar to Dio's narration of Tanusia and Titus Vinius.

The very act of confronting a hostile triumvir on behalf of a proscribed person inculpates oneself of transgressing a clause of the *lex Titia* against aiding and abetting. Thus the wife's activities reflect Appian's narratives in which women denounce themselves openly and are spared. It also parallels the device of using the *consensus* of the spectators in the text to confirm its portrayal. Dio's fabulous tale of Tanusia, therefore, has at its roots actual social and historical realities. Though the story of Tanusia is implausible in details, there is nothing implausible about its fundamental content: a wife utilizes the principal forum of *consensus* to make her appeal, and trusting that this *consensus* will confirm it, gives the man of power the opportunity to enhance his political prestige by publicly affirming it. The tumultuous circumstances that frame these types of narratives already invite the narration of the extraordinary—they allow the husband of the funerary inscription, for example, to embellish his panegyric by praising virtues that most women did not have the opportunity to exercise.¹⁰⁰

Such issues of justice endured the political competition of the triumviral period. The emperor, bound by *consensus*, needed to uphold the

unquestioned norms of the Roman people. His actions had to be publicly sanctioned. This is shown clearly in two episodes which have survived in the historical tradition. The first concerns the aftermath of the conspiracy of Caepio and Murena. Dio (54.3.6) reports that since some of the jurors at the trial moved to acquit the conspirators, Augustus passed a special law waiving the secret ballot for trials in which the defendant was absent and requiring a unanimous vote for conviction. Dio continues:

Yet he gave strong evidence for the fact that he did not do this out of anger but as being advantageous to the public: for, at any rate, he was not irritated when the father of Caepio freed one of the two slaves who fled with his son, because he wanted to defend him upon his death, but crucified the other one, who betrayed him, after leading him through the middle of the forum wearing a placard citing the reason he was being put to death. Indeed, he would have mollified all of the blame of those not pleased by the affair if he had not allowed sacrifices to be voted and offered as if for some victory.¹⁰¹

This occurred some 17 years or so after the official end of the proscriptions, but deals with an analogous situation. The slave's disloyalty to his master weighs more heavily than his loyalty even to the emperor. The values which emerge so clearly in these sources receive confirmation before a public audience. By showing his respect for them, the emperor nearly undoes the damage to his image caused by tampering with the jury.

This did not lack precedent, one which writers of the early imperial period preserved as remarkable. It concerns Sulla's actions vis-à-vis the death of his enemy, the tribune Sulpicius Rufus. The most detailed account comes from Valerius Maximus (6.5.7), in his chapter "On Justice," though it is clear from the *Periochae* (77) that Livy, who was probably Valerius' source, also treated the incident prominently:

Now L. Sulla, endlessly harried by the tribunician madness of Sulpicius Rufus, wanted his death more than his own safety. However that may be, when he discovered that the proscribed man, hiding in a country house, was betrayed by a slave, he ordered the murderer—after he had been manumitted so that the credit of his own edict would catch attention—to be hurled immediately from the Tarpeian rock with the cap of freedom procured by that crime. Sulla, an excessive victor in other respects, was, in this command, most just.¹⁰²

Valerius gets his facts wrong, because the event occurred before the proscriptions—and Sulla was seen as ending badly after starting well (Sall. *Cat.* 11.4). Nevertheless, he reflects a source (Livy) that offsets the approval for Sulla's deed by contrasting it to his later actions, highlighting its normative force by stressing that even someone otherwise associated with cruelty

felt inclined to uphold the order of things. The recognition afforded to the act—by Livy at the latest—betrays an anxiety founded on bad memories of the past.¹⁰³

C. A MODEL *PRINCEPS* FOR THE TIMES: NEPOS' ATTICUS

The directives so urgently prescribed for the troubled times in pseudo-Sallust's *Epistula* and *Oratio ad Caesarem Senem*, like Cicero in his own political speeches and theory, attempted to resolve the antagonisms between the *optimates* and *populares* into a higher cultural unity. Cornelius Nepos, in his *Life of Atticus*, a short and unique biography of the most prominent member of the equestrian order at the time, takes this one step further and provides a concrete, practical illustration of a solution through the depiction of a model citizen (b. 110/109 BC) during a period of turmoil stretching the entire length of the civil wars of the first century BC. Nepos completed most of his biography, 18 of 22 chapters, before the death of his subject at the end of March, 32 BC. Nepos himself was an Italian from the Po Valley, born "hardly later than the 80's BC, and perhaps considerably earlier," possibly before the first century.¹⁰⁴ His work, in terms of content and point of view (that of the upper, non-political classes) finds its closest parallel in the so-called *Laudatio Turiae* (see above).¹⁰⁵ It thus further illustrates a widespread concern for a solution to the problems raised in the second chapter, and as such, his work should be viewed in the same light as Livy's histories which, rather than whitewashing a de-facto political autocracy, demonstrates attitudes and *ethē* which act as a script for the performance of power.¹⁰⁶ Nepos' subject, though perhaps somewhat embellished, nevertheless stands as a transcendent political model that could only find its articulation in the context of political disorder. As such it constitutes a melding, in the furnace of turmoil, of the incommensurable elements of the dialogue surrounding *concordia* noticed earlier, and thus demonstrates the *ethē* of the unified culture of the principate. In addition, comparison to what can be reconstructed of the autobiography of Augustus demonstrates how these *ethē* were adopted and replicated by the *princeps*—in a way that suggests that he imitated what he found in Nepos' work.

1. Atticus' Neutrality

Atticus' decision never to enter politics, despite the fact that he descended from the most ancient of Roman lineages, is established at the very beginning of the biography. After remarking upon his education and childhood friends (including Cicero, his lifelong companion), Nepos introduces Atticus' characteristic political neutrality with the beginning of the civil wars between Marius and Sulla. Atticus leaves Rome for Athens after the death

of the tribune Sulpicius Rufus (see above) and the consequent rebellion of Cinna, when “there was no chance for him to live according to his status except by offending one party or the other, the minds of the citizens being divided, since some favored the Sullans, others the Cinnans.”¹⁰⁷ Thus, Atticus becomes a symbol of political alienation. A citizen of the highest non-political order, whose interests were supposed to be guarded by the political classes, feels compelled to exile himself, and take with him most of his property (2.3) in order to both preserve the rights of his station and his apolitical neutrality.

This neutrality, importantly, expresses itself *not* in terms of complete non-involvement. It merely means not taking sides. He aids and assists anyone of any side to the extent that every citizen or friend deserves assistance inasmuch as they are citizens or friends.¹⁰⁸ Thus, he facilitates the flight of the younger Marius with his resources and money (2.2), and, though he refuses to accompany Sulla to Rome upon invitation, he inspires the dynast’s admiration for this rather than his ire (4.2). In fact, Atticus embodies throughout Nepos’ presentation the quintessence of all of the praiseworthy and loyal acts of assistance so common in the proscription narratives. Thus, during the civil war between Pompey and Caesar, Atticus does not leave Rome either to fight Pompey or to join him, but supplies the means for other Pompeians to do so (7). Being completely uninvolved in politics (his *vetus institutum*), he is not beholden to Pompey, his “friend,” on account of office or riches as others were, and thus is not compelled either to take Pompey’s side or incur his enmity for not doing so. Just as this neutrality had pleased Sulla a generation before, it pleases Caesar, too, to the point that he exempts Atticus from the exactions made from other private citizens, and grants his request for the restoration of his Pompeian nephew and Q. Cicero. Clearly Nepos purposefully highlights his subject’s dutiful and civic-minded neutrality by contrasting the approval it won from the victors with the displeasure that might have been expected.

The portrayal of this neutrality continues prominently into the next section of the biography, in which the protagonist, when challenged to take the initiative in providing a fund for Caesar’s assassins, promises Brutus the use of his means but refuses to join a faction.¹⁰⁹ Atticus proves his sincerity by not flattering Antonius when he becomes prominent soon thereafter, sending large sums of money to Brutus on two occasions (8.5–6). This attitude continues on through the next turn of events (9.1–7), when Antonius is declared a public enemy and flees Italy. No one expected him to recover (*spes restituendi nulla erat*), and political opponents and opportunists persecute his friends, attempt to rob his wife Fulvia of all her possessions, and even try to kill his children. Atticus does not allow his friendship with Cicero and Brutus to induce him to help them injure Antonius, facilitating the escape of his friends as much as possible (*quantum potuit*) and assisting Fulvia. In so doing, he proved that he was “a friend not to fortune, but to

men,”¹¹⁰ and not a time server, because “no one imagined that Antonius would ever come to power.”¹¹¹

The import of this intensifies in the following section, dealing with the second proscriptions (10.1–11.6). Here Atticus, though a friend of Cicero and accordingly placed on the list, is informed by Antonius that his name has been erased, and that his friend Canus has been erased for his sake as well. This is done to repay Atticus for his services towards his family during his period of political weakness.

Nepos stresses that Atticus’ neutrality did not merely save his own life on this occasion, but that of his friend, without whose security he would not have sought his own.¹¹² This leads nicely into the next section which further details Atticus’ general conduct during the proscriptions, and again mirrors the ethos found in the narratives:

When he extricated himself from these ills, he did nothing except be of assistance to as many people as possible with what means he could. When the common crowd was hunting down the proscribed for the reward offered by the generals, no one who came to Epirus [where Atticus had extensive landholdings] lacked anything, and all had the opportunity of staying there permanently.¹¹³

Nepos then offers a few examples of Atticus aiding republican partisans after the defeat of Brutus and Cassius at Philippi (42 BC). This is clearly illegal under the *lex Titia*, and even more striking if the praetorian Nepos mentions, the otherwise unknown L. Julius Mocilla, is really the prominent conspirator L. Tillius Cimber, as Münzer cautiously suggests.¹¹⁴ There follows an emphatic statement absolving Atticus from the charge of serving time—succoring the afflicted of whatever political stripe being again his general policy.¹¹⁵

Apart from illustrating that such moral sentiments were operating prominently at the time of writing, Nepos (12.1–2) also demonstrates that the triumvirs Antonius and Octavian attempted to portray themselves as embodying them. This is clearly the rationale behind the marriage made, at the suggestion of Antonius, between Octavian’s lieutenant M. Vipsanius Agrippa and Atticus’ daughter. Nepos takes the opportunity once again to say that he used the influence afforded by such connections on behalf of his friends, and not in his own interests (12.2–5): “It is difficult to determine whether at the time Atticus had more glory or toil, since, whether they were absent or present, it was known that he was concerned for his friends in times of danger.”¹¹⁶

The desire to represent these attitudes is perhaps nowhere more apparent than in Augustus’ own autobiography, which he began composing no earlier than 27 BC, and thus at least five years after the first drafts of Nepos’ biography were circulating.¹¹⁷ From what we can glean from the fragmentary biography by Nicolaus of Damascus (heavily dependent on the autobiography itself), the *princeps* is very eager to emphasize some of these general traits in

narrating his youth.¹¹⁸ For example, the very first favor the young Octavian asks of Caesar is to spare the life of Agrippa's brother, taken captive after the defeat of the republican forces in North Africa. From the outset, the writer stresses that Octavian finds himself in a situation similar to that of someone like Atticus in the proscriptions—Caesar is not in the mood to grant clemency to the recalcitrant (VII.16):

After Caesar finished that war and returned to Rome, pardoning only very few of those who fell captive, on account of the fact that they had not come to their senses in the former conflicts, the following thing happened. Caesar the youth had an associate and friend Agrippa, educated in the same place and having an exceptional friendship. His brother was with Cato, was treated by him like a close friend, and had shared in the African War, but at that time was taken prisoner. Octavian, having asked no favor from Caesar before, wanted to get this man pardoned, but hesitated out of modesty, seeing at the same time how Caesar was disposed towards those captured in that war. But, plucking up his courage he asked for and got his request.¹¹⁹ In this he was extremely glad, having saved the brother of his friend, and he was praised by the others too, employing his effort and right of intercession for nothing sooner than for a friend.

This is remarkable, because it shows that Augustus depicted himself as exercising (at least some) courage in petitioning for the life of a close friend's brother. As with Atticus, his personal loyalty cuts through factional ties to rescue an uncompromising partisan of Cato the younger, the popular icon of republicanism.¹²⁰ The *princeps* does nothing less than draw together urgent themes present in the proscription narratives, the *Laudatio Turiae*, and the biography of Atticus to imply that from his earliest youth, his actions and motives were of the same ilk.

But the similarities do not end there. The next chapter of Nicolaus' text shows a young Octavian acting much like Atticus in using his close relationship with the triumvirs with great tact (cf. 20.5) to secure favors for friends and citizens (VIII.18):

And the lad, accompanying Caesar in the theatre and in banquets, and seeing that he was conversing with him benevolently, like to a son, and having already grown a little more bold, when many friends and citizens asked him to beg for them from Caesar what each of them had need of, looking out for the appropriate time, with all modesty, he both asked and was successful, and became very valuable to his kinsfolk, since he avoided asking inopportunately or adversely. And so he displayed not a few sparks both of benevolence as well as of innate prudence.¹²¹

Whether the Augustan autobiography directly assimilates these themes from Nepos' *Atticus* (as I believe), or each of the two respond independently to popular standards and sentiments, there can be no doubt that we are witnessing the articulation of new values by the Roman elite, which the imperial regime eagerly adopts and reflects. Augustus wants to be as beloved as Nepos claims Atticus was, and for the same reasons.

2. Atticus and Money

Atticus' consistent attitude towards wealth clearly models a remedy to the age-old *concordia-avaritia* complex studied in Chapter 2. Being a man of wealth and property, he falls on the side of the *optimates*,¹²² the traditional proponents of settled conditions (*otium*) and the rights of ownership. Yet his behavior does not incur the traditional complaints voiced against this political stance. He refused to enter politics for the same reason Sallust decided to retire from it: greed and corruption prevented its honorable practice.¹²³ Atticus' lack of avarice recurs as a *Leitmotif* throughout the narrative, and his actions in this respect resolve three connected concerns prevalent in Sallust's narrative, which are symptomatic of the dysfunctional society: unbounded luxury, wasteful spending, and debt.

Whenever Atticus lends money, he never allows his borrowers to be overburdened by interest, a common grievance that often led to social turmoil. This attitude is closely connected to his broader public generosity, which he demonstrates primarily during his stay at Athens during the conflict between Marius and Sulla. Nepos, in all likelihood, added this episode to make up for a lack of traditional material for the encomium of a Roman man who did not have a political career, thus offering a glimpse of what he would have been like had he actually served in such a capacity.

Here he lived in such a way that he was deservedly most dear to all the Athenians; for, beyond his influence, which was already great in the youth, he often relieved their public deficit with his own wealth. For whenever Athens needed to borrow money to pay its debt and they did not have fair terms, he always intervened and in such a way that he never accepted unfair interest nor did he allow them to owe for longer than the stipulated time. Both policies were beneficial to them, for he did not allow their debt to become established by being indulgent to them, nor did he let it grow large under compounded interest. He supplemented this service, too, by another act of generosity, for he gifted everyone with a distribution of corn. . . .¹²⁴

This economic policy surfaces again when Atticus grants Fulvia a timely loan without interest or a contract (9.9.5).

Atticus, moreover, does not buy confiscated belongings at public auctions, thus refusing to take advantage of other people's misfortunes, and

demonstrates a respect for property that runs counter to the portrayal of Roman society in Sallust.¹²⁵ Similarly, he accepts procuratorships from consuls and praetors only if exempted from accompanying the magistrate to his province, for the very reason that he disdains to profit from it and wishes to preserve his reputation for fair dealing. It is ironic that the only man who foregoes any type of political activity is suited to perform services that belong to the traditional sphere of government, and this disinterestedness ideologically mirrors the notion of political *recusatio* studied earlier.¹²⁶

The epistles to Caesar suggested that each citizen both be content with his property and take care of it, while the revolutionary followers of Catiline were portrayed as a band of desperadoes who had squandered their wealth and had nothing to lose.¹²⁷ Thus, like a good Roman, Atticus at Athens “gave as much attention to his possessions as a diligent *paterfamilias* ought.”¹²⁸ While Sallust contains plaintive references to excessive buying and building on the part of the rich, on the other hand “no one was less fond of buying or building than Atticus, though wealthy.”¹²⁹ His villa on the Quirinal, which he inherited, and “built in the early days, was more tasteful than costly.”¹³⁰ This thrift, not miserliness but rather self-control,¹³¹ did not exclude him from being tasteful, and extended to all aspects of his life: the slaves he owned, his dress, his furniture, and his parties (13.3–14. 3). He did not change his moderation (*moderatio*) even after inheriting millions from his uncle.¹³²

3. Atticus and *Concordia*

In several ways, Atticus provides a paradigm for the *concordiae auctor* through his actions and attitude. At Athens, he “acted in such a way as to seem affable to those of the lowest station, but on the same level as the leading men,” thus acting like Livy’s Quinctius Capitolinus (see Chapter 2 above). This attitude promotes civic *consensus*: “The result was that the Athenians made use of every honor they could for him on behalf of the public, and were eager to make him a citizen” (hence his surname).¹³³ Elsewhere, Nepos writes that he entertained men of all orders at his house while still maintaining a strict budget.¹³⁴ Atticus is generally affable and good-natured, having friends of varied temperaments and politics (16.1). He works to prevent ill-will between such rivals as his friends Cicero and Hortensius (5.3). His reverent relationship (*pietas*) to his family was exemplary (17.1 ff.), an important virtue to model for a generation which had experienced the proscriptions. He never harmed anyone, and when harmed himself he quickly forgot the injury.¹³⁵ His affability tempered with sternness, his seriousness tempered with good nature made him both respected and loved. He was careful with his promises and always kept them, undertaking what he agreed to do as if it were his own business, not another’s. His reputation for unslackening effort prompted many to trust him with their business, for which reason Nepos asserts that he avoided politics because of discretion,

and not indolence (15.3). This attention and lack of self-interest, the *cura* with which he undertook these affairs, relates to his general impartiality, which subjected him on one occasion to the criticism of some of the *boni*, on the grounds that he did not show enough hostility towards Antonius. "A man of independent mind, however, he considered rather that which it was right for him to do than that which others would commend."¹³⁶

Atticus thus embodies a paradox. Traditional *encomia* for the elite Roman male required that the subject had held numerous offices, performed great deeds, and celebrated grand triumphs. Many of Atticus' qualities, however, derive from his total rejection of those things which were most valued by the political class,¹³⁷ though his very stature as an important Roman *eques* blurred the line between his private actions and their political import.¹³⁸

4. Atticus, Erudition, and Cicero

Atticus stood as a major representative of the socio-cultural elite in general. As such, and due to his high level of erudition,¹³⁹ his company was highly attractive to the power-brokers of the late republic, both to Sulla (4.1–2) and later the triumvirs Octavian and Antonius (20). He had a major hand in shaping and formulating interests in the Roman past through his antiquarian pursuits (18.1–6).¹⁴⁰ Along with Varro, he may in fact have been busy writing precedents for Caesarean political arrangements into the history of early Rome.¹⁴¹ As we have seen in the case of Livy (see Chapter 1 above), such invention of tradition need not be disingenuous, but it highlights the importance of such scholars as ideologues. Atticus also wrote several family histories upon request by their members and a historical work that meticulously listed all of the curule magistrates and significant events at the correct point in time and that included the genealogies of famous families. Most importantly, he produced a poetic work that "presented those men who surpassed the rest of the Roman people by their distinction or by the greatness of their deeds in such a way that, beneath the image of each man he described their accomplishments and offices in no more than four or five verses."¹⁴² In this Atticus was following a trend of the time, since Varro also published a work of 700 *imagines* of famous Greeks and Romans at around the same period.¹⁴³

Such important works of cultural synthesis had a profound effect on the official products of the imperial regime. The Romans enjoyed the presentation of a synoptic, comprehensive yet abbreviated, and immediately intelligible sense of the values that informed their own cultural identity. Hence the official compilations known as the *Fasti Triumphales* and *Fasti Consulares*, inscribed on the sides of the central span of the Parthian arch in the Roman Forum, and the *summi viri*, products of a cultural *consensus* whose statues, along with their *elogia*, lined the sides of the *Forum Augustum*, and, according to Augustus himself, provided the very criteria by which he should be judged as *princeps*.

Thus, it is not surprising, in the end, to find that “Atticus became related to the emperor *Divi filius*, since already before he had obtained his friendship by no other thing than the refinement of his life, by which he won the hearts of the other chief men of the state who were equal in their rank, but more lowly in their fortune.”¹⁴⁴ This statement, which must have been written after Actium (31 BC) but before 27 (when the title *Augustus* would have been used), indicates that Nepos shared Atticus’ sense of total neutrality: Octavian is not described as qualitatively different than the other dynasts of the late republic except in his *fortuna*.¹⁴⁵ After describing the marriage of Atticus’ one-year old granddaughter, the daughter of Agrippa and Atticus’ daughter Caecilia Attica to Ti. Claudius Nero (the future emperor Tiberius), Nepos turns to relate the way in which Octavian diligently cultivated Atticus’ friendship during the triumviral period (20.1–4), always letting him know what he was doing, where he was, how long he would stay there, what he was reading, and posing all kinds of erudite questions to the man with respect to history and poetry. It is Atticus who advises him to restore the dilapidated temple of Jupiter Feretrius (this happened in the 30’s, before the general restoration of temples). Clearly, Octavian could not afford to alienate such a cultural spokesman for the Italian upper classes, because in his desire to secure their support, he had to represent their interests and their vision of Roman civilization. The behavior of Octavian’s rival, described immediately thereafter (20.4–5), confirms how utterly essential this was, for “no less was he, in his absence, honored by Antonius’ correspondence, to the extent that, from the furthest corners of the earth he took pains to inform Atticus of exactly what he was doing.”¹⁴⁶ Nepos ascribes this to Atticus’ gift of tact, with respect to the last two triumvirs, “between whom came not merely rivalry, but also as much disparagement as was bound to come between Caesar and Antonius, since each of them desired to be princeps not only of the city of Rome, but of the whole world.”¹⁴⁷

The fact of neutrality, along with the unabashed insistence on calling a spade a spade, should not be surprising even if, as is likely, the statement was made after Octavian won the battle of Actium.¹⁴⁸ The victor, secure in his position, was easygoing in this regard. When he returned to Rome after the battle, he ran into someone with a crow trained to say “hail Caesar, victorious Emperor,” and bought it for 20,000 sesterces. When a friend of the seller informed Caesar that the owner had another crow trained to greet Antonius in the same way, “not at all irritated he considered it enough to order the owner to divide the gift with his comrade.”¹⁴⁹ Such occurrences were in line with the sentiments of reconciliation after Actium. More importantly, however, the fact that both sides carefully courted Atticus demonstrates the extent to which the dynasts were beholden to those who, through their erudition, sensibilities and prestige, had the means to encapsulate the Roman past, give it a sense of context, and provide their audience, the Roman citizenry, with the means of understanding themselves. In this regard, Atticus’ neutrality, representative of a wider neutrality,

more than anything forced the triumvirs to “toe the cultural line,” and it is possible, therefore, to see how Antonius’ eastern pretensions may have constituted an assailable deviation from this standard.

Finally, it is worth noting how Nepos depicts Atticus’ close association with Cicero, one of three men mentioned at the outset (1.4) with whom he retained the closest of fellowships from his youth. Later, Atticus lends Cicero money on the occasion of his exile, and is said to have “shown remarkable loyalty to him in all of his times of danger.”¹⁵⁰ Emphasis on the closeness of the connection between the two men recurs at 5.3 and 16.1–4, the latter section mentioning the by then famous correspondence between the two men, which overstates Cicero’s acumen, but nevertheless demonstrates the cultural status of his writings near the end of the triumviral period, despite the continued prominence of Antonius:

The person who reads these would not greatly feel the need for a historical composition of those times. For in them everything is written about the exertions of the *principes*, the vices of the leaders, and the changes of the state in such a full manner, that there is nothing in them that is not evident and it is easily possible in some way that Cicero’s sagacity be considered prophesy. For he not only predicted those things which occurred in his lifetime, but also sang like a prophet that which is occurring now.¹⁵¹

This section, written before Atticus’ death (March 32), with its openly disparaging remarks on the triumviral propaganda battle, indicates the necessary rehabilitation of the most prestigious victim of the proscriptions. Naturally, this would have left Antonius, blackened by the immortal rhetoric of the *Philippics*, at a marked disadvantage. Among Atticus’ other accomplishments, so Nepos writes, was a historical composition in Greek on Cicero’s consulship (18.1). Such a friendly portrayal would doubtless have mentioned the *consensus* so proudly touted by its subject in his speeches and correspondence. This *consensus*, so effective against Catiline, was invoked later in his battle with Antonius before his demise under the Triumvirate. Thus it is not surprising to see this same *consensus* invoked a decade later, after the final conflict that would at last leave a concordant Roman empire with one permanent head of state. That Cicero *filis*, the suffect consul of 30 BC, announced the death of his father’s slayer constitutes nothing less than Octavian’s application of “all the arts of tone and nuance with the sure ease of a master.”

In nearly every way, Atticus prefigures and embodies the Roman *consensus* that would characterize the atmosphere of the early empire, a *consensus omnium* actualized in the description of his funeral at the end of the work: “He was carried to the grave in a litter . . . accompanied by all the good citizens, and a great throng of common people.”¹⁵² Nepos’ biography uniquely illustrates a culture in transition.

EPILOGUE TO CHAPTERS I-III: CONCORDIA AND THE PRINCIPATE

Concordia, edged out by *consensus*, did not appear in official products in the immediate aftermath of Actium. It is never mentioned in the *Res Gestae*, the quintessential document of the principate, or in the patriotic *Odes* of Horace.¹⁵³ In this early stage it is not unlikely that the word smacked of brutal hypocrisy (something that may have prompted Julius Caesar's supporters to vote him a cult of *Concordia Nova*). Hence first associations were subtle and muted. Octavian received the name Augustus on January 16, 27 BC partly because he had "quenched civil war" (*postquam bella civilia extinxeram*), but also because he "put everything back in its place."¹⁵⁴ Later, in AD 10, Tiberius would rededicate the temple of *Concordia* as that of *Concordia Augusta* on this very date (see below). The notion of "restoration" also connotes a cure for the lack of morality and restraint characteristic of the turbulent late Republic.¹⁵⁵ Moreover, as the divine Julius gave his name to the seventh month, so Augustus gave his name to the eighth. However, there was a difference. Whereas Julius gave it to the month in which he was born, his adopted son did not (he was born in September), but rather to a month full of events and successes significant to his career, among them the date of his first consulship, significant victories, and the actual month in which he put an end to the civil wars.¹⁵⁶ There may be another reason too. According to Johannes Lydus, a Byzantine scholar of the 6th century, the month was so named because "to this the eighth month is ascribed the name of the person [*sc.* Augustus] responsible for *concordia*." Eight was the number that the Pythagoreans ascribed to the concept of ὁμόνοια.¹⁵⁷

For the rest, the next official usage of *concordia* comes a whole decade and a half later, on March 30, 11 BC, when the princeps sets up a statue of this goddess along with those of *Salus*, *Janus* and *Pax* in an unspecified temple.¹⁵⁸ The famous *Ara Pacis Augustae*, dedicated in 9 BC, carried iconography on its reliefs that "proclaimed the epiphany of *Pax*, *Felicitas*, *Concordia* and *Pietas* in the person of Augustus and in his restoration of the Roman and universal order."¹⁵⁹ Next, one hears of a shrine built in the *Porticus Livia* and dedicated by Livia on June 11, 7 BC, some six months after she and her son Tiberius dedicated the *Porticus* in January.¹⁶⁰ The dedication of the shrine was deferred for several months in order to allow its dedication day to correspond with the celebration of annual religious rites focused on women and family life, and should be closely associated with Augustus' program of moral renewal.¹⁶¹ Ovid associates the shrine with the destruction of the sumptuously decadent house of Vedius Pollio, which Augustus had inherited and ostentatiously razed to make room for the *Porticus*, a gift to the public that stood as an *exemplum* against the private luxury so characteristic of the late republic,¹⁶² and, as we have seen, so inimical to *concordia*. The *Fasti Praenestini* also report that Augustus

was hailed *pater patriae* (2 BC) on February 5, the same day as the temple of *Concordia in arce* was founded—the coincidence seems hardly accidental.¹⁶³ Moreover, by the time the temple of Mars Ultor was dedicated in this year (vowed on the battlefield of Philippi), the fact that it became the repository for the standards recovered from Parthia and the focus of future triumphal ceremonies “effectively changed the meaning of this structure from a civil war monument to a symbol of world conquest.”¹⁶⁴

Augustus writes that in 28 BC, by authority (*auctoritas*) of the senate, he restored 82 temples, omitting none which at the time needed restoration (RG 20).¹⁶⁵ If Augustus made this claim in 2 BC, when the nearly final draft version of this document would have been complete, one would have noticed that at least two temples, that of the Dioscuri and that of *Concordia*, would not have been fully refurbished, for they were rededicated in 6 and 10 AD, respectively, by the ostensible successor to power, the future emperor Tiberius, whom Augustus had adopted and made an associate in his *tribunicia potestas* in AD 4. Tiberius had decided to restore this temple while waiting to celebrate his triumph over the Germans in 7 BC,¹⁶⁶ before he retired from politics to Rhodes (6 BC-AD 2) to allow the imperial princes Gaius and Lucius, the sons of Agrippa and Augustus’ daughter Julia, to have the political spotlight. It is not unreasonable to assume that their restoration was reserved for the clear successors to power, and that the princes would have dedicated them instead if they had not died. The fact that *both* temples were dedicated in the name of Tiberius and his dead brother Drusus, and that the line of succession from Tiberius consisted, on the one hand, of his own son Drusus, and the son of his dead brother Drusus, Gaius Germanicus, on the other, supports this theory.¹⁶⁷

Ovid commemorates the rededication in the *Fasti* (1.637–50):

- (l. 639) *Concordia*, you will well oversee the Latin crowd
now that consecrated hands have established you.
Camillus, conqueror of the Etruscan race
vowed the old one, and he kept the vow.
The reason: the common people had taken up arms and
seceded, and Rome herself feared her own
strength.
The true reason is better: Germany presents her
disheveled locks to your auspices, revered leader;
thence you have taken the spoils of a vanquished race
and you have built a temple of the goddess, whom you
yourself worship.
Your mother, too, established her by her resources and an altar,
your mother, alone found worthy of the bed of great Jupiter.¹⁶⁸

Tiberius appears as the *concordiae auctor*, in the same line as Camillus, seen here as the first founder of the temple. According to Ovid, the occasion

for the foundation had nothing to do with the end of civil strife, thus disassociating it from the triumph of the conservative classes in the civil wars, though the act itself had strong conservative overtones and connoted support for a strong senatorial government.¹⁶⁹

The *occasion*, too, is significant. Though the improvement of domestic relations is no longer an issue, the conquest of the foreign enemy furnishes an occasion to celebrate that which made such martial valor possible, which can only be the *concordia* of the state fostered by the *princeps* and guaranteed both through the refoundation of the temple itself, and because some of the wealth from the victory goes to this purpose, and not his own benefit. One notices again Livia's role (ll. 649–50) in promoting good familial relations.¹⁷⁰

This *templum Concordiae Augustae*, “the deity and activity of a pacific general” (*Fast.* 6.92), was associated with Augustus by more than its name. The time of dedication purposefully corresponds to the date on which the first *princeps* received the cognomen “Augustus” (Jan. 16), thus reinforcing the association of the name and the deity.¹⁷¹ After the death of Augustus, the *Fasti Verulani* added more connotations of familial harmony when, for the next day (Jan. 17), they report “*feriae* by senatorial decree, because on that day the Augusta was married to the divine Augustus.”¹⁷² It is significant, too, that by the time the temple was dedicated in AD 10, the two moments Augustus used to frame his position in terms of *consensus* in the RG, the appellations of “Augustus” and “*Pater Patriae*,” are now strongly associated with *Concordia* in the official calendar.

Thus the foundation of the temple itself and the discourse surrounding it fused many dimensions of *concordia* prevalent in the past century or so and placed them in sharp focus: good internal relations and victory in foreign wars, unstinting use of wealth for the gods and the common good, and a celebration of the proper marital and familial relations jeopardized during the proscriptions. The visual program of this temple itself was very allegorical and complicated, inserting members of the imperial family, their representative divinities, and their astrological signs into a scheme that mediated an identity between their *concordia* and the *concordia* of the cosmos.¹⁷³

Though the direct promotion of *concordia* was muted early on in the principate (at least officially), it is worth noting that the concept plays a prominent role in Livy's history, especially in his early books.¹⁷⁴ The same author demonstrates that contemporary Romans, soon after Actium, saw their empire strong and alive through *concordia*,¹⁷⁵ and it is clear that the Romans themselves saw the principate as that which both established it and prevented a relapse into *discordia*.¹⁷⁶ The horrors of civil war were still vivid almost 50 years after they ended. After a long excursus on their bloodiness, comprising Philippi, Actium and the war with Sextus Pompey (1.906–21), Manilius writes, near the end of Augustus' life (1.922–26):

yet let this have been enough for the fates: now let the wars grow quiet, and let *Discordia*, bound by adamant chains, be kept in eternal reins, shut in her prison; may the *pater patriae* be unvanquished, and may Rome be under his command, and when she gives him as a god to the heavens, let him not be missed on earth.¹⁷⁷

Though the principate restored the old order, promoting the *concordia* of the whole state rather than that of a select body only, in practice the associations changed to reflect primarily the relations between members of the imperial family, fractures within which could have serious repercussions for the state.¹⁷⁸ The end of Nero's reign begins the sporadic practice of coinage touting the (uncertain) *concordia* or *consensus* between the emperor and his armies.¹⁷⁹ Moreover, as the very name *concordia Augusta* suggests, it was openly recognized that this stability depended on the prominence of a single man—hence the emotional and religious appeal of the deity.¹⁸⁰

4 Velleius Paterculus and the Unified Political Culture of the Early Principate

Official representations of Augustan ideology made the role of the *princeps* intelligible, but could not by themselves enhance the legitimacy of the administration or respond to the needs of the Roman people. Stability—as represented by *concordia* and *consensus* and guaranteed by the *princeps* (and his *domus*)—stood against civil war, a potent argument for the continuation of the regime.¹

Concordia, however, was not a matter of arbitrary domination. The Romans understood the change as a solution to a moral crisis, in which the new *princeps* succeeded in “restoring” the cultural and moral authority that *principes* of the past had lost. Moreover, since they felt that their familiarity with their past and its traditions had slipped away, the new restoration depended on recovering this past and using it to inform the present. Roman elites saw to the first activity autonomously. The antiquarian expert Varro, for example, was seen as such a cultural treasure that when he was proscribed, his friends were said to have competed among themselves to harbor him. Experts who could provide “correct” versions of this “rescued” past—authoritative and total views of Roman history, law and tradition—were indispensable to Roman self-awareness, and thus it was necessary for the emerging *auctoritas* of competing dynasts to openly sponsor them.² Their works, in turn, helped contextualize the expression of imperial power; if nothing else, they provided legitimate and intelligible paradigms to draw from, reproduce and interact with—just as the antiquarian works of Varro and Atticus provided the prototype of the *Forum Augustum*.

Thus, imperial government, centered around the emperor and his *domus*, was more than just the hub of administration and power. Through the ensemble of performances, displays, symbols, rituals and statements, the *domus* constituted an interactive symbol drawn from the social and cultural *consensus* which underlay it, and which it in turn transfigured into intelligible reality, or officialized. This closely relates to the *exemplum virtutis*: having political leaders worthy of emulation was, to the Roman mind, identical with having a proper state—just as Cicero’s *concordiae auctor* was to provide a “mirror to his fellow citizens.”³ The system, however, could only succeed if it seemed to reflect Roman tradition pervasively, and thus it

worked in tandem with the recent explication of that tradition. Otherwise there would have been no point of comparison to establish the exemplarity of a given act.

In Rome, the only authority was traditional authority, in the sense that the exercise of legitimate power occurred in actions both presented and perceived as traditional in its administration, public monuments and performance of state rituals. Legitimate power had to preserve and reflect the traditions of the past, and at least *appear committed to getting it right*—though it is doubtless no less true that the leaders themselves genuinely aspired to emulate these traditional examples. The man of authority, therefore, had to be a man of cultural authority—an educated Roman. This included both the emperor and other elites who participated in the regime.⁴

The history of Velleius Paterculus provides unique insight into this aspect of the new Roman administration. First, his lifespan bridges the transition from the first *princeps* to the second, and his account of contemporary affairs is firsthand. Second, he is an upper-class Italian born just after the period of civil war, who rose to the rank of praetor through military service and loyalty to the imperial *domus*; as such, he provides a cultural product illustrating this universalizing tendency that not only encapsulates the history of the *res publica*, but also presents its organic evolution into the principate of his own day. In so doing, he represents the attitudes and viewpoint of the Roman political and cultural elite.⁵

In this chapter I have three objectives. First, I explore how Velleius experienced and (re)produced imperial “propaganda,” contextualized by political instability that he himself never experienced (he was born ca. 20 BC).⁶ Second, I show how the author retrojects his contemporary imperial viewpoint onto his portrayal of episodes long ago in a way that justifies what he has to say about the present. Finally, I will show how his judgments on the behavior of historical agents illustrate civic and moral values that reflected current standards of thinking, speaking and acting. These categorical modes effaced prior divisions between parties in a civil war while forming absolute standards of appreciation independent of imperial loyalties. As instances in the last chapter showed, the principate was founded on *consensus* by the very fact that it honored virtuous behavior—the natural object of *consensus*—even when this behavior opposed the winners or their interests. This suffused the creation and perpetuation of ideology with an important (if limited) sense of autonomy.

A. VELLEIUS' HISTORY

Velleius' work reveals a decisive shift in Roman political practice and ideology, representing the successful integration of the Italian peninsula, the rise of the *novi homines*, and the cultural ideals officialized by the *auctoritas* of the *princeps*. Moreover, on a fundamental level, by informing the reader

of his ancestry, Velleius tightly fuses Italy to Rome, and the Caesareans to the republicans. On the one hand, his lineage (insofar as the author discloses it) reveals an Italian aristocracy loyal to the City. His maternal ancestors allegedly included Minatius Magius, who raised an army from the Hirpini and fought for Rome in the Social War, and the great Capuan Decius Magius, who kept his city loyal during the second Punic war. On the other hand, paternal ancestry, which the author traces back but two generations, integrates loyalties to both republicans and Caesareans. His grandfather Velleius, a *vir nulli secundus*, was a die-hard republican. He served Pompey as *praefectus fabrum* and later held the same position under Brutus the liberator and Tiberius Claudius Nero, the father of the future emperor. In the aftermath of Perusia, Velleius' grandfather fled with this man to Sextus Pompey as far as he could and committed suicide when too infirm to continue (a story which the historian relates with pride).⁷ This tale nicely marries practical imperial realities with the republicanism that informed its ideology. Velleius recounts, too, how Livia fled with her proscribed husband, carrying the infant Tiberius in her arms.⁸ Consequently, though he generally deprecates Octavian's rival Sextus Pompey, he cannot but praise him for harboring the fugitives and securing their restoration—a restoration practically all in imperial society would have applauded.⁹

But the author does not scruple to relate that his paternal uncle (the son of the man just mentioned) joined Agrippa's prosecution of Gaius Cassius under the *lex Pedia*, a law Octavian passed to "punish" the assassins of Julius Caesar. To find father and son on opposite sides in a civil war need not be attributed to the inducements of proscription.¹⁰ It could ensure the survival of a family, since one could use his influence with the winner to grant clemency to the other. Velleius neither praises nor blames his uncle (2.69.5), who at some point before or after the incident attained the rank of a senator. Velleius' father himself did not pursue a senatorial career. The author only discloses that he succeeded him as *praefectus equitum* in the Rhine army under Marcus Vinicius, the father of the consul to whom Velleius dedicated his work (2.104.3).

Velleius' picture of Tiberius, the commander under whom he served, falls seamlessly into the ideological framework of the principate, built from the grammar of republican tradition.¹¹ Yet the author describes his own service and that of his brother in the same terms, emphasizing the recognition the imperial *domus* grants them.¹² The author legitimates the activities of the *domus*, the part he plays in them, and the whole complex of relations involved through an activity of historical mythology, the success of which depends in part upon his ability to discern and distinguish the elements that belong to that mythology, and to put them all in place for himself.¹³ Attention to the manner in which the author chooses to do this reveals great insight into the ideological aspects of his activity.

Three compositional aspects in particular make Velleius' history a mirror for the *consensus* of the times. First, the historian imposes two limitations

upon himself to which he frequently refers: the small size of the work relative to its scope, and the “speed” with which he composes. The third element consists in his overt judgments on matters of history and culture. The three, taken together, constitute a strategy for displaying his sophistication with regard to historical, cultural and political matters among his fellow elites, some of whom (or whose ancestors) appeared in the narrative itself, and who would derive satisfaction from their ability to appreciate the work.

With regard to the two limitations Velleius imposes on his work, its *festinatio* and *brevitas* (“haste” and “brevity”), I have argued elsewhere that the question as to whether, with these terms, Velleius refers to the actual haste with which he wrote (in time to celebrate the consulship of the dedicatee Vinicius), or rather to standard literary devices, is ultimately unanswerable. This question, however, is secondary to the notion that *brevitas/festinatio* realizes a (conscious or unconscious) strategy for Velleius to display his erudition as a practical demonstration of *control*; it exhibits his capacity to distinguish essential aspects from the entire corpus of history and literature which contextualizes imperial ideology and the activity of its (re)production.¹⁴ The entire program of *brevitas/festinatio* depends upon the appreciation of significant moments through the construction and disruption of the narrative flow in a totalizing framework that invites this selection but also lets the author showcase an awareness of everything else (which he complains must be left out). The principle of selection and expansion from among everything, therefore, both allows him to demonstrate that he could write a universal history without actually writing one, and, with regard to what he chooses to elaborate, enhance his position through reference to personal familiarity (e.g. direct military experience, autopsy) or to superior knowledge vis-à-vis the field of wider, less informed opinion.¹⁵ Velleius’ activity, therefore, is on the high end of the cultural scale, because he does not merely regurgitate the ideas, books and traditions that made up the cultural universe of the early empire, but actually contributes to the elite activity of their definition and evaluation (and thus perpetuation).¹⁶ The emperor himself played an important role in this, helping to shape upper-class tastes in the process.¹⁷

One must also understand Velleius’ product in terms of contemporary rhetorical trends meant to compensate for the extinction of meaningful forensic oratory: the *recitatio*, a formal reading of one’s literary endeavors to a select audience, and *declamatio*, practice rhetoric that became more ostentatious in the early empire.¹⁸ Moreover, the structural dynamic between speaker and audience in these activities retained certain features inherent in republican political oratory and the *consensus* that formed the goal of political representation.¹⁹ Detached from the overt purpose of practical rhetoric, such performances tended to foster appreciation of compositional and formal qualities.²⁰ For Velleius, again, this means that his work is less a matter of producing original content or argument and more a matter of adroitly highlighting, framing and (re)appraising significant elements

from a pre-existing canon. Moreover, Velleius, moreover, published something that was previously read and critiqued by fellow elites and performed in their presence.²¹ The reciprocity involved in reading drafts, reciting and listening to each other's work preserved the unity and identity of this class. These considerations better locate Velleius' work as indicating the formulation and reproduction of the cultural and political *consensus* of the time.

Stylistic trends in rhetoric—geared towards the poignant, compressed appreciation of a significant moment, a *sententia*—also served to highlight and stress this *consensus*, the applause of one's audience in the recitation room.²² The point was to hit the mark so well that others would repeat the *sententia* in their own speeches.²³ Thus, Velleius does not simply rehash an earlier historical summary and follow this with a panegyric account of contemporary affairs.²⁴ To understand what the author is trying to “say” in the work, one must attend to the instances where he interrupts his narrative of events to reflect on their significance. A brief example of this can be found early in the work in his treatment of Codrus, a king of Athens who dressed in disguise, entered the camp of the enemy, and deliberately got himself killed in order to secure victory for his people. At the end of the report, Velleius writes (1.2.2): “Codrus attained eternal glory through his death, and the Athenians gained victory. Who would not admire the man who sought death by the very means whereby the cowardly are accustomed to seek life?”²⁵ Velleius here demonstrates his appreciation of self-sacrificing courage. In addition, his evaluative comments, scattered throughout the work, reflect the dynamism of the Italian municipal aristocracy that had only recently begun to participate fully in the Roman system, finding expression in an idiosyncratic preoccupation with “firsts” and “bests,” and a natural interest in *novi homines*.²⁶

Thus, the Italian municipal aristocrat demonstrates authority and ownership over the raw material of Roman identity, a status which he had struggled to gain during the late republic, when the senatorial oligarchy dominated the scene. It also shows a decisive shift in aristocratic self-understanding. No longer were consulships and triumphs the *sine qua non* of the proud elite, but rather the mastery of an ideology and fluency in the language of its cultural context.

B. VELLEIUS, CONCORDIA AND CONSENSUS: A UNIFIED SYSTEM OF VALUES

The structure of Velleius' history mirrors early imperial culture by creating a portrait gallery of “good” and “bad” Romans, gradually narrowing its focus to imperial personalities, and ending with a panegyric of Tiberius.²⁷ The structural similarities between this feature and the official program as seen in the *summi viri* of the Forum of Augustus (and the literary compilations it reflects) are unmistakable.²⁸

Moreover, his emphases on personality and morality coalesce through the presentation of the turmoil that engendered the cultural and political characteristics of the principate itself, even though the author was born a decade or so after the disorder had ended. The congruence between Velleius' presentation of Rome's heroes and official representations emphasizes the link between the principate and the end of the civil wars. This is especially notable in two areas: first, the author retrojects contemporary values back to the characters of Rome's earlier history. Second, the behaviors we have seen honored and deprecated in the proscription narratives comprise a primary element of analysis operative throughout his narrative.

The parade of virtues culminates with Octavian and Tiberius. Their merits, as well as their equally indispensable *fortuna*, warrant their prominence.²⁹ As protégés of the gods and the instruments of divine providence, they solve the problems of the previous century and enable the triumph of *virtus*. This is true to the personality-oriented nature of Roman government, and reflects the notion that the importance of the imperial figure is but the logical conclusion of the increasing importance of the individual in history from the time of the late republic.³⁰

Kuntze has shown the conceptual pedigree behind Velleius' depiction of Tiberius as the ideal general and statesman (with its various origins in Hellenistic and Roman political ideology) and compared and contrasted this to other figures in the narrative. Augustus and Tiberius are the first servants of the state, reluctantly placed at its head through the traditional *consensus omnium*, stubbornly refusing to take untraditional powers, yet slavishly devoted to their charge.³¹ Their installation heralds an "unprecedented" return of order, morality, legality and prosperity. In what follows, I intend to isolate the more programmatic aspects of imperial propaganda, tied to official statements of the regime, and demonstrate how Velleius interprets and adapts them to his presentation of the imperial period in general—he reflects the exact reasons behind the *consensus* of Italy. Then I will show how Velleius reads these themes back into the earlier period and at the same time provides a template for the appraisal of contemporary *principes viri*.

1. Velleius and the Imperial Program

a. Augustus

The imperial program emerges immediately before Octavian's triumphant return after Actium (2.59.1), when Maecenas suppresses the conspiracy of Lepidus (the son of the triumvir). Velleius praises the fact that it creates minimal disruption, and prevents a relapse into the civil wars that have just ended:

He [*sc.* Maecenas] observed the plans of the rash young man in an extremely calm and concealed manner, and, with Lepidus crushed with remarkable speed and no disruption either of people's lives or property,

re-extinguished the monstrous beginning of a new civil war that was rising again. . . .³²

After describing the great *consensus* that greets the *princeps* who bestows every conceivable benefit on the republic, the Roman people and the world (2.89.1–2), Velleius describes these benefits more concretely (3–4):

The civil wars ended in their twentieth year, foreign wars were suppressed, peace was restored, everywhere the madness of arms was lulled to sleep, force was restored to the law, authority to the courts, dignity to the senate. . . . The ancient form of the good old days was restored to the republic. Cultivation returned to the fields, honor to religion, security to mankind, and to each person the assured ownership of his property. . . .³³

Velleius then presents the *princeps' moderatio*: not only his refusal of multiple consulships and the dictatorship (89.4–5), but the wholesome legislation he passed, the moderation with which he revised the senate, and the civic works assumed by important men at his prompting. Domestic well-being enables success abroad, and the author concludes with foreign wars waged under Augustus' command and the pacification of the world, only to assert that the scope forestalls all but a general picture (*universa imago*) of the campaigns. He is, in effect, rewriting the great inscription on the mausoleum of Augustus, which had proceeded in precisely this logic, and other official documents of the age.³⁴

Velleius begins by reiterating the theme that began his digression on the benefits of Augustus' principate: "when the civil wars, as I have already told, had been extinguished, and the limbs of the republic were in the process of growing together, [the provinces too started healing], which had been torn apart by a long series of wars."³⁵ Domestic *concordia* enables competent management of foreign affairs and the provinces. Velleius turns to this subject and picks up the theme of foreign conquest introduced at 89.6, and continues to focus on it for the rest of his narrative of Augustus' affairs. He stresses the final pacification of fierce enemies with an emphasis on the province of Spain (2.90.1–4). The gist is that after 200 years, Augustus' successful campaign spares Rome humiliation, preserves the lives of Roman soldiers, and makes its existence secure. After recounting several defeats earlier in history he concludes by highlighting its current peacefulness (90.4). The author then recounts the return of the Parthian standards (which had been officially promoted as a great foreign victory), before returning to the domestic sphere and the conferral of the title Augustus by the *consensus univarsi senatus populiue Romani* (91.1).

The cogent but implicit logic behind it all impels Velleius to then immediately confront political conspiracies: "there were those, however, who disliked this most prosperous state of affairs."³⁶ *Consensus* thus links the

manifest virtues of political leadership with prosperity. After briefly mentioning the conspiracy of Caepio and Murena, Velleius moves on to that of Egnatius Rufus, beginning with the causes behind his rise to popularity and subsequent bid for the consulship. He ascribes to him the motives of general moral depravity and straitened financial circumstances. His followers, of similar ilk, desired to kill Augustus, the guarantor of security, and destroy everything so as not to perish alone (2.91.4).

This would be less remarkable but for the role of Sentius Saturninus, the consul during Rufus' plot while the *princeps* toured the East. The historian emphasizes Augustus' pacific role as he bore "to the whole world through his own presence the benefits of his peace,"³⁷ further highlighting Rufus' villainy. Sentius, however, becomes example and proof of the restoration of the old republic. The theme of *avaritia*, so inimical to the ideal of *concordia*, immediately appears:

At that time Sentius, who happened to be consul alone *and* when Caesar was absent, discharged his other duties with old-fashioned strictness and the greatest of firmness, with the manner and strictness of the consuls of olden days, viz. he revealed the fraud of the tax-collectors, he punished greediness (*avaritiam*) and he directed public funds into the treasury; but it was in the electoral assemblies that he played the part of an outstanding consul. . . .³⁸

Sentius firmly refused certain candidates for the quaestorship whom he deemed unworthy, and did the same for Egnatius' bid for the consulship, saying that he would not report the result even if he were elected. In concluding the section, Velleius again compares Sentius' behavior "to any of the glorious deeds of the consuls of the olden days."³⁹

The implicit logic, therefore, impels Velleius from the restoration of the republic, with its consequent domestic and foreign benefits, to the "opposition" that wished to destroy all order, to Sentius' self-realization as an old-fashioned republican consul by virtue of his general moral rectitude and management of this opposition as an imperial loyalist. The author emphasizes throughout the themes of order and disorder, peace and conflict, still lurking in the background when Velleius eases into the question of succession (2.93). Marcellus, who died in 23 BC, he baldly declares the heir presumptive. After the subsequent promotion of Agrippa, the author introduces his primary subject, the future emperor Tiberius, at the start of his career, in order to let the "self-evident" fact that he was the best possible successor appear as the outcome of a natural teleology, congruous to his panegyric design.

Thus far, I have highlighted the ways in which Velleius reflects imperial propaganda, and adjusts republican standards assumed in the program of restoration to suit his judgment of imperial loyalists. I would like now to jump ahead in the narrative to investigate how Velleius reflects Tiberius' behavior and self-representation, then explore certain recurring themes,

before treating Velleius' more general presentation of this period and its opposite, the turmoil which preceded.

b. Tiberius: The Rise of a Charismatic Leader

The succession to Augustus had to be legitimated through a record of achievement within the framework of republican *mos*.⁴⁰ Velleius reflects this necessity in his own presentation of Tiberius, whom he introduces into the narrative equipped with the necessary education and talent that qualify him to succeed (2.104).⁴¹ The future *princeps* demonstrates competence from the outset of his career, when, as quaestor, he expedites the grain supply at Ostia (2.94.3). From there, Velleius moves immediately into the other area in which the ideal ruler had to demonstrate his capacities:

Not long thereafter he was sent by the same stepfather with an army to visit and order the eastern provinces, and, with outstanding demonstrations of every virtue made in that region. . . .⁴²

Tiberius then proceeds to conquer Armenia and receive hostages from Parthia. The proper management of domestic affairs followed by foreign success thus duplicates the Augustan prototype in miniature, and leads us to Tiberius' primary forte: generalship.

i. Tiberius the Soldier

Velleius served as an officer under Tiberius for nine years, and he feels most inclined to relate his affairs in this capacity. It is here that his main contribution to historical perspective lies.⁴³ I intend, then, in a diachronic and thematic fashion, to follow those elements of Tiberius' generalship that Velleius appreciates, and show specifically how the author portrays his subject as fulfilling the imperial mission of securing Italy and preserving citizen lives, and how this in turn occasions the *consensus* in his favor.

Immediately after describing Tiberius' activities in the East, the author briefly continues along the same lines, establishing the competence of the aspiring emperor: "when (*sc.* Tiberius) Nero returned, Augustus decided to make trial of him with the heavy responsibility of no small war."⁴⁴ He proceeds to recount the Alpine campaign, which Tiberius and his brother Drusus undertook in 15 BC:

. . . having taken many towns and fortresses by storm and having successfully fought pitched battles too, they thoroughly subdued peoples who were most secure in their terrain, difficult to get to, populous in their numbers, and savage in their wildness, with more danger than damage on the part of the Roman army, but with much blood lost on the other side.⁴⁵

A few paragraphs later, the author briefly touches upon Tiberius' handling of the Pannonian war (13–9 BC), the importance of which lies in the region's proximity to Italy (96.2). A promise to treat it in greater detail in a longer work justifies his brevity.⁴⁶

In the quotation above, however, Velleius adds a detail uncharacteristic of his description of military campaigns in general: the notion that the generals won overwhelming victories without loss to their own side. Horace employed the theme when he described Tiberius' campaign in *Ode* 4.14,⁴⁷ but omitted it in the one he devoted to Drusus (4.4). The theme recurs soon thereafter, when Tiberius assumes command of the German war after his brother's death. Whereas he describes the latter as "for the most part the conqueror of Germany, having shed much blood of that race in various places,"⁴⁸ Tiberius is depicted slightly differently:

He waged it with his own virtue and good fortune, and, having traveled through every part of Germany victorious, without any loss on the part of the army that was entrusted to him—which was always especially the concern of this particular general—he subdued them to such an extent that he practically reduced it to the form of a tributary province.⁴⁹

Tiberius' concern to preserve the lives of his fellow soldiers thus reappears and becomes a prominent leitmotif. It recurs in the description of the German campaign, in which the author himself participated (107.3): "victor over all peoples and places which he approached, Caesar led the legions back to winter quarters, with the army safe and sound, attacked once, by treachery, with a great slaughter of the enemy. . . ." ⁵⁰ It is stated most forcefully after Tiberius finally quells the Pannonian revolt:

I could see nothing greater or more admirable in so great a war, or in Germany either, than the fact that no opportunity for victory seemed so convenient that he would pay for it at the cost of a dead soldier, and that the safest course always seemed to him the most glorious, and he consulted his conscience first and then his repute. . . . ⁵¹

The theme returns in his description of Tiberius' last German campaign (120.3). Velleius grants such a conscience to Tiberius alone, and contrasts it with the failings of other generals of the time, for example, the near defeat of two consular candidates in the Pannonian war due to the fact that they did not imitate Tiberius' circumspection (112.5).

Velleius' appreciation broadens as he himself takes a greater role in the narrative, beginning with his description of the parley between Gaius Caesar and the King of Parthia, which he observed as a military tribune (101.3). He begins to serve under Tiberius when the latter is dispatched to Germany after his return from Rhodes and adoption in A.D. 4 (2.104.3), and he continues under him through the Pannonian revolt (6–9 A.D.): "As prefect or general

I was a spectator of his [sc. Tiberius'] most divine achievements and further assisted in them in proportion to my modest ability."⁵² Thereupon, he immediately follows with a description of the civilian and provincial *consensus* that accompanies Tiberius' appointment against the Germans (2.104.3):

I do not think it is in the lot of a man to see again something like that spectacle which I enjoyed when, through the most populous area of Italy and every tract of the provinces of Gaul, the people, seeing again their old commander—Caesar in his services and virtues before he was Caesar by name—congratulated themselves more fully than they did him.⁵³

The author then recounts the military *consensus* (104.4):

The tears of joy of the soldiers produced by his sight and their cheerfulness and a certain new exultation in salutation and their desire to touch his hand, and their inability to contain themselves in adding immediately, "Is it you we see, commander?" "Do we recover you safe and sound?" And then: "I was with you in Armenia, commander, I in Raetia, I was decorated by you in Vindeliccia, I in Pannonia, I in Germania;" these things cannot be expressed in words, and perhaps scarcely merit belief.⁵⁴

There is no need to go over every detail of Tiberius' generalship that Velleius recounts.⁵⁵ His enthusiasm for the events he participated in prompts him sometimes to depict significant moments as if he were describing a panel of a battle relief on a column (perhaps he was).⁵⁶ On the whole, the historian admires his commander's logistical prowess and circumspection (2.106.3, 111.4, 120.1–2), and especially his good sense in sending home half of his forces in dealing with the Pannonian revolt, when their numbers were unmanageable. Velleius introduces the sequence as paradigmatic of his subject's excellence with the momentous phrase, "listen now, Marcus Vinicius, to the evidence that he is as great a commander in war as you see him to be a leader in peace."⁵⁷ A professional appreciation for the difficult and less glorious tasks follows (2.113.2): "the general, the best judge of the course he pursued, preferring expediency to showiness, and—something I saw him doing in all of the wars—following the truly approvable and not what was approved on all sides. . . ."⁵⁸

Perhaps most striking of all is the care Tiberius lavished on his men, which does much to explain the reasons behind the military *consensus* (114.1):

Oh subject not glorious to relate, but greatest in its real and true *virtus* and expediency, most pleasant for one to experience, and unique in its humanity! Through the entire time of the German and Pannonian war, there was no one from among us or from the rank above or below us who was sick, the welfare and health of whom was not supported by

Caesar's care as if his mind were free for this task alone, though he was extremely occupied by the huge responsibility of so many tasks.⁵⁹

The author continues (114.2) by relating the services and equipment Tiberius placed at the disposal of his sick soldiers and from which he himself had benefited.

ii. Tiberius the Protector of Italy

The military and political aspects of Tiberius' career dovetail in the narrative, and this is true up to the actual moment of his succession. Immediately after the death of Marcellus in 23 BC, Velleius relates the administrative genius Tiberius exhibited in his quaestorship (2.94.2–3), but these aspects immediately recede when he is sent to settle affairs in Armenia and Parthia. In Velleius' representation, the military situation of the empire and the maintenance of the *pax Augusta* justifies Tiberius' succession. Tiberius' self-imposed exile to Rhodes illustrates this. At this point, Tiberius has all of the attributes for being the undisputed head of state: two consulships, two triumphs, and *tribunicia potestas*, and he is "the most eminent of citizens, saving one, and that because he wanted it, the greatest of generals, most famous in reputation and fortune and truly the second light and head of the republic."⁶⁰ He retires so as not to impede the budding careers of the imperial princes Gaius and Lucius (99.2). The author next relates the sadness of the citizens and state, which nearly restrain him, and the respect he receives in exile (99.1–4), then that "the entire world felt the departure of Nero from his position as champion of the city, for the Parthian, breaking away from his alliance with Rome, put his hand on Armenia, and Germany, since the eyes of its vanquisher were elsewhere, revolted."⁶¹ Again, the politician and the general are intimately connected.

Tiberius' fortuitous homecoming (103) "returned to the state its proper protector."⁶² The traditional parameters of *consensus* and the *unus vir* operate, in that "Augustus did not hesitate very long to adopt him (AD 4), for he did not have to choose whom to pick, but merely to pick the one who stood out."⁶³ Velleius then closely associates Tiberius to his portrayal of Augustus after Actium. He highlights his commander's reluctance when Augustus grants the *tribunicia potestas* and adopts him, and follows with a statement reminiscent of the end of the civil wars and the beginning of Augustus' rule (cf. 2.89):

One would scarcely be able to fully expound in a work appropriate for the subject the joy of that day, and the concourse of the state and the prayers of those practically inserting their hands in the heavens, and the hope conceived of the perpetual security and immortality of the Roman empire, nor shall I try to fulfill that task here, contented to have said this

one thing: how he was favorable to all. At that time assured hope gleamed forth once again to parents for their children, to husbands for their marriage, to owners for their property, to all men for security, freedom from turmoil, peace and calm, to such an extent that more could not be hoped for nor could the outcome correspond to hope more favorably.⁶⁴

The importance of the succession reflects the fact that Tiberius prevents civil war: his singular position maintains and promotes a state of secure, settled prosperity. The use of four separate words to convey the same idea (*securitas*, *quies*, *pax* and *tranquillitas*) demonstrates the ideological and practical point behind the arrangement, emphasized by the detail that while Augustus also adopted Agrippa Postumus at this time, only in the case of Tiberius did he append, "I do this for the sake of the nation."⁶⁵

We have already seen how Tiberius, as a general, was viewed as the quintessential representative of Italy and the province of Gaul upon his appointment to the German wars (104.3). The episode immediately follows the description of Tiberius' adoption, mirroring the scheme followed in Tiberius' debut, corresponding to the author's preference to relate the practical details of military as opposed to political life. In so doing he clearly demonstrates the political integration of *tota Italia*. Tiberius defends Italy, not just Rome proper. This underscores the importance of the Pannonian war at the beginning of Tiberius' career,⁶⁶ justifies Tiberius' planned expedition against Marbod,⁶⁷ and then its abandonment at the outbreak of the Pannonian revolt: "then necessity took precedence to glory, nor did it seem safe to leave an ungarrisoned Italy exposed to an enemy so near at hand with the army removed so far into the interior."⁶⁸ The mayhem wrought in the province accents the looming danger to the inhabitants of the peninsula. Augustus himself is shaken:

The Roman citizens were overwhelmed, the traders slaughtered, a great number of veterans in that area which was furthest from the commander were killed to a man, Macedonia was occupied by arms, all things in all places were ravished by fire and sword. Indeed, the fear of this war was so great that it shook and terrified the firm mind of Augustus, formed by the experience of such great wars.⁶⁹

The traditional demand for the *unus vir* to organize the defense, the undisputed object of everyone's *consensus* in a grave emergency, surfaces again: "We would have made all of these preparations in vain, unless we had someone to direct it all. And so as a defender of the soldiers the state demanded from Augustus Tiberius as the leader for the war."⁷⁰

Finally, the theme emerges once more in the aftermath of the Varian disaster.

The constant patron of the Roman empire undertook his customary role. He was sent to Germany . . . and measuring himself by his own

greatness, and not the confidence of the enemy, who threatened Italy with a war on the scale of that against the Cimbri and Teutones, crossed beyond the Rhine with his army.⁷¹

Tiberius' exploits here manifest his *virtus* and *fortuna* with a consistency that substantiates his special nature.⁷² This forms the immediate motivation for the conferral of equal power, which Augustus proposes and enacts by a decree embodying the *consensus omnium*. Velleius explicates the logic. The power Augustus conferred matches the services Tiberius rendered to the state (121.1–2):

the senate and the Roman people, at the request of his father that he have equal rights as himself in all of the provinces and the armies, adopted it in a decree—for it was absurd that he not have under his power those things which he championed, and that he who was foremost in bearing aid not be judged equal in claiming honor.⁷³

Consensus reflects political reciprocity.

iii. Tiberius the Emperor and Statesman

The military presentation of Tiberius' career ends with the depiction of his triumph, in which Velleius himself participated (121.3), over the Pannonians and Dalmatians held after the final German campaign. The author uses this opportunity to foreground Tiberius' *moderatio*, the lack of which, as we have seen, plagued Roman society in the late republic (according to Sallust). Velleius clearly mirrors official propaganda, since independent sources confirm that Tiberius foregrounded this virtue.⁷⁴ Oddly enough, however, he only associates it with the number of triumphs Tiberius celebrates (122), though he could have emphasized other aspects,⁷⁵ a fact he acknowledges: "Among his other deeds, in which the unique *moderatio* of Tiberius shines forth and stands out, who does not marvel at this too, that, though he without question deserved seven triumphs, he was content with three?"⁷⁶ The author plays upon Tiberius' adherence to a sense of limits by saying he exceeded them only in incurring personal danger to himself: "But in the case of this man you wouldn't know what to admire more, that he always went beyond the bounds in incurring danger and toil, or that he restrained the bounds of his honors."⁷⁷

The historian's depiction of the succession of Tiberius (123–124) forcefully illustrates the extent to which Roman society saw the principate as preventing a reversion into civil war. The moment was awaited with great apprehension.⁷⁸ At the time, Tiberius was keeping the peace in Illyricum. As Augustus' "health deteriorated day by day, the emperor sent for his son in haste, since he knew for whom he had to send if he wanted to leave everything secure after him."⁷⁹ Velleius describes an emotional scene when the old *princeps* finally passes away:

The fears of mankind at the time, the anxiety of the senate, the disorder of the people, the fear of the City, the narrow margin between safety and destruction we were in—I do not have the time to express these things in my haste, nor would someone who had the time be able to do it. I consider it enough to have spoken the voice of the public: “we feared the ruin of the world, but realized it wasn’t even disturbed, and so great was the grandeur of one man, that the good citizens had no need of weapons against the bad.” There was, however, one civil contest, that of the senate and the Roman people fighting with Caesar to get him to succeed to his father’s station, and of Tiberius that he rather be allowed to act like an equal citizen than an eminent *princeps*. Finally, he was overcome more by reason than by the privilege, since he saw that what he did not take under his protection was going to perish; it fell to his lot alone to refuse the principate almost for a longer time than others fought with arms to seize it.⁸⁰

“Concordia was established without recourse to civil war, thanks to the charismatic presence of a single man, Tiberius.”⁸¹ There is no clearer demonstration that the Roman citizens viewed the unquestioned prominence of a single man (*unius viri maiestas*) to succeed to the imperial station as unconditionally necessary to prevent the political and social turmoil of the late republic. The *publica vox*, perhaps an acclamation reported *verbatim*, is itself a performative act of *consensus* that carries within itself a consciousness of its own purpose. Finally, at the end of the passage, the imperial *recusatio* contrasts with the selfish dynastic struggles that rent the state in the late republic.

After his adoption in AD 4, Tiberius managed two crises of almost cataclysmic proportions—the Pannonian revolt and the Varian disaster, which Velleius compares with the defeat at Cannae (119.1) and the Teutonic invasion checked by Marius (120.1) (note again the comparison of the present with the past). This lends a certain urgency to Tiberius’ position and a seriousness to the *consensus* that supports it. Suetonius reports that from this time, Augustus deliberately enhanced his *maiestas* in every possible way,⁸² and the letters he cites to support the fact that he sincerely endorsed the succession attest to the indispensable capabilities of his foster son.⁸³ In two passages in particular, Augustus represents Tiberius as the sole savior of the state—quite literally the traditional *unus vir*—amid impending ruin:

I truly [praise] the sequence of your summer campaigns, my Tiberius, and I think that no one could have behaved more wisely among so many difficulties of situation and such a lack of military morale than you did. Those too who were with you all confess, that the well known verse could have been said about you: “One man saved his country through his vigilance.”⁸⁴

The adaptation of the Ennian line (*Ann.* 12.1.1 Skutsch) precedes another passage with Homeric verse that demonstrates Augustus' reliance on the skills of his heir:

If anything comes up which has to be thought over rather carefully, or if I am vexed at anything, so help me God I long for my Tiberius and that Homeric verse comes to mind: "With this fellow following we twain would return home even out of blazing fire, since he can think fast."⁸⁵

These passages (the second, *Il.* 10.246–7, was spoken by Diomedes and refers to Odysseus), taken from the personal correspondence of Augustus himself and hardly anecdotal, shows that imperial ideology, which always risks being misunderstood as effective only on the politically naive, permeated even the most intimate levels of discourse at the highest levels of power. This use of history and myth (and erudite literary allusion) to create roles and motivations for the elites, moreover, highlights Velleius' very endeavor.

In Velleius' formulation, the support of the public and the modesty of the honorand mitigate and explain the more adulatory emotions felt towards the emperor on the part of those he defends. Tiberius' self-evident qualities obviate the need to find another head of state, and operate along traditionally viewed lines of the *unus vir* elevated by the *consensus omnium* (see Ch. 1). This explains the logic behind the *Senatus Consultum Pisonianum*, where the responsibility for "burying" the civil wars—the language echoes the *Res Gestae* here—rests not just with Augustus, but *also* with the *virtutes* of Tiberius, although he never actually *fought* in a civil war (n.1 *supra*).

As after Actium several decades ago (D.C. 51.4), the value of the *consensus* towards Tiberius furnishes immediate dividends. A discontented soldiery again prepares to re-introduce civil war and turn the world upside down. This time, however, instead of ungluing the social fabric through proscription, they threaten to invert the proper top-down political relationship, in which emperor and senate had authority over soldiers and citizens (125.1–3):

The state at once reaped the reward of both its prayers and its prudence, nor was it long concealed either what we would have endured if we had not obtained our request or what we had gained in obtaining it. For the army, which was serving in Germany and was under the command of Germanicus himself, and at the same time, the legions in Illyricum, by what might be called a madness and a boundless desire to throw everything into disorder, demanded a new leader, a new order of things, and a new republic. Indeed, they even dared to threaten to legislate to the senate and to the *princeps*; they themselves tried to establish for themselves the measure of their pay, and term of their military service. They had recourse to arms; steel was drawn and their effrontery

almost burst forth into every extreme of the blade—there was lacking someone to lead them against their country, but there was no lack of followers. But the haste of the experienced commander-in-chief, who checked many things and promised some things with dignity . . . soon lulled all these things to sleep and removed them. . . .⁸⁶

The incident provides examples both of the stability provided by the *princeps* and his lenient *moderatio* in ensuring it, and how *consensus* prevents an unscrupulous elite from representing the army. The situation is not dissimilar to Dio's description of the unruly veterans after Actium, and the emergency trip Augustus made to Italy to quell the unrest (D.C. 51.4).

Finally, Velleius thematically encapsulates the 16 years of Tiberius' reign up to the time of composition in a passage indicative of the imperial program, its *consensus*-oriented nature envisaged as still resolving the problems which made *concordia* impossible in the late republic (126.1–2):

Who could declare in detail his works over these 16 years since they adhere to the eyes and minds of all. . . . Credit (*fides*) has been restored to the forum, strife (*seditio*) has been removed from there, canvassing for elections has been removed from the Campus Martius, discord (*discordia*) from the senate, justice (*iustitia*), fairness (*aequitas*) and diligent, purposeful activity (*industria*), buried and overgrown with mold, have been restored to the state; authority (*auctoritas*) has been added to the magistrates, dignity (*maiestas*) to the senate, seriousness (*gravitas*) to legal verdicts; political uproars (*seditio*) at the theatre have been checked. . . .⁸⁷

Then follows the restoration of private morality, and the lack of social tension due to the proper distinctions being granted to the worthy and to their own modesty (126.3), followed by the blessings of security and the rule of law for the whole empire (126.3–4). Finally, the system works because, unlike in the republic, virtue finds recognition and the emperor rules by his moral example:

Favoritism is overcome by fairness, corruption by merit; for the finest *princeps* teaches his citizens to act correctly through his actions, and since he is the greatest in power, he is greater in his example.⁸⁸

Velleius then gives an account of the position of Sejanus in the state and the precedents for elevating a *novus homo* (127–8), before describing singular events of Tiberius' reign in rapid sequence (129–30). As he did with the reign of Augustus, he describes the quotes above as “a universal representation of the principate of Tiberius Caesar.”⁸⁹ Moreover, similarities exist between this passage and 2.89, which opens the post-Actian age under Augustus, and 103.1, which describes the effect of Tiberius' adoption.⁹⁰ This correspondence,

and the implied deficiencies of Augustus' rule, reflect the language of restoration typical of panegyric, and Woodman has demonstrated the extent to which it accurately reflects Tiberian policies.⁹¹ The significance lies in the fact that, without being at all specific, the passage commends policies that resolve chronic difficulties that came to the fore in the late republic and made *concordia* impossible. The removal of *seditio* and *discordia* go without saying; *justitia* and *aequitas* are important pre-conditions, whereas *industria* substitutes for another, the *metus hostilis*.⁹² *Maiestas* in the senate and *gravitas* in political leaders, essential aspects of traditional Roman official behavior, were markedly lacking in the late republic. Proper moral conduct is enforced, and *concordia*, the healthy result of proper ranking according to sound principles of geometric proportionality, exists between the social classes.

Tacitus mirrors and inverts this passage (whether deliberately or through the reflection of a common prototype) in the *Dialogus* (40.4), when Messalla Corvinus explains why the late republic fostered such high-quality oratory:

Our state too, while it wandered astray, while it consumed itself with factions, dissension and discord, while there was no peace in the forum, no *concordia* in the senate, no moderation (*moderatio*) in verdicts, no reverence for authority, no restraint (*modus*) on the part of magistrates, yielded without a doubt a sturdier oratory. . . .⁹³

These relations of mutual respect between the social orders, moreover, provide the hallmark of *concordia* that Livy highlighted in his portrayal of Quinctius Capitolinus.⁹⁴ Many of the unhappy aspects of the late republic deplored by Sallust as inimical to *concordia* find resolution here, such as the discrepancy between merit and office noted above, and in the brief description of the events of his reign (129–130). Two sections detail the proper distribution of money in the interests of restoring property, and the allotment of honor according to geometric proportionality:

How often did he honor the people with largesse, and how gladly did he fill up the monetary requirements of senators, when he could do it on the senate's authority, so that he neither promoted extravagance nor allowed decent poverty to lack dignity.⁹⁵

Then at 130.2: "With what liberality both at other times and most recently when the Caelian hill burnt down did he make up the losses of men of every order with his own patrimony."⁹⁶

2. Satellites of Imitation, Pariahs of Deviation: Velleius and his Judgment of Contemporaries

The section running from 2.94–126, though primarily concerned with the reign of Augustus, offers a reasonably accurate description of the

increasing importance of Tiberius.⁹⁷ These sections provide a literary mirror to the forum of Augustus, in which the figure of the emperor in his chariot at the center dominates a historical “portrait gallery,” with little room for others of the same generation. Velleius, however, also offers several miniature portraits of contemporaries. Sometimes he mentions the *ornamenta triumphalia* that certain men receive, and in one case (that of Vinicius’ grandfather) he seems to refer to the *elogium* that accompanied the honorary statue (104).⁹⁸ Attention to these details allows us to see how Velleius’ ideological template is modeled on the imperial system of representation. An investigation of these aspects will then situate an inquiry into Velleius’ presentation of the republican past, which will clarify the extent to which Velleius understood the imperial system as a solution to the problems he sees in the republican system.

Velleius, like Livy, believes that the consummate Roman is a master of the arts of both peace and war.⁹⁹ This suggests a useful division of the subject into the military and social/political spheres.

Soldiers and Leaders

Both Velleius and his contemporary Valerius Maximus view *otium* as dangerous to the health of the state, the moral renewal of which demands *labor* and *militia*.¹⁰⁰ The stress on active participation is, however, complicated by the fact that high ranking loyalists demonstrate their fidelity by carefully exhibiting an inclination towards leisure. Moreover, though Velleius chides the Roman soldiery once, when they mutiny upon the succession of Tiberius, he otherwise asserts a profound respect for them, and attributes their failures to poor leadership. The soldiers, for example, do not deserve the defeat suffered under Varus (119.2), who is faulted for preventing his choice troops from using “Roman arms and courage.”¹⁰¹ Generals of this type form the antitype to the careful Tiberius, who saves the lives of his men. The author goes on to deprecate further acts of cowardice (119.4–5), before turning to individual acts of courage later in the sequence (120.3–5).

Though Velleius denies Varus’ depravity (120.5), he nevertheless ascribes his failures to moral shortcomings.¹⁰² Varus is devoted to *otium*, a necessary virtue for a loyalist, but he does not balance it with energy and rigor.¹⁰³ Velleius contrasts this to Tiberius, who always takes on the hardest tasks and dangers himself,¹⁰⁴ and Arminius, Varus’ perfect antitype.¹⁰⁵ Failed commanders like Varus and Lollius are also guilty of avarice.¹⁰⁶

Yet the author lauds more contemporaries than he censures, and one can draw up a list of qualities which Velleius appreciates. First, in the military realm, successful campaigning and especially inflicting heavy losses on the enemy,¹⁰⁷ along with their peaceful subjection¹⁰⁸ and the creation or maintenance of security for the empire.¹⁰⁸ He commends, moreover, Drusus and Germanicus for quelling the mutinies that occurred upon

Tiberius' succession, as well as Drusus' assistant on this occasion, Junius Blaesus, the uncle of Sejanus (125.4–5). The military exploits of the brothers recur in the summary of events in Tiberius' reign (129.2–3), and Messalla Messallinus distinguishes himself when outnumbered (2.112.2).

In contrast to Varus, whose devotion to *otium* was not accompanied by a similar interest in the discipline needed for military command, Velleius introduces others who combine precisely these qualities. Maecenas, though not a soldier, is the first so described.¹⁰⁹ Others, in particular L. Piso and Sentius Saturninus, are similarly, if more flatteringly, portrayed.¹¹⁰ Cultivating an interest in leisure is a way for elites to demonstrate their loyalty by not being too interested in significant activity. Though not a particularly Roman virtue, excuses are found by asserting its necessity at times in order to refresh people of responsibility so they can continue their hard work.¹¹¹

Velleius finds personal disposition very important. Tiberius' brother Drusus is said to be inimitable in the charm and pleasantness of his character and in his ability to treat friends of lower rank as equals.¹¹² Piso demonstrates a balance of forcefulness and leniency, and does what is needful without self-promotion, as does Pomponius Flaccus.¹¹³ Aelius Lamia has an old fashioned and serious character tempered by kindness,¹¹⁴ and Censorinus is described as “born to win the affections of men.”¹¹⁵

The essential blend of vigor, leisure and personality come together in Sejanus:

. . . Tiberius Caesar had and has L. Aelius Sejanus . . . truly himself most capable of loyalty and toil, with a constitution meeting the needs of the force of his mind, as his singular assistant of the burden of the *princeps* in everything, a man cheerful yet strict, of old fashioned joviality, most similar to private citizens (*otiosis*) in the performance of his tasks, claiming nothing for himself and on that account obtaining everything, always rating himself beneath the appraisal of others, most calm in his expression and lifestyle, sleepless in his mind.¹¹⁶

Velleius immediately bolsters his presentation with the wider *consensus* that his virtues justify his importance (128.1): “in the appraisal of his *virtutes*, the judgment of the state has long vied with that of the *princeps*.”¹¹⁷ To emphasize Sejanus' legitimacy, the author then turns to a string of precedents for the elevation of the *novus homo*, naming several personalities who were elevated on account of their *virtus* as precedents before recapping the prefect's position as heir apparent (128.4):

The imitation of this natural example impelled Caesar to make trial of Sejanus, and Sejanus to truly alleviate the burden of the *princeps*, and led the senate and the Roman people to the point that it gladly summons to the aid of the protection of its own security that which it understands is the best.¹¹⁸

This triumph of merit echoes the arguments voiced on behalf of the *novus homo* by Cicero and Sallust, and quite clearly recalls the language of the *summum fastigium* first apparent in the *laudatio funebris* of Agrippa (see Chapter 1). We see here the *studium* of the princeps, who makes trial of Sejanus just as Augustus made trial of Tiberius at the beginning of his own career (94.3, 95.1). As with Agrippa, too, it is clearly a matter of *virtus*, and the *consensus* of the Senate and the Roman people also manifests itself again in that this body summons Sejanus, modest and devoted to the service of the state, to preserve its security—an aspect we have seen intimately tied to the question of succession in Velleius.¹¹⁹

The elevation of Sejanus in the interests of security (*tutelam securitatis*) reflects the final invocation, where Velleius prays: “guard, preserve, protect the present state of things, this peace, this emperor,” before asking the gods to provide an equally competent successor. The text breaks off in mid-sentence, but the editors agree that it included a request for the gods to foster the good plans of all citizens, and crush the wicked.¹²⁰ Thus, the work ended on an ominous note. Had Velleius completed it only slightly later, after the fall of Sejanus, we might have seen something entirely different, as when Valerius Maximus traduces Sejanus’ failed designs (9.11.ext.4, with, again, a comparison between the present and the past):

. . . who, with sufficiently effective words of due execration could cast into the depths someone who tried to bury the human race in bloody darkness by the annihilated trust of friendship? . . . Or would the world have stayed in its place if you had achieved your mad designs? The city captured by the Gauls, the river of Cremera befouled with the massacre of three hundred men of a glorious clan, the Scipios crushed in Spain, Lake Trasimene and Cannae, sword tips dripping with the domestic blood of the civil wars: all these you wished to exhibit, or rather outdo, by the insane designs of your madness. But the eyes of the gods were watchful . . . and especially the author and protector of our safety saw to it, with his divine counsel, that his most excellent benefactions not come crashing down with the ruin of the whole world. And so peace *does* exist, the laws *do* have their effect, and the steady course of public and private duty is preserved uninjured. He, however, who tried to overthrow these things by violating the covenant of friendship, crushed by the might of the Roman people along with his family, pays the punishment he earned in the underworld, if in fact he was accepted there.¹²¹

Sejanus, promoting the return of universal chaos and war, thus attempts to overturn *precisely* everything that was reestablished by the restoration of the republic and preserved by Tiberius’ adoption and succession.

Velleius’ brief treatment of domestic events also demonstrates the ideological import of exemplary behavior. The order of things depends on

prominent individuals acting correctly. This is clear from his description of the censorship of Plancus and Paulus in 22 BC (95.3), just before Tiberius enters the political scene (in terms of historical chronology) but which Velleius narrates after his debut. Velleius has little to say about Paulus, but he ridicules Plancus:

The censorship of Plancus and Paulus was discharged in discord and was neither a distinction to themselves nor any use to the state. The one did not have the force of a censor, the other lacked the manner of life; Paulus was scarcely able to fill the role of censor, Plancus should have feared it. . . .¹²²

The importance of adhering to moral standards irrespective of wealth and privilege emerges in the scandal of Julia, the daughter of Augustus (100.3):

Indeed, Augustus' daughter Julia, in all things unmindful of the greatness of her father and husband, left nothing that it was possible for a woman to do or experience untainted by her extravagance or her lust, and, arrogating whatever she liked as being permissible, measured the greatness of her fortune by the wantonness of her misdeeds.¹²³

Finally, the need to exhibit exemplary behavior also appears in the military realm. The author praises the *clarum exemplum* of L. Eggius, a camp prefect at the time of the Varian disaster (without naming it), but blames the *turpe exemplum* of Ceionius, who proposed the surrender of the army. He also calls Vala Numonius, a legate of Varus who abandoned the army, a *diri auctor exempli* (119.3–5). Finally, Velleius praises Drusus, who, in suppressing a mutiny, “having used old fashioned and ancient strictness, preferred things dangerous to himself over those which were harmful through their example.”¹²⁴

3. The Way Things Were: Appreciating the Present through the Past

Velleius' presentation of the imperial period is a mixture of truths and untruths. Thus far I have not discussed Velleius' tendentious simplification of the historical record for the sake of presenting a unified whole. Syme conclusively demonstrated that there is no way to completely rehabilitate Velleius as a source for historical detail: “distortion pervades the eloquent opusculum.”¹²⁵ Yet the truth (and the value of Velleius) does not consist in the spurious details of his work, but rather in his transmission of the spirit of the age, the sublime grandness of the ethos he presents, and his criteria of evaluation. One cannot understand Velleius' appreciation of his own age without observing his presentation of what preceded it. Thus, I will briefly investigate some aspects of Velleius' depiction of pre-imperial history that reflect his understanding of the success of the imperial program.

First, however, we must observe more broadly how he projects the values of his day onto the past in his construction of a justifying narrative.

a. Luxuria, Quies and Moderatio: Universal Standards of Judgment

The standards of *consensus* that Velleius appreciates reach far back into the annals of history. The skill of his literary performance depends on his ability to pick out significant *exempla* from all of human history and highlight the values Romans should admire. This is clear in the programmatic contrast the author draws between the decadent Sardanapalus, who loses his empire, and Lycurgus the Spartan, whose stern legislation enables a flourishing state (1.6.1–3):

In the following period the empire of Asia moved from the Assyrians . . . to the Medes . . . Indeed Arbaces deprived their king Sardanapalus, enervated by luxurious living, and too prosperous for his own good, of his kingdom and his life . . . At that time, the Lacedaemonian Lycurgus, the most eminent man of Greece, was the author of the most severe and just laws, and of discipline most suited to real men. As long as the Spartans practiced it, they prospered exceedingly.¹²⁶

Strictness and discipline were seen as necessary to counteract the *otium* and prosperity of the Augustan peace, a role to which they were well suited, since these notions were integral to *concordia* (see Chapter 2). Accordingly, Velleius periodically indicts *luxuria*, and praises censorial and military sternness,¹²⁷ especially when he introduces Rome's descent into civil war after its conquest of Carthage (2.1.1–2).¹²⁸ After the death of Tiberius Gracchus (133 BC), the author deplores wars motivated by profit only (2.3.3), and in what can only be considered a precursor to the proscriptions, that Opimius “did one wicked thing: he set a price on the head of, I won't say Gracchus, but of a Roman citizen, and had promised to pay its weight in gold” (2.6.4).¹²⁹ Greed also characterizes the proscriptions under Marius (22.5) and Sulla (28.3–4). Antonius, too, offers a reward for the murder of Cicero (66.3).

We have seen how Velleius appreciates the settled order of the imperial system. He finds the earliest representative of such sentiments in the poet Hesiod, “most desirous of peace and quiet” (1.7.1). Though he generally extols the virtues of the Gracchi brothers,¹³⁰ in the end their revolutionary agenda throws everything into disorder.¹³¹ For all that, he says that they could have led the state with their talent had they kept their desires within the *civilis modus*.¹³² Adherence to this *modus* becomes more and more an issue with particular figures in the text as the narrative progresses.

Of the suppressors of the Gracchi, Velleius commends Scipio Nasica for acting in the interests of the republic (2.3.1), though the slaying of Tiberius Gracchus clearly puts the civil wars in motion (2.3.3). On the other hand,

though Opimius halts revolution, his cruelty is deplored (2.6.4, 7.2–4), in particular the price he puts on Caius Gracchus' head, and his mistreatment of his body and of the young Fulvius Flaccus. These measures warrant public disapproval, since they were seen as motivated by a private grudge.

Velleius censures any attempt to cross the bounds of *moderatio* to upset the *otium* of society. At 2.12.6, he praises even an otherwise equivocal figure like Marius for crushing the revolutionary Saturninus (an act of betrayal), though upon his death he condemns him as a man “dangerous to citizens in peace (*otium*) and most dissatisfied with settled conditions (*quietus*).”¹³³ He introduces him into the text (2.11.1) as someone “as bad in peace as he was excellent in war, unrestrained (*immodicus*) in his pursuit of glory, insatiable, without self-control, and always turbulent.”¹³⁴ Yet, as the depiction of Opimius shows, the suppression of revolutionaries, though correct and admirable from Velleius' conservative perspective, does not warrant gratuitous violence. Velleius makes much of the fact that when Sulla confronts the Marians, he exhibits, like a *pacis auctor*, scrupulous respect for life and property in restraining his soldiers, and tries to end the war on just terms.¹³⁵ It is the immoderate appetites (*immodica cupiditas*) of the opposition that prevent a settlement. All of the “best citizens” (*optimus quisque et sanissimus*) flock to the side of Sulla, merciful up to his victory, but inexcusably cruel thereafter.¹³⁶ As for his dictatorship, “Sulla used the powers which our forefathers once used to defend the republic in gravest danger, so that his excessive cruelty (*immodica crudelitas*) would lack all restraint.”¹³⁷

The issue of *moderatio* and *modestia* comes to the fore with Pompey, who in many respects constitutes the imperial prototype. The author introduces him (29.2–4) as “most covetous for power, not usurped by force, but conferred upon him for the sake of honor.” Unlike Sulla, he “never or rarely used his power with lack of restraint.” Like Marius, he is an excellent commander, but unlike him a “most modest (*modestissimus*) citizen in peacetime duties, unless he feared that he had an equal, “a trait described as his only flaw in a state where “by law he had all citizens as his equals.”¹³⁸ Velleius then foregrounds the relationship between power and *consensus* with the *lex Gabinia* (31.1–4): “by this decree the command over almost the entire world was given to one man.” Pompey incurred resistance because “men are afraid of extraordinary powers in those individuals who look like they will keep them or set them aside at their own discretion, and set the limit (*modum*) at their own inclination.”¹³⁹ A bit later (33.3) Velleius modifies the picture. Pompey errs because “in those things in which he ought to have been the first man (*primus*), he wanted to be the only one (*solus*).” Though immoderate (*immodicus*) in his desire for power, he behaved well in his tasks “so that he ended with resignation the offices he gladly entered, and took on what he wanted at his own discretion, but laid them aside at another's.”¹⁴⁰ Pompey confirms this judgment when he returns from the East (40.2), disbanding his army “when everyone maintained that he would place a limit (*modum*) to public liberty at his own preference.”¹⁴¹ Moreover, Pompey becomes sole

consul in 52, “even by the judgment of those who worked against his position before,” to remedy chronic strife in the forum “for which was found neither end (*finis*) nor limit (*modus*).”¹⁴² Like the *princeps*, therefore, *consensus* makes him the guarantor of these necessities.

Thus, Velleius clearly assesses the behavior of a late-republican figure in a way that prefigures the emperor, while still leaving room for improvement.¹⁴³ The *moderatio* of the emperor and the *consensus* that sustains him perfects the republican embryo. At his succession, Tiberius corrects Pompey’s two main flaws: the latter was over-eager to supervise and intolerant of equals. Yet the succession enacts a “one civil contest, that of the senate and the Roman people fighting with Caesar to get him to succeed to his father’s station, and of Tiberius that he rather be allowed to act like an equal citizen than an eminent *princeps*.”¹⁴⁴

Two more immoderate characters emerge in the late Republic. Clodius (45.1) “knew no limit (*modum*) to what he said or what he did unless it was what *he* wanted.” Velleius’ epigram corresponds: “a citizen . . . than whom no one lived who was more destructive to the republic or more hostile to good citizens” (47.4). The triumvir Crassus, on the other hand, though upright in character, “knew neither limit (*modum*) nor end to his desire for gaining money and glory” (46.2).¹⁴⁵

Velleius foregrounds his love of order when he blames subversives like Caelius and Milo (68.1–3), who act seditiously while Julius Caesar fights at Pharsalus. He locates the scene well outside its proper temporal sequence,¹⁴⁶ after the account of the proscriptions under the second triumvirate. Caelius, unable to live on even immoderate (*immodica*) means, promotes debt-cancellation (the bane of conservatives, cf. 23.2) and summons Milo to help stir up riot in the city and an armed uprising (*bellicum tumultum*) in the country. Both are killed. The author calls Milo a “man full of tumult and rash beyond courageous, who paid the penalty to Publius Clodius and his fatherland, which he invaded with arms.”¹⁴⁷ The episode was deeply ingrained in the consciousness of Velleius’ generation, as the so-called *Laudatio Turiae* (II.9(a)) confirms. Rebellion against the authority of a single figure again occurs immediately after (68.4), when two tribunes, “making use of an immoderate (*immodica*) and untimely (*intempestiva*) freedom while they charged Caesar with the desire for kingship, almost felt the force of his domination.”¹⁴⁸ This shift in opinion towards accepting the domination of one figure in the interests of stability heralds the imperial age.

b. Appreciating the Value of Citizen Life through the Carnage of the Past

We have seen how Tiberius, the defender of Italy, scrupulously safeguards the lives of his men. Against the backdrop of Velleius’ portrayal of the republic, this clearly illustrates the Italian triumph of the Roman revolution. Though aspects of Velleius’ Italianism have long been noticed,¹⁴⁹ it is important to observe their development in the republican narrative and

resolution in the imperial one to understand how he represents the potent and unprompted currents of his age.

Many of Velleius' judgments, attitudes and interests reflect the wider integration of Italians into the Roman political system. Though proud that his ancestor Minatius Magius (grandson of the great loyalist Decius Magius) remained devoted to Rome during the Social War, thereby gaining citizenship and office (2.16), he also finds praise for Livius Drusus, Tiberius' ancestor, a radical tribune who garnered the violent support of the Italians by offering them citizenship (2.14–15).¹⁵⁰ Velleius also includes separate grants of citizenship to the Italians in narrating the spread of Roman colonies (1.14–15), praising the policy which “increased the Roman name through a sharing of privileges.”¹⁵¹ An implicit identity between Rome and Italy emerges, moreover, when he praises the Romans for not placing colonies *outside* of Italy, due to the fear that they would grow more powerful than their metropolis (2.7.7–8). That he occasionally seems at odds with those who champion the Italians is more due to the conservatism of his social perspective than to his particular sources.¹⁵² Yet the favor he shows the *homines novi* and the arguments enlisted on their behalf do reflect the mechanism that politically integrated the Italian peninsula and regularized the admission of talented newcomers (like Velleius himself) to the administration.¹⁵³

In addition, in his narrative of the Social War, Velleius recognizes the justice of the Italian cause (2.15.2, cf. 2.27.1–3); “perishing and in a state of ruin,” the Romans owed their victory to those Italians whom they recruited with grants of citizenship.¹⁵⁴ The waste of human life disappoints him: “that war carried off more than 300,000 of the youth of Italy,”¹⁵⁵ and later he adds bitterly: “The Italian war was for the most part over . . . in which the Romans, themselves weakened, preferred to give the citizenship to their conquered and shattered enemies individually rather than to all of them unharmed.”¹⁵⁶ Later Cinna (whom he by no means admires) raises 30 legions among the new Italian citizens after his failed and misguided attempt to increase their voting rights (2.20). In this he is opposed by the first time-server in the narrative, Gnaeus Pompey, the father of Pompey the Great, who supports either side according to the opportunities offered. Velleius decries the losses incurred in the following battle, and the joy with which the Romans (on whose side Pompey fought) desecrated Gnaeus' corpse (2.21.3–6):

But finally he clashed with Cinna in a great and savage battle: words are scarcely able to describe how destructive the outcome of this conflict, joined and ended beneath the very walls and hearth of the city of Rome, was to the combatants and spectators. Afterwards . . . Cn. Pompey died. The pleasure at his ruin was almost counterbalanced by the loss of citizens dead from sickness and disease, and the Roman people heaped on the body of the dead man the wrath it owed him while he lived. . . . Cinna and Marius, with battles produced that were hardly without bloodshed to both sides, occupied the city. . . .¹⁵⁷

The consequent entrance of Marius into the city is described like an onset of the plague (2.22.1–2):

Soon C. Marius entered the walls in a return that was pestilential to his own citizens. Nothing would have been more cruel than that victory, if Sulla's had not followed soon after. Nor was the unchecked fury of the blade directed only against those of middling rank, but the highest and most distinguished men of the state were also afflicted with various kinds of capital punishments.¹⁵⁸

Setting aside a detailed treatment of the proscriptions, the author again deplores the desolation of the later civil wars (which for him last from 50 to 29 BC (48.1, 48.3, 89.3)) in milder terms than those with which he narrates the Italian wars: the reason is that such conflicts provide an opportunity to develop the notion of imperial *clementia* through the figures of Julius Caesar and Octavian. Pharsalus (52.4–6) provides Velleius with an opportunity not only to again deplore the casualties of a civil war, but also to stress Julius Caesar's efforts to save Roman lives.¹⁵⁹ Of Philippi, he merely says that "no other war was more savage in its slaughter of so many eminent men,"¹⁶⁰ yet in sparing the eminent *nobilis* Messalla Corvinus (71.1) Octavian exhibits the clemency he had already begun to show earlier and which he would display most prominently again at the battle of Actium.¹⁶¹

Thus, with Julius Caesar, the focus shifts from the general bloodshed of the wars to the prominent men who fall and the attempts of the Caesars to save their lives. Useless carnage becomes the fault of Antonius. Though Crassus loses an army at the battle of Carrhae, Antonius is cast as the antitype of the careful commander represented fully only by Tiberius. Antonius like no other wastes lives and takes needless risks, which Velleius explicitly says that Tiberius does not do (115.5). The emphasis on casualties is apparent in his description of the Parthian war (82.1–3):

. . . first he [Antonius] lost two legions with all their baggage-train and engines, and Statianus his lieutenant. Then, quite often he himself, at the greatest hazard of the entire army, incurred risks from which he had no hope of rescue, and, after losing no less than one-fourth of his soldiers, he was saved by the advice and good faith of a certain captive, but a Roman one. . . . This was the salvation of Marcus Antonius and to those numerous legions, but from them and so great an army no less than one-fourth was missing, and from the slaves and camp followers a third: hardly any of the baggage train was left.¹⁶²

Velleius' presentation of the battle of Actium itself vindicates the virtues, bravery, and loyalty of Rome's soldiers (one of Velleius' consistent

attitudes)—including Antonians, who fight on despite the fact that their commander neglects and later abandons them (84–85). Augustus' care for his own men stands in sharp contrast, as does his concern to preserve civilization and citizen life:

Caesar and Antonius, when their fleets had been led forward, fought it out, one for the safety of the entire world, the other for its destruction. . . . When the battle was joined, on the one side there was everything—a leader, rowers, soldiers; on the other, soldiers only. . . . Antonius preferred to be the comrade of the fleeing queen than of his own soldiers, and their commander-in-chief . . . turned into the deserter of his own army. The resolve of his soldiers to fight most valiantly . . . lasted for a long time, and even with no hope of victory, they fought to the death. Caesar . . . pointing out that Antonius had fled, kept asking for whom and with whom they were fighting. But they, when they had fought for a long time on behalf of an absent leader, lowered their weapons with difficulty and conceded the victory, and Caesar promised life and pardon faster than they could be persuaded to beg for it. . . .¹⁶³

Such a statement is interesting both because it shows the imperial position justified by the emperor's commitment to citizen life (Velleius falsely uses Octavian's clemency at Actium to assert that he wanted to use it during the proscriptions and at Philippi but was not permitted to),¹⁶⁴ but also for the curious appreciation for the die-hard loyalty and bravery of Roman Antonians in resisting the victor, the future emperor himself. Such an admiration for self-consistent and unconditional bravery—the soldiers fight “to the death” and never beg for their lives—forms an interesting aspect of *consensus* which must be explored further.¹⁶⁵

c. The Appreciation of Consistency of Character to the Point of Death

Velleius' graphic portrayal of the death of Pompey's father, Gnaeus Pompeius Strabo, exposed his aversion to the opportunist (cf. Nepos' anxiety to absolve Atticus of such charges, as seen in the previous chapter). Velleius also demonstrates unconditional admiration for courage, and the current of this *consensus* blurs party lines. Acts of bravery found full appreciation in the proscription narratives, which helped create imperial ideology, and the pervasiveness of this attitude extends to Velleius' nod to the courage of Antonius' soldiers. The attitude of the times emerges again from two consecutive *exempla* of Velleius' contemporary Valerius Maximus, in his chapter *De Cupiditate Vitae* 9.13.2–3. In the first, during the first proscriptions, Carbo begs the soldiers to let him relieve himself before execution “so that he could longer enjoy the miserable light of day.” Valerius frames the incident strikingly:

Gnaeus Carbo is also a great embarrassment to the Latin annals. . . . My very words in narrating such a disgrace struggle with themselves, words not partial to silence, because they do not deserve to be hidden, nor easy to tell, because they are revolting to speak.¹⁶⁶

The second *exemplum* concerns the death of Decimus Brutus after the siege of Mutina. Valerius mocks the man who cannot hold his neck still for the *percussor*: “What about this! With what great shame did Decimus Brutus purchase a meager and unhappy moment of life! . . . What a wretched postponement of fate!”¹⁶⁷ Valerius, who, like Velleius, is uncompromisingly Caesarean, also denies Cassius any measure of fortitude in his suicide, because he needed the assistance of his freedman (6.8.4).

Velleius has a particular interest in suicides; more of them occur in his text than in other accounts, even those that survive at greater length.¹⁶⁸ These tend to cluster around specific points, especially periods of civil war and proscription, when they serve to commemorate the most eminent victims in a way that discredits the perpetrators.¹⁶⁹ This reflects an appreciation of the fortitude behind such acts, which explains too the limited recognition granted to the virtues of Gaius Gracchus, Brutus and Cassius, whom the author otherwise traduces.¹⁷⁰ Calpurnia, the wife of a proscribed Sullan, serves to highlight Velleius’ attitude (26.3):

May Calpurnia, the daughter of Bestia, the wife of Antistius, not lose the glory for a most noble deed, for when, as I said before, her husband was killed, she ran herself through with a sword. How much was added to the glory and reputation of this woman! Now she shines forth by her virtue, though obscure through her father’s name.¹⁷¹

Much later, Velleius praises Servilia, the wife of the triumvir Lepidus’ son. In imitation of Calpurnia, she swallows hot coals after Maecenas kills her husband for plotting against Octavian (88.3). The author’s applause practically favors familial piety over loyalty to the emperor. This is hard to explain unless it reflects aspects of *consensus* underlying the imperial program, for he also lauds Antonius, who “ended his life in no sluggish manner, to the extent that by his death he compensated for many accusations of idleness,” and Cleopatra, who “gave up the ghost free from womanly fear.”¹⁷² Thus, even the fact that Velleius’ grandfather kills himself when he cannot follow his patron, Tiberius’ father, into exile (76.1) takes on special significance. It is an act of commendable loyalty in its own right. The principle holds only to an extent, however, since those who kill themselves on being charged with disloyalty to Tiberius, like Iullus Antonius (or possibly M. Lollius) do not redeem themselves thereby (100.4, 102.1). Quinctilius Varus, however, demonstrates a certain amount of misdirected courage by his suicide during the military disaster (Velleius implies that he despairs of his life too soon), deliberately following the example of his grandfather and father (71.3).¹⁷³

Soon thereafter the author praises the graphic suicide by a Roman captive after the disaster (120.6). The suicide of Juventius Laterensis, however, after the rapport between Lepidus and Antonius (63.2), opens the field to wider ideological aspects:

At the time when Antonius entered the camp Juventius Laterensis, a man consistent in his life and his death . . . slew himself with a sword when his purpose was frustrated. Plancus, then, with his usual indecisive loyalty, having struggled with himself for a long time as to what side he was on, and hardly self-consistent, once paying court to the senate in his letters, was at one time the helper of Decimus Brutus, the consul designate and his own colleague, but soon his betrayer. Asinius Pollio, however, was resolute to his plan and faithful to the Julian party and against the Pompeians. Both men handed their armies over to Antonius.¹⁷⁴

Velleius' love of fearless resolve emerges in spite of himself in his reprise of Octavian's clemency after Actium, when he contradicts himself mid-statement. He starts by asserting that "it was worthy of Caesar's *fortuna* and *clementia* that "no one of those who bore arms against him was killed by him or at his order."¹⁷⁵ To support the argument, he relates the demise of Decimus Brutus and Sextus Pompey at the hands of Antonius, and next the suicides of Brutus and Cassius, "who ended their lives voluntarily before even finding out the intent of the victors,"¹⁷⁶ and then that of Cleopatra and Antonius. He then oddly ends with the demises of Canidius, Antonius' *legatus* at Actium, and Cassius of Parma. These men were clearly *executed*. It is as if Velleius' list of suicides has made him "forget" that the topic related to Caesar's clemency, and veer instead to consistency of character. That Cassius was one of Caesar's assassins affords some justification for the implied execution. All he can say about Canidius' death, however, is that it was inconsistent with his erstwhile bravado (87.3).¹⁷⁷

It is no surprise, therefore, that the author reverts to these themes in narrating the second proscription itself. He mentions this interval (except for the death of Cicero) in very general terms that reminds the reader of the values and *ethos* affirmed in the proscription narratives. Octavian he absolves.¹⁷⁸ He accuses Antonius, Lepidus and Plancus, however, of ungluing the fabric of social and familial loyalty, setting the pattern with their own horrid examples (67.1–3):

No one indeed has been able to deplore the fortune of this entire period in a sufficiently worthy manner, and truly no one can put words to it. This, however, must be set down: the faithfulness of wives towards the proscribed was the greatest, that of freedmen was average, that of slaves was there to some degree, that of sons not at all. So difficult is any delay of expectation to men once they have entertained it. Lest

anything remain inviolable to anyone . . . as an allurements to wickedness Antonius proscribed his uncle Lucius Caesar, Lepidus his brother Paulus; nor did Plancus lack the influence he needed to gain the proscription of his brother Plancus Plotius.¹⁷⁹

Plancus, in his ambivalence, operates again as an ethical foil for the period, the consummate opportunist who exhibits the same behavior at Perusia (74.3), and finally on the eve of Actium (83.1):

During this preparation for war, Plancus, not out of a decision to do the right thing nor out of love for the republic or for Caesar—he always rather fought against these things—but addicted to double-crossing . . . since he was a man who would do anything for all men for a price . . . given the cold shoulder by Antonius on account of evidence of flagrant acts of greed, he fled to Caesar.¹⁸⁰

When the turncoat reviles Antonius in the senate, the dignified praetorian Coponius chides him for his hypocrisy (84.3).

Finally, Velleius mentions the desertion of three others in different terms (84.2): King Amyntas, who follows the “better and more expedient side,” Dellius, a notorious timeserver who remains consistent only in his betrayal,¹⁸¹ and Gnaeus Domitius, a *vir clarissimus*, who alone never flattered the queen and who fled at great personal risk. Velleius thus ranks Domitius with Pollio among those esteemed for their independent resolution. Velleius particularly admires the latter because he did not take part in Antonius’ revels, which estranged him (and provided grounds to defect). His refusal to commit himself at Actium is excused precisely because it would have constituted betrayal, given the prior exchange of services (86.3). Velleius calls the famous episode something not to be passed over, a *factum et dictum memorabile*, a term unique in his extant work. He thus elevates the deed of someone who did not jeopardize his loyalty to his former patron by joining the winning (and imperial) side above those who defected at an earlier date and who, like Plancus, actually proved more useful in the propaganda war prior to the final conflict. Pollio’s behavior, moreover, stands in direct contrast to that of Titius and Antonius towards Sextus Pompey. Velleius asserts that though Sextus sought his aid, Antonius ordered Titius to execute Sextus (79.5), and later that Antonius broke his word (*fides*) to the man in so doing (87.2).¹⁸² Velleius, too, alone recounts that the people drove Titius from the games he was celebrating in Pompey’s theatre (79.6), because he killed the man (Pompey’s son) who saved his life in the proscriptions (77.3).

The appreciation of valor runs as a current throughout the history. Early on Velleius praises Codrus, the king of Athens who sacrificed his life for the good of his people, and contrasts it to acts of cowardice. Much later, he finds it significant that Octavian, at great personal risk, exceeded the examples of old (again comparing the present to the past) and confronted

the rancorous legions usurped by Lepidus, who, by contrast, grovels for his life (80.3):

No deed was more bravely dared or achieved by the Scipios or the other Roman generals of old than Caesar's at that time. Indeed, though he was unarmed and clad in a mantle, bearing nothing beyond his name, he entered the camp of Lepidus, and, having evaded the javelins that were thrown at him by order of that most wicked man, though his mantle was pierced by a spear, dared to seize the eagle of the legion. You would know what difference there was between the generals: armed men followed an unarmed one, and Lepidus, deserted by fortune and his soldiers, wrapped in a dark-colored cloak, hiding himself at the back of the crowd rushing to greet Caesar threw himself at his feet. His life and control over his property was granted him; he was deprived of that which he could not protect, his dignity.¹⁸³

Velleius' account is generous to Caesar.¹⁸⁴ This, however, must not obscure the fact that it allows the author to present a contrast of behavior that he finds significant.

Why did Velleius find this all so important? The Romans enjoyed violent gladiatorial games that affirmed their cultural values, and a cogent argument has been made that the dissemination of these events helped transmit common values over the Italian peninsula.¹⁸⁵ At these games the Roman citizenry appraised the "other," those who stood outside its order, according to standards it appreciated in its own militaristic society. The gladiator thus became a byword for discipline and contempt of death, a suitable model for philosophical expositions on the subject.¹⁸⁶ The people interacted with the sponsor of the games in their judgment over the loser and his fate, i.e. whether he fought bravely enough to be spared. One scholar remarks with insight:

The appraisal of the losers was the highpoint of the whole event, and in order to assess 'rightly,' it was necessary that the criteria for bravery and cowardice be quite clear and that everyone, both the citizen-spectator and the *munerarius*, share these criteria. There must have existed an undoubted and comprehensive consensus about what *virtus* consisted in.¹⁸⁷

Civil war and the experience of proscription led to a reaffirmation, or rather a vocalization, of the values and norms of society. It valued death and sacrifice on behalf of sacred bonds over self-serving opportunism. Cultural programs such as the forum of Augustus authorized these sentiments, and occasioned a codification of *virtus* through a catalogue of exemplary deeds by exemplary men. Just as the lowly gladiator ennobled himself by fighting bravely, so did the wives, slaves and freedmen who died for their masters

and husbands, victims of a triumviral syndicate of whom Octavian was a member. Velleius appreciates uncompromising bravery and consistency, a trueness to oneself and one's position evinced, for example, by the soldiers of Antonius at Actium who remained loyal to their leader long after their leader had abandoned them. The author, too, distinguishes clearly between those lieutenants, like Plancus, who enabled Antonius' debilitation and then abandoned him when it appeared that he would lose, and those, like Domitius and Pollio, who were guided by their sense of dignity and independence. This pervasive sense of honor and courage effaced and healed the division between the sides in the civil wars. In the next two chapters, we will see how this sentiment structures the quintessential theme of declamation—in which the appraisal and portrayal of Cicero played a major role—that acted as a forum for the exhibition and assimilation of Roman values, and how it organizes the composition of Valerius Maximus' *Dicta et Facta Memorabilia*. It lies at the very heart of imperial *consensus*.

This ethos, indicative of virtuous elements even in the otherwise depraved, becomes even more reputable when exerted in defense of social and political mores. Figures like Marius and Sulla, and above all Antonius provide the perfect foil for the official virtues represented by the grand imperial personalities. This comes to a head with the description of Cicero's proscription (a subject to be treated more fully in the next chapter). This episode (66.2–5), the only proscription during the second triumvirate actually described by Velleius, takes on paradigmatic significance in that it occurs almost exactly in the center of the second book,¹⁸⁸ which began with Rome's moral decline, identified as the cause of the political turmoil ended by the principate. The introduction to the incident, an epigram of pointed antithesis, creates the impression that it constitutes the nadir of Rome and clearly dissociates Octavian from any responsibility for it: "Nothing was so shameful at that time than either the fact that Caesar could be forced to proscribe anyone, or that Cicero could be proscribed by anyone."¹⁸⁹ Velleius further marks the passage by asserting that indignation forces him to break the scheme of his history in his tirade against Antonius.¹⁹⁰ Velleius mentions, but significantly does not criticize Cicero's ambiguous praise of Octavian, that he should be "extolled and lifted away" (62.6). Rather, such a sentiment, he asserts, arose because the statesman felt a deep attachment to the Pompeian party (62.6, 65.1). More significant is the fact that earlier he links the two men symbolically: the birth of Octavian coincides with the famous year of Cicero's consulship (63 BC).¹⁹¹

In Velleius' narrative, suicides categorically end with the beginning of the reign of Tiberius.¹⁹² While the author deplors the deaths of the eminent men, embodying the Roman state, who were killed or driven to suicide in an earlier age, in his time the likes of the Polliones, Messalae and Domitii Ahenobarbi could live both unmolested and true to themselves for their role in the opposition during the civil wars.

The work of Velleius demonstrates the *consensus* which arranged and ordered the particulars of the narrative, which were to a great extent indifferent and accidental—fronteries sewn onto a grand tapestry, each with a shape made to conform to the whole, their figures distorted under individual scrutiny. “No contemporary witness arraigns the governing class. The evidence is subsequent.”¹⁹³ Nevertheless, he presents a *consensus* that the figures who constitute this governing class must at least be represented as conforming to the standards of *consensus*. If the author fails at times as a documentary source, the “argument” of his presentation does not lack vigor, logic, coherence or prudence. Velleius is much more than just “a valuable link in the development of historical prose.”¹⁹⁴ Any observer of politics today will notice that presentations of “fact” tend to favor those who stand for and advocate one’s beliefs and interests. People generally desire to exalt those who represent them, to demonstrate that they are the object of a wide and deep affection, to portray their persons and exploits in the best possible light, to explain away glaring faults as peccadilloes, to censor through ridicule or defamation those who say the opposite.¹⁹⁵ From the very start the “facts” look different according to the interests of particular observers. Affection towards political representatives need not involve base adulation and mendacity. Adulation, moreover, can exist independently of affection, but Velleius seems genuinely to feel both.

5 Declamation, Ideology and *Consensus*

The last chapter ended with the centrality in Velleius of themes which emerged in the proscription narratives. It was suggested that he symbolically encapsulated these elements in his encomiastic account of Cicero's proscription, which obtains figurative centrality through its location in the center of the second book, the language used, and from the importance granted to Cicero elsewhere in the text.

It is worth asking: why Cicero? The answer lies in the social context of Velleius' work, absorbed in the process of cultural ostentation, and indicative of the "rhetoricizing" aspects of early imperial prose. The importance ascribed to the man, and the highly artistic representation of his death is by no means unique to this writer. To gain further context, one must turn to one of his contemporaries, obsessed with the problem of rhetorical self-display, Seneca the Elder.

This chapter deals, first, with the illustrative evidence which Seneca's excerpts of and comments on rhetorical agents of the early empire provide, in order to explore the centrality of Cicero for the *literati* of the early empire, and to show why his death resonated in Roman consciousness some three quarters of a century after it occurred.¹ Cicero perished in 43 BC, Velleius published in 30 AD, while Seneca composed his rhetorical work some time in the late 30's AD, though it was probably published posthumously (he died no later than 41).² A third contemporary, Valerius Maximus, who dedicated his work to Tiberius and refers to the fall of Sejanus in 31 AD, highlights the theme too.³

I will first investigate the figure of Cicero as key for the development of rhetorical/literary self-identity, forming the most self-conscious showpiece in a practice whereby the Roman learned to think and act as a Roman in the final stage of his education.⁴ Then, I will show how depictions of his death demonstrate a crucial activity of *consensus* formation that can be dated back (at least) to the aftermath of Actium, which *only* Octavian could capitalize on. Through these presentations,—Romans could, in a substitute activity for real political oratory, express themselves unequivocally by denigrating the act of killing the person who quickly became a cultural icon as the unmatched (and republican) font of Roman eloquence.

Consequently, the narration of his murder became a device, torn from the context of historical narrative, for rejecting with eager (and competitive) gusto, through a variety of quite a-historical additions and innuendoes, all that the principate *could not* represent and for affirming all that it necessarily *had to* represent. Cicero, unlike any other Roman, became a vital cultural “hinge” that connected the Roman of the early empire to his pre-imperial, that is to say republican and therefore “truly” Roman past. This had an added advantage for Augustus because he could credibly dissociate himself from the murder and shift the blame to Antonius, who did in fact bear the primary responsibility. The genesis of the topic by itself constituted a clear moment of glad freedom of expression that could only take place in security after Antonius’ defeat. More importantly, the activity clearly associated attributes analogous to the imperial cult of virtues to a figure unmistakably Roman, and this constitutes an unconscious historical shift whereby a figure emblematic of the republic becomes recast as an object of imperial *consensus*, much like the figure of Camillus in Livy’s narrative.

Finally, I will suggest that, apart from Cicero and his death, declamation, through the autonomous treatment of loaded topics like proscription and tyranny, reflects the social and cultural *consensus* of the Roman elite to which the emperor and his associates responded. In one specific instance, several sources for imperial ideology intersect through an implied point of reference provided by declamations on tyrants. This provides new insight into the historical understanding of the period. If the opposite of living in a “free,” prosperous and “restored” republic (which few had known) was not living with a *princeps* who ruled by *auctoritas*, but under a tyrant or *rex*, and if there were a series of attributes that characterized the villain, then the task of the genuine *princeps* was pre-structured for him since the blueprint arose from an autonomous activity essential for Roman social and cultural self-awareness.

First, however, it is important to foreground the attention paid to declamatory practice at the end of the republic, how this continued under the empire and lent it cultural legitimacy, and also how it enabled holders of political power and the wider cultural elite to interact.

A. THE IMPORTANCE OF SPEAKING WELL: THE RHETORICAL BACKGROUND TO EARLY IMPERIAL CULTURE

1. Developments in Rhetorical Culture in the Late Republic and Early Empire

“Most Greeks and Romans were educated to believe that speech was the highest and most characteristically human act.”⁵ Ever since the “winged words” of Homer, one’s manner of expression was inseparably linked with worth and merit. The practice of declamation, i.e. forensic exercises on

imaginary topics meant to mimic judicial and deliberative oratory, had a long history in the ancient world. Like rhetoric itself, it was a Greek invention assumed and adapted by the Romans.⁶ As an essential and final part of schoolboy education from at least the end of the second century, it had, by the mid 50's BC, become a fashionable activity of elite society. The noun *declamatio* at the time of the *Ad Herennium* meant something like "voice-training," while in the early speeches of Cicero the verb *declamare* means to "make a speech" or "rant."⁷ These terms eventually came to signify the whole of rhetorical training in a method of increasing popularity divorced from a wider liberal education. Cicero consequently refers to declamatory practice as a species of rhetorical training with certain limitations.⁸ In the *Pro Plancio* of 54 (34.83), the word *declamator* appears for the first time to describe a speaker who has no practical aptitude in the bar or forum, a distinction that detractors would maintain. Moreover, if the Elder Seneca reports the facts, the orator Calvus found it necessary to distinguish declamation from real oratory around this time too.⁹ Such differentiations by their very nature point towards changing attitudes and practices, and it is not unlikely that the noun *declamatio*, along with the use of *controversiae* to describe the exercises recorded by the Elder Seneca, arose as a consequence.¹⁰ Seneca himself, born in the 50's BC, declares (*Contr.1.pr.12*) that "the word [*declamatio*] arose of late, for the pursuit itself recently began to be popular, and, therefore, it is easy for me to recognize from the cradle something that arose after me,"¹¹ though he "probably referred more to the circumstances than the subjects of declamation."¹²

Suetonius' description of the evolution also locates changes near the end of the republic (*Gram. et Rhet. 25.3*):

Little by little the study of rhetoric began to appear useful and honorable, and many people strove after it earnestly for the sake of both protection and prestige: Cicero even declaimed in Greek all the way up to his praetorship, and in Latin also when he was an old man, in fact with the consuls Hirtius and Pansa, whom he called "pupils" and "grown up schoolboys." Certain historians say that Cn. Pompey resumed the habit of declaiming on the very eve of the civil war so he could more easily reply to C. Curio, a very proficient youth who was defending Caesar's cause, and that Marcus Antonius and likewise Augustus didn't set it aside even during the war at Mutina; Nero Caesar declaimed in public in his first year as emperor, and twice before it. Moreover, many orators even published their declamations. So, since many people had been filled with a great eagerness, a large number of professors and teachers came as a flood and flourished so much that some, from the lowest fortune, attained the rank of senator and the highest civic offices.¹³

A command of rhetoric was indispensable for any serious agent in the last act of the republic, a historical certitude rather ironic for a period

traditionally embodying the rule of the sword over the pen. The next few chapters in Suetonius' text highlight the growing prominence of rhetorical experts from at least the beginning of the first century: Lucius Plotius Gallus, who first taught in Latin during Cicero's boyhood, Pompey's teacher, the former slave Pitholaus, Marcus Epidius, who opened a school after being branded for calumny and had among his pupils Antonius and Augustus, and Sextus Clodius of Sicily, Antonius' close associate and rhetorical coach. In the aftermath of Caesar's assassination, when the power vacuum re-opened the political field, the practice of declamation anxiously asserts itself. Cicero, for example, writing from Puteoli in mid-April of 44 BC, expresses his irritation with the consuls-designate Hirtius and Pansa "who have made me declaim so I can't find rest even at the waters."¹⁴

Suetonius' report of Antonius and Octavian at Mutina (cf. Suet. *Aug.* 84.1) further reveals the rhetorical anxieties of the foremost leaders of the time. In his second *Philippic*, Cicero mocks Antonius' oratory, and claims that he lavished public property on the rhetorician Sextus Clodius "in order to learn how to have no sense."¹⁵ Similarly, Marcus Caelius attacked his accuser Atratinus for having Plotius write his speech for him, and the tribune Cannutius jeered at Antonius and Augustus for having the ex-calumniator Epidius as a teacher.¹⁶ That grown men would employ rhetorical coaches betrays a great deal of anxiety about speaking.¹⁷ The future Augustus himself entered the political stage after having studied declamation with the venerable Apollodorus of Pergamum.¹⁸ Suetonius writes in his biography (*Aug.* 84.1–2):

From earliest youth he applied himself eagerly and with utmost toil to eloquence and liberal studies. During the war at Mutina, during affairs of such gravity, it is said that he read and wrote and declaimed on a daily basis. For certainly from that time on he never spoke in the senate, nor among the people, nor among the soldiers unless except with a studied and well arranged oration, although he did not lack the capacity of speaking spontaneously on the spur of the moment. . . . He spoke with an agreeable and characteristic inflexion, and practiced studiously with a teacher of elocution.¹⁹

Even in the midst of civil war, competition in the political field still required a high degree of rhetorical competence, which continued to be necessary for the emperor when firmly in power.²⁰ Leaders pursued such refinement not only to harness the powers of persuasion—and aside from persuasion's ability to attain immediate goals, the more one prevailed through it, the more legitimate one appeared—but also to reflect the breeding and cultivation expected of a legitimate head of state. Bourdieu's exploration of the value of linguistic exchanges graded according to the acuteness of grammar, style and diction has shown the capacity to induce the self-imposed and self-censoring recognition

of legitimate power through communicative acts.²¹ Just as the triumvirs had to promote a legitimate and credible view of the Roman past and the Roman state that reflected upper-class sensitivities and drew on the learned researches of recognized experts, they also had to strictly adhere to cultured standards of oral practice. Since they stood at the very top of the social and political pyramid, they also needed to actively promote and participate in activities that produced the objective value of rhetorical studies, because this was the quintessential mark of upper-class, officializing distinction, the mark of civilized society that began with the leader's own cultivation. These activities (neither overtly nor self-consciously) served to "naturalize" the appearance of a privileged hierarchy. Underscoring this is the fact that the lack of rhetorical skill could disqualify one from full and equal participation in the political game. It was damaging to Sextus Pompey and to Augustus' own grandson Agrippa Postumus, almost half a century later.²²

To follow ancient perceptions on the subject, one's rhetorical style was inseparable from one's qualities as an individual: *talis hominibus fuit oratio qualis vita*.²³ In the political competition of the triumviral period, Octavian's remarks about Antonius' style reveal more than just a difference of taste. The political commitments of the leaders seem reflected in their manner of speech. Suetonius (*Aug.* 86) writes that Octavian steered a middle course in the debate between the oratorical extremes of Atticism and Asianism that was raging at the time. He strove for clarity. His own inner circle represented other choices: he ridicules Maecenas' effeminate superabundance and Tiberius' obsolescence, and explodes at Antonius' use of all styles as indicative of insanity.²⁴ Perhaps the triumvir varied his style radically to suit the preferences of his audience and the occasion, and this allowed Octavian to question his consistency. More importantly, it demonstrates the extent to which elites would go to conform to favored standards of oratory at the time, or the preferences of different groups of political supporters—political competition translates into the cultural sphere. Moreover, regardless of the style one adopted in the possible field of rhetorical stances (and the political triumph of a representative of one position certainly did not squelch the others),²⁵ one had to be able to take an independent position and defend it, at the risk of being disqualified as a cultural representative altogether, which in turn rendered one less or completely un-supportable as a political figure.²⁶

The continued emphasis on rhetorical competence fused with other cultural trends that reflected changes in the political landscape. The dictatorship of Caesar (when real political oratory swiftly declined), coupled with a heightened need for rhetorical practice after his death, engendered adult declamation, which grew into a fashionable exercise for its own sake, when opportunities for real political rhetoric no longer existed for most.²⁷ The situation did not lack precedent. On March 11th of 49 BC, eight days after Pompey left for Greece, Cicero, frustrated over the political situation

and anxious for the future, threw himself into the declamation of abstract *theses* covering every conceivable aspect of the duties of a citizen living under a tyranny. The subject-matter, a scarcely veiled reflection on his own situation, would form the topic of many future *controversiae*. “Declamation” continued to serve as a description of his own activities after his retirement from politics, and he calls the *Tusculan Disputations* written in 45 the “declamation of his old age.”²⁸

The practice gained in popularity. What was and remained predominantly a schoolboy activity became a forum for adult rhetorical display. Professors of rhetoric declaimed for their pupils and “real” orators declaimed for practice, in private, to at most a select group of friends, but usually not for show.²⁹ Consequently, the professors occasionally opened their schools to the public (*Contr.7.pr.1*) and then for publicity kept them open.³⁰ Parents were invited to observe the proceedings and the presence of other professors led to social occasions of friendly competition which included not only rhetors, but also men of cultural and political prominence.³¹ Suetonius again provides useful insight into the *princeps*’ recitations in his own circle and how he fostered the activity through his patronage as an *auditor*:

He wrote many works of various kind in prose, some of which he recited in meetings of friends as if he were in a lecture hall, like his “reply to Brutus on Cato.” When, as an old man, he had read through these volumes most of the way, he would hand them over to Tiberius to finish after he got tired. He also wrote “Exhortations to Philosophy” and some volumes “On his Own Life. . . .”³²

The historian goes on to describe Augustus’ poetic endeavors, and later, his activities in the wider literary field:

He nurtured the talent of his own age in every way. He listened to those giving recitations with kindness and patience—not just to poems and histories, but also to speeches and dialogues. But he was offended if anything was composed about him unless it was in earnest and by the most outstanding authors, and he instructed the praetors not to allow his own name to become degraded by prize declamations.³³

2. Triumviral and Imperial Rhetoric: The Evidence from Seneca the Elder

The work of the Elder Seneca, writing in the late 30’s AD, but reliably recalling the declamations of the triumviral and early imperial period, paints a vivid picture of the rhetorical culture flourishing at that time, prior to the current period of decline he claims to counteract through this recollection of superior models.³⁴ It was nurtured by political elites, eminent authors,

or those like Pollio and Messalla Corvinus, who played crucial roles even in pre-imperial politics and “stood out as the shining glories of Augustan eloquence.”³⁵ Seneca himself (*Contr.* 1.pr.11) claims that as a young boy he just missed the opportunity of hearing Cicero declaim with Hirtius and Pansa, since civil war prevented him from coming to Rome from Corduba. When he did get there, still a *puer*, he studied in the school of Marullus, who may have been another Spaniard, along with his friend M. Porcius Latro, later one of the most prominent rhetoricians and Seneca’s foremost model. Seneca could have arrived anytime between 42 BC (when Sextus Pompey left Spain) and the 30’s.³⁶ He stayed in Rome until about 8 BC, and returned to the city no later than AD 5, when he heard Pollio instructing his grandson in declamation, and was also there to hear Mamercus Aemilius Scaurus at the house of M. Lepidus shortly before 33. He died some time around 39, probably in Spain.³⁷

The Annaei enjoyed close friendship with Gaius Asinius Pollio, apparent from Seneca’s report (4. pr.1–2) that though this celebrity never declaimed publicly, he heard him both in his prime and later on when he gave lessons to his grandson.³⁸ Seneca thus frequented the most exclusive literary circles in the empire, and offers much firsthand material on rhetorical practices over a period that includes the transition from the triumviral to the imperial period and from the first *princeps* to the second.

Political elites from the triumviral or pre-triumviral period were present and exerted an authority on language commensurable to the important roles they had played as consuls and generals. Seneca’s texts demonstrate a gentle permeation between politics, respectable society, and the world of the professional rhetorician. To provide a few examples, the eminent (ex-)Antonians Munatius Plancus and C. Sosius make brief appearances (*Contr.* 1.8.15, *Suas.* 2.21), *sententiae* from Paullus Fabius Maximus (cos. 11 BC) are quoted and critiqued (*Contr.* 2.4.11–12). The rhetor Cestius Pius, too, brutally teases his pupil Quintilius Varus, the son of the ill-fated consular and close to the imperial family through a marriage to the daughter of Germanicus, ending a long criticism with something disapproved of by all present: “It was through that kind of carelessness that your father lost an army” (*Contr.* 1.3.10).³⁹ Two Vinicii appear with honorable mention, L. Vinicius at *Contr.* 2.19–20 and P. Vinicius at *Contr.* 1.2.3 *etc.* Publius, the father (cos. 2 AD) of Velleius’ patron, shows himself an admirer of Ovid (*Contr.* 10.4.25), and “a man of extremely acute talent, who could neither say stupid things nor stand them.”⁴⁰ Augustus admired the ability of the other to speak *impromptu*.⁴¹

To move directly to the presence of the imperial *domus*,⁴² Haterius (cos. 5 BC), while formidable as an orator, was effusive to a fault. Augustus expressed his judgment: “our Haterius needs a brake.”⁴³ Tiberius, too, finds pleasure in a joke made at this orator’s expense by the declaimer Gallio, when the subject turns to Haterius’ genius (*Suas.* 3.6). Augustus surfaces again listening “frequently” to Gavius Silo declaim at Spanish Tarraco,

an event which took place while touring the west in 26–5 BC (*Contr.*10.*pr.*14). He also listened to the Greek declamations of the Asianist Craton, who used to clash before him with the acid-tongued Timagenes of Alexandria (*Contr.* 10.5.22).⁴⁴ Seneca the Younger (*de Ira* 3.23.4–8) relates that at some point Timagenes lost the friendship of the *princeps* through some remarks he made about him, Livia, and the entire imperial *domus* that did not fail in their effect, but this did not diminish his popularity. Timagenes burnt his account of Augustus' *acta* in revenge, but the *princeps* tolerated his re-established association with Pollio, with whom he continued to recite. Thus, the imperial house was somewhat vulnerable to slander and innuendo in declamation.⁴⁵

Earlier in his account, Seneca reports an incident (*Contr.* 2.4.12–13) that deepens the presence of the imperial *domus*, demonstrates a certain amount of tension, and highlights this vulnerability. Porcius Latro, whom Seneca ranks among the top four declaimers (*Contr.*10.*pr.*13), performed before Augustus, Maecenas, and Agrippa, sometime around 17 BC.⁴⁶ In the course of declaiming, Latro slighted the low birth of one of the characters of the case. This and other statements inadvertently affronted Agrippa's lack of ancestors. Maecenas hinted to Latro that the *princeps* was in a hurry and that he should finish up, though Seneca says that others ascribed it to the malicious desire to call attention to the blunder. The author follows with an anecdote in which Agrippa finds his low birth publicly mocked in a court case, and frames it with admiration for the amount of free speech tolerated in the Augustan period, a blessing which Seneca experienced firsthand and contrasted to the later years of the Tiberian period (*Contr.* 2.4.13).⁴⁷

All this is important for two reasons. First, it points to the fact that it was easy to transfer themes and arguments that occurred in declamation to situations in the political realm. This reflects the theatrical nature of declamation, and perhaps finds a cultural-political parallel in the behavior of the crowd at the theatre, part of the standard repertoire of which consisted in taking lines and phrases from performances (sometimes quite out of context) and manipulating them to pass positive or negative judgments on political personalities.⁴⁸ The fact that the embarrassment of Agrippa in court occasioned some entertainment for the crowd ("there was someone who said: 'hurry over, Agrippa's in for a hard time'"),⁴⁹ further demonstrates the extent to which the ruling family was at the mercy of construal. The significance of this will become clearer upon examination of the treatment of certain themes current at the time.

Second, it shows that, despite the possibilities of inadvertently negative innuendo, the declaimers had a great deal of leeway in what they said. Thus, the words of the declaimer Varius Geminus, who displayed a republicanism more outspoken than most: "Caesar, those who dare to speak before you know not your greatness; those who do not dare to, know not your kindness."⁵⁰

3. The Hierarchy of Seneca's Models, Cicero and Modes of *Consensus*

In the preface to his first book, and the work as a whole, Seneca professes to rescue rhetoric from the excesses of his own age by offering models of declamation from a less decadent period, at the instigation of his sons.⁵¹ It is indicative of the cultural solidification that has taken place that these superior models come from the dawn of imperial rhetoric: Seneca writes that the quality of speech has declined from that period and that this is part and parcel of a general decline in morality. Though clearly a trope, Seneca's recollection and memorialization has similarities to Augustus' remedial scheme with regard to the restoration of the *exempla maiorum* that were threatened with extinction (RG 8). Seneca wants to preserve the greatest declaimers, who are fading from memory, whose works are being forged and whose epigrams are being pilfered by the unworthy (*Contr.* 1.pr.10–11).

It is a strange fact, however, that the best orators tend to be the worst declaimers. This points to the division between "real" speech and declamation made by Calvus some time before he died in 47 BC, and reported early on by Seneca himself (*Contr.* 1.pr.12): "Calvus . . . distinguishes *declamatio* from *dictio*, for he says that by now he declaims passably, but speaks well; he thinks the former to be a matter of exercise at home, the latter of real speech."⁵² It is thus the case that Seneca simultaneously presents superior models of declamation for imitation, as a solution to the inseparable problem of rhetoric and morality, and distances himself from the activity by making it clear that it is a means to an end and not an end in itself (cf. 2.pr.3). *Dictio* is inherently superior to *declamatio*.⁵³ The value of the speaker and his utterance depends not only on his performances, but also on the context in which he (habitually) performs them, and the purposes for which he declaims. Thus, barristers and politicians, especially those who played a major political role in the late republic and triumviral period, and who actually *did* participate in the extinct forum of real political oratory, are endowed with the power to render normative judgments on declaimers.

Such is true of Pollio and Messalla Corvinus, the foremost litterateurs of the early empire.⁵⁴ Both of these men, masters of *dictio*, pass judgment on Albucius' ability, a man so good that Seneca places him among the top four declaimers (*Contr.* 10.pr.13).⁵⁵ It does not matter that they are inferior declaimers themselves (along with the leading orator Passienus). That is a badge of honor.⁵⁶ Regardless of their inferiority in that arena, their judgment in it is decisive: they can criticize, but they are *never* criticized themselves.⁵⁷ In a rather amusing incident, for example, Messalla finds fault with the provincial speech of Seneca's favorite Latro: "he is eloquent—in his own language."⁵⁸

Pollio appears more prominently in the extant account than Messalla,⁵⁹ and forms the subject of the first half of Seneca's fourth preface, along with Haterius. Seneca places Pollio and him only in the realm of republican forensic activity (*Contr.* 7.4.7), and the inclusion of the anecdote seems

hard to explain but for the fact that it touches on Pollio. It is his mark of having real oratorical power that he does not declaim in public, a practice which Labienus, another great orator, though inferior in *auctoritas*, appreciates greatly (*Contr.* 4.pr.2):

“that old man, who celebrated a triumph, never entrusted his declamations to the people.” This is either because he had too little faith in their judgment, or—as I would rather suppose—so great an orator thought that activity beneath his talent, and what he wanted to practice with, he disdained to gain glory in.⁶⁰

Pollio exercises a more marked judgment on declaimers in the extant text too, sometimes appraising them by the standards of forensic *dictio*. In his first appearance at *Contr.* 2.3.13, for example, he praises Latro’s skill at division, saying that “in this he seemed to act as an advocate (*forensis*), pruning out the foolish questions,” but that it betrayed him even more as a schoolman because by it he abandoned a question which was very effective.⁶¹

Thus, masters of *dictio* who are also men of affairs stand at the top of Seneca’s pyramid (though his thoughts on Passienus are missed). Next on the scale are orators who make their living at the bar (a *forum* for *dictio*), but who possess less political and social standing. Titus Labienus and Cassius Severus occupy this position.

Titus Labienus (*Contr.* 10.pr.4–6), the talented orator who expressed admiration for Pollio, lacked the prestige of this man, who treated him with contempt (Quint. *Inst.* 4.1.11). A true Pompeian who never cast off his partisanship, like Pollio he eschewed public display (10.pr.4). Seneca introduces Severus (*Contr.* 3.pr.) on the other hand, an irresistibly good orator, to exemplify the phenomenon whereby some excellent public speakers declaim poorly.⁶² Severus declaimed only rarely, at the insistence of his friends (3.pr.7.18), and did not disguise his contempt for the exercise (3.pr.12–15).

Seneca’s introduction of Severus endows him with great authority. Though Severus does the speaking in his tirade, Seneca still controls the narrative, and what he chooses to include bears on the value of the characters who make up his universe of oratorical models. What Severus says next clearly illuminates the alignment of imperial rhetorical culture, locating the figure of Cicero as its primary font and benchmark. Moreover, Severus enforces Cicero’s superiority by proving the incompetence of his detractors and the inferiority of their rhetorical products simply by intruding on their activities and forcing them to defend themselves in the arena of *dictio* and not *declamatio*. According to this figure, the boys thronging the schools (*Contr.* 3.pr.15–18)

prefer their Cestius not only to the most eloquent men, whom I referred to a little before [*sc.* Pollio, Messalla and Passienus], but would even prefer him to Cicero, if they didn’t fear a stoning. Nevertheless

they do prefer him to Cicero in the only way possible; they learn Cestius' declamations by heart, and they don't read Cicero's orations unless they are those to which Cestius responds.

(16) I remember entering his school when he was going to recite a speech against Milo. Cestius, according to his custom, kept saying in awe of himself: "if I were a Thracian gladiator, I'd be Fusius; if a mime, Bathyllus; if I were a horse, Melissio." I could not restrain my anger and shouted, "if you were the sewer, you'd be the great sewer." Everyone laughed thunderously. The schoolmen looked at me to see who I was who had such a thick neck. Cestius, who was going to respond to Cicero couldn't find anything to say to me. . . .

(17) I was then disposed to take vengeance on Cestius for Cicero's sake in the forum. Having come across him suddenly I summoned him to court before the praetor and, when I had lavished on him as many jokes and much abuse as I wanted, I demanded that the praetor enter his name under the charge of "offence not specified under the law."⁶³ Cestius was so troubled that he sought an adjournment to seek legal assistance. . . . I have told you this little tale, so that you know that in declamations there is not only a separate class of issues, but a separate class of men. If I want to be compared to them, I don't need more talent but less sense.⁶⁴

It is important that Cestius is a famous rhetor (who, it will be remembered, taught Varus' son, who married a daughter of Germanicus). The exchange thus illustrates the point of reference for early imperial oratorical culture. Cicero becomes the founding father of Roman rhetorical self-identity superior to a mere Greek like Cestius (from Smyrna). This fellow and his ilk descend to the depths of folly to believe themselves more talented.⁶⁵ Universal opinion recognizes no greater orator, hence the assertion that Cestius' students denied this at the peril of being stoned, and that their opinions reflect an incomplete reading of Cicero's works—*a fortiori* referencing rhetorical culture to them. Moreover, Severus' defense of *dictio* against the cultural strategy of the declaimers, who claimed that their speeches constituted premium *dictio* demonstrates a clear anxiety on their part to demonstrate rhetorical prowess; tradition compelled it, though one could no longer, as Cicero had, rise through the ranks by oratorical power alone.

One could muster several examples from Seneca's work that prove the inadequacy of rhetorical attention seekers. To men of discrimination, the appeal of declamation quickly burnt out, as Seneca himself asserts in the preface to book ten. From the excellent models provided by an earlier age, standards devolved, through the desire to excel in handling a limited number of topics, to the outrageous, sugar-coated and absurd.⁶⁶

Cicero provides the solution to the crisis in rhetoric that Seneca responds to. He not only furnishes the ideal of real eloquence, *dictio*, but, as we

shall see, also comprises the quintessential subject for *dictio* outside of declamation, given the extinction of political oratory. Since the Romans were virtually unanimous that he was the premier model of Roman eloquence, it stood to reason—to the Roman—that eloquence could only decline.⁶⁷ Seneca clearly represents this opinion when he asserts that the only good models for his sons (declaimers or no) were those who lived during Cicero's lifetime. This underlines the purpose of the collection itself (*Contr.* 1.pr.6–7):

. . . in order that you may be able to judge the extent to which talent has declined on a daily basis, and by some unfairness of nature or other eloquence has regressed. Whatever Roman eloquence had to place either against arrogant Greece or in preference to it flourished during the time of Cicero. All of the talent which has brought a light to our pursuits was born at that time.⁶⁸

This corresponds to a statement made at the end of the *Controversiae* in his tirade against book-burning (10.pr.5–6):

In the case of this person [*sc.* Labienus] a new punishment was devised for the first time, for his enemies got all of his books burnt . . . by Hercules it was for the public good that this cruelty turned to the punishment of genius was discovered *after* Cicero, for what would have happened if it had pleased the triumvirs to proscribe the *genius* of Cicero too?⁶⁹

Similarly, the declaimer Pompeius Silo, in his treatment of *Suasoria* 7, tries to dissuade Cicero from gaining pardon from Antonius by burning his own writings:

Nothing would be more humiliating than for Cicero to burn the monuments of his own writing himself. He would be doing wrong to the Roman people, whose tongue he had so exalted that it surpassed the pursuits of haughty Greece as much in eloquence as it had in fortune. He would be wronging the human race.⁷⁰

Seneca's contemporary from Italy, Velleius Paterculus, provides external evidence confirming this opinion of Cicero, in the course of his digression on the reasons why the greats of each literary genre all flourish at the same time:

But oratory and forensic force and the perfected ornament of prose rhetoric, to again except Cato . . . likewise as a whole burst forth under Cicero, the *princeps* of his own genre, so that you would be pleased with very few before him, and truly would marvel at nobody unless he had been seen by Cicero or had seen him.⁷¹

Cicero had clearly become the founding father of Roman eloquence, and was intimately tied to Roman cultural self-assertion vis-à-vis the Greek east. This shift in consciousness goes all the way back to Nepos' biography, which states that Cicero first provided a finished style suitable for the expression of history and philosophy in Latin (HRR.6.58). Velleius confirms this opinion elsewhere: "Cicero . . . who was as distinguished in his life as he was greatest in talent, and who made it happen that we not be conquered by the genius of those people whose forces we conquered."⁷²

Not only did Velleius view Cicero as the overt standard of eloquence, the language he uses also proves the extent to which Cicero frames his manner of expression.⁷³ Whether this is affect or simply the result of his education and the phrases that naturally occurred to him, the consequence is significant: the presence of Ciceronian language corresponds to the importance imperial authors self-consciously ascribe to the figure. Cicero is the most quoted prose author in Seneca's work (though this prose is not generally Ciceronian, and almost all allusions are found in the exercises dealing with his death),⁷⁴ and in one instance the author shows how declaimers derived material from one of his epigrams spoken in a *controversia* (Contr. 1.4.7). Moreover, according to Martin Bloomer, Cicero's writings constitute, along with Livy—who himself was most heavily influenced by this literary predecessor—the main source for Valerius Maximus' *exempla*, significant because this author covers most aspects of elite culture.⁷⁵ Cicero's literary influence was inescapable in the imperial period, while his philosophical theories inadvertently effaced the contradiction between republic and autocracy for later generations, and officials understood their roles through his formulations.⁷⁶

B. *DICTIO*, *CONSENSUS* AND IDEOLOGY

Part A of this chapter detailed the importance of declamation and recitation in imperial culture, the extent to which the political elite permeated the activity, the relationship between declamatory themes and politics (made all the more sensitive through the participation of the imperial *domus*), and finally the anxieties involved in finding a proper substitute for traditional Roman *dictio*, and how this involved a relationship to the figure of Cicero. It is time now to look more closely at how these elements shaped Roman cultural and political *consensus*—Roman self-identity—concretely in the showmanship of rhetorical practice. This section falls into two parts. The first traces the memory of Cicero as a historical figure in the early empire, the development of his death into an essential literary and oratorical theme, and its implications for early imperial culture. It deals mainly with the documentary evidence that Seneca provides. The second part utilizes the illustrative evidence in Seneca to investigate the theme as it functioned as a mechanism of *consensus* and Roman acculturation in the a-historical exercise of declamation itself.

1. Roman Rhetorical Self-identity, Cicero and *Consensus*

Near the end of his work, Seneca shows (or pretends to show) concern for what he considers the excessive enthusiasm on the part of his sons. True to his purpose of providing examples for them to judge for themselves, he decides to overindulge them with the declaimer Arelius Fuscus (one of Seneca's top four), irked at their insistence on hearing more and more of his output (*Suas.* 2.10, 4.5).⁷⁷ A little earlier, he says that they are the type of thing that mature critics find tiresome (*Suas.* 2.23). A seemingly random statement made near the very end of the fifth *Suasoria* both reaffirms the lesser status of declamation in the face of other genres and forms a subtle transition to the next topic, which connects the death of Cicero with the superior representations of this theme in history and poetry. "At this point he [*sc.* Gallio] spoke a most eloquent epigram, which could be placed either in an oration or a history. . . ."⁷⁸ Seneca clearly intimates, here and elsewhere, that his sons should cultivate an interest in more suitable pursuits.

Seneca supplies three oratorical exercises on the death of Cicero: one *Controversia* (7.2) and two *Suasoriae* (6 and 7). In the *Controversia*, Popilius, whom Cicero supposedly defended from a charge of parricide, becomes his killer in the proscriptions, and is later charged for misconduct. The first *Suasoria* (no. 6) is titled "Cicero deliberates whether to beg Antonius' pardon," the second (no. 7) "Cicero deliberates whether he should burn his own writings when Antonius promises to spare him if he does so."

The fact that the upper classes and the imperial *domus* maintained a strong presence in attending declamations, and that the activity formed the final stage of adolescent rhetorical education, along with the politically sensitive nature of these particular subjects, provides unique insight into the formation of imperial *consensus*. First, however, it is important to demonstrate the evolution of the theme as a historical moment, how it enabled cultural identity and imperial ideology to coalesce, and why it became popular to embellish the circumstances of the historical incident in a way that promoted cultural self-understanding, in much the same way that the experience of the proscriptions prompted the Romans to express their values by narrating them.

The afterlife of Cicero is complicated. Homeyer (1964) argues for isolating the contemporary accounts from the later ones, marked by rhetorical and tragic additions which "improved" Cicero's figure to make it commensurable with his status as a cultural icon. Roller (1997), on the other hand, demonstrates that many embellishments were present in historical accounts from the beginning of the tradition, and were in fact heavily influenced by the emergence of the theme as it functioned in declamation within a generation of the death of Cicero himself.⁷⁹ This does not diminish the value of Homeyer's work in distinguishing history from embellishment. Many of the declamatory elements Roller singles out as early on concern the *significance* of events, and it is possible that outright *inventions* (such

as, especially, the role, identity or even the existence of Popillius) that contaminate what is generally viewed as the most reliable historical source, namely Plutarch, entered somewhat later.⁸⁰ Nevertheless, the significance of the event itself with regard to imperial *consensus* clearly emerges from the influence of declamation.

Cicero's "reputation to have been the greatest orator of his time was already established immediately after his death."⁸¹ No orator living or dead came close to his stature.⁸² Though Homeyer's approach is flawed,⁸³ it does demonstrate how difficult it was for authors to reconcile historical veracity (and balance) with the received tradition of a venerated figure. Plutarch does not overlook Cicero's human failings: his attachment to Octavian is explained through his natural craving for honor (45.1), and he records Octavian's own words that he used Cicero to his advantage because he was afraid of political isolation (45.5)—perhaps akin to the words that he resisted Cicero's proscription against the other two triumvirs for two days (46.3, cf. *Ant.* 19.1—these apologetics may derive from Augustus' autobiography itself). The version of the events leading up to and including Cicero's death (47–49.2) is rather neutral in comparison to other accounts. "The report is kept factual, encomiastic and mawkish elements are avoided. . . ."⁸⁴ Cicero flees with his brother Quintus, the two separate and bid a sorrowful farewell, after which it is reported that slaves betray Quintus and his sons, who are put to death (47.1–3). Plutarch then (according to Homeyer) includes elements from more embellished sources (47.3–4): an overdramatization of Cicero's vacillation between hope and despair, his lack of resolution in deciding whether to sail from Circaeum or trust Octavian, and his impulse to slay himself upon Octavian's hearth to fasten on him an avenging *daemon*.⁸⁵ Other features, moreover, whatever their origin, may again be considered "invented" on account of the evidence of Seneca the Elder. That Cicero's assassins included Popillius, whom Cicero allegedly defended successfully on a charge of parricide (48.1)—a parricide killing the *pater patriae*—derives from declamation.⁸⁶ This is also the case with the report that Cicero was betrayed by a freedman of Quintus named Philologus, and that Antonius showed moderation by handing this man over to Pomponia, the wife of Quintus, since Plutarch writes that (49.2) "some authors wrote it in their histories, but Tiro, the freedman of Cicero, made no mention at all of the betrayal of Philologus."⁸⁷ Thus, at least Plutarch's intermediary source made a comparison of accounts. The amelioration of Antonius' act nevertheless suggests that those who added this element did so in his interests, and thus were Antonian authors writing before the end of the triumviral period.

Plutarch, moreover, reflects declamatory influences in depicting Cicero's voluntary manner of death (as was his habit with death-scenes): his orders to set down the litter, his unkempt appearance, the fact that he stretched forth his neck (48.3).⁸⁸ On the other hand, the cutting off of the head and hands, along with their display at the *rostra* (48.4, 49.1) is historical, though

other accounts differ in these details. Antonius reacts much less excessively than in other narratives (e.g. Plut. *Ant.* 20.2, Dio 47.8.3–5 and esp. Appian *BC* 4.4.20). Plutarch merely reports that he was conducting an election at the time, ordered the parts to be displayed, and exclaimed “now let the proscriptions have an end.”

The historical record preserves a complicated figure. Reliable (and contemporary) historical sources could at most pass over Cicero’s faults, they couldn’t turn him into someone he wasn’t.⁸⁹ This means that sources like Appian and Plutarch preserve the good with the bad, yet embroider their judgments of the figure and his demise with elements derived from Cicero’s status as a cultural icon—a kitschified and distorted figure.⁹⁰

For the rest, early accounts would have been able to lament his death only moderately,⁹¹ and some actively disparaged his lack of manly fortitude at his demise.⁹² Such, unsurprisingly, was the case with Pollio. In the sixth *Suasoria*, for example, Seneca writes: “No one believes that Cicero was so timid as to beg Antonius, nor so stupid as to believe that Antonius would relent, with the exception of Asinius Pollio, who remained most hostile to Cicero’s memory.”⁹³ It was he who gave the rhetoricians the subject of the final extant *Suasoria* (7): “Cicero deliberates whether he should burn his own writings when Antonius promises to spare him if he does so.” Seneca writes “these things can seem to be crude fiction to anyone. Pollio, however, wants them to seem true.”⁹⁴ This he did through an act of falsification in the published version of his speech *pro Lamia*, where he portrayed Cicero as willing to recant his hostile compositions against Antonius, write many more speeches in the opposite tenor, and even deliver them in a *contio*. Seneca continues: “he added things even more foul by far to this, with the result that one can easily see the extent of the falsehood there by the fact that not even Pollio dared to put them in his history.”⁹⁵ Those present at the trial assert that he did not say these things, and “did not have the courage to lie in the face of the moral conscience of the triumvirs.”⁹⁶

Pollio, true to his Antonian loyalties, was in fact the foremost detractor. Seneca explicitly singles out his historical account as unique.⁹⁷ Many, however, denigrated Cicero and his oratory during his lifetime, mostly on account of his alleged Asianism, and others were willing to jump on the bandwagon, especially after he was proscribed. After recounting the disparagement he faced during his life, Quintilian writes that “indeed, after Cicero lost his life in the triumviral proscriptions, everywhere those who hated him, envied him, competed with him, or even the bootlickers of the powers of the day attacked him, though he couldn’t respond.”⁹⁸

Such was the case with Cestius Pius from Smyrna, an area, unsurprisingly, within Antonius’ *imperium*. We have already seen the way in which Cassius Severus trounced him for attacking Cicero. On an earlier occasion, the consequences were more severe. Cestius chanced to be a guest at the table of Cicero’s son Marcus (cos. 30 BC) when the latter governed the province of Asia. When Marcus found out that he had said that “his father

did not know his letters,” he had him scourged, “and, as was proper, took vengeance for Cicero out of Cestius’ hide” (*Suas.* 7.13). The incident took place no later than 25 BC.⁹⁹ Perhaps Cestius had blasted Antonius’ former nemesis while the latter was sojourning in the East.

Notwithstanding, samples of Cestius’ declamations on the topic (see *Suas.* 6 and 7, *passim*) do not correspond to this intractable attitude, for they are respectful. At *Suasoria* 6. 12–13, however, Seneca singles out Varius Geminus as the one of the only to declaim the other side and advise Cicero to beg Antonius’ pardon; “almost no one dared to advise Cicero to beg Antonius; they thought well of Cicero’s courage.”¹⁰⁰ The remarks he makes, that Cicero does not have the courage to die, that his “neck is already worn . . . you will see in him an experienced slave,” are dismissed as “buffoonery” (*scurrilia*), typical from this declaimer.¹⁰¹ Two others, however, also cut rather close to the bone. Though not alone by far in declaiming Popillius’ side in the exercise, Romanus Hispo reminds us that Antonius had his justifications too. He even spoke on Antonius’ behalf, and “cited a passage that the state could not be pacified otherwise than if that disrupter of the peace were removed from the republic.” Hispo “alone of the declaimers railed at Cicero.” His rhetorical figure, that Cicero only gave what he got seemed rather harsh, but succeeded.¹⁰² This strategy need not be considered the mark of a committed detractor, for we learn elsewhere in a totally separate context that he was “naturally inclined to follow the harsher way of speaking.”¹⁰³

Argentarius, too, seems in one instance to carp at Cicero when he makes Popillius say that he was forced to the deed and could only have saved his victim through suicide, something even Cicero was incapable of (*Contr.* 7.2.14, cf. Buteo at 7.2.7). He only spoke, however, what was widely acknowledged, and otherwise speaks reverently.

Detraction of Cicero could only go so far. Admiration for him tended to undercut party lines. Pollio’s desire to sully his reputation was wishful thinking and he had his own claim to literary fame that he was trying to further (and which his progeny tried to preserve through continued abuse of Cicero).¹⁰⁴ But not even the triumvirs would allow Pollio to lie in court about his character. Cassius Severus remarks that Cestius’ pupils would have preferred their teacher to Cicero if they didn’t fear being stoned, implying that positive feelings towards the memory of the orator were widespread (*Contr.* 3.pr.15–16). His status as a cultural icon—the fact that Romans learned their letters from his speeches—encouraged bias in his favor. This is not to say that Cicero’s work was beyond criticism, or that *literati* like Quintilian (who considered him the consummate Latin orator) did not point out flaws.¹⁰⁵ It is simply to say that overblown criticism was not widespread or taken entirely seriously.¹⁰⁶

Seneca preserves Pollio’s “epitaph” on Cicero (though his malicious account of his death is lost), which may be taken as the limit of credible detraction (*Suas.* 6.24):

It is futile to speak of the talent and activity of this man, since his works, so numerous and grand, will remain forever. For nature and fortune equally attended him, since his looks were handsome all the way into old age and his health was sound. Then, he encountered a long-lasting peace, in the arts of which he was well versed, for, since the law was prosecuted according to the standards of old-fashioned severity, the guilty abounded in the greatest multitudes, and he had quite a few beholden to his patronage upon acquittal. Next, he had the most felicitous fortune of canvassing for and managing his consulship by a great gift of the gods, and his own counsel and energy. If only he could have been less elated in good fortune and more resolute in bad. For, when either had befallen him, he thought they would never change. . . . But since it befalls no mortal to attain perfect virtue, one must judge a man according to the greater part of his life and talent. Indeed I would not so much consider that he had a pitiable end if it weren't for the fact that he found death so pitiable.¹⁰⁷

Pollio cannot help but admit Cicero's impact and his distinguished career as a consul. He only criticizes his irresolution and fear of death.¹⁰⁸ Because Cicero was such an important figure, and because such irresolution was unacceptable to Romans, these elements could not stand without censure. After enough time had passed, Livy, in his authoritative account of Roman history, provided a more "appropriate" depiction. It was incomprehensible that someone so essential to the language and expression of the Roman identity could act so un-Roman a part. Roman *consensus*, therefore, more or less rewrote the narrative in a more acceptable manner. It is a simple matter of disguised logic. To follow the (implicit) reasoning of Quintilian, writing at the end of the first century AD: if Cicero was the consummate orator (*Inst.* 12.1.20), and the orator is, according to the old Catonian definition, a *vir bonus dicendi peritus* (12.1.1; cf. *Sen. Contr.* 1.pr.10), then the many who have found fault with his morals (12.1.14) are simply wrong. The rhetor paraphrases Cicero's eminent career (16) before turning to his death (17):

Some think he wasn't brave enough, but he himself responded to them best, that he was not fainthearted in undertaking danger but in foreseeing it. And he proved it by his very death, which he bore with the most outstanding courage.¹⁰⁹

In Livy's account, the details are omitted, because the event at the time of writing was well known.¹¹⁰ The relevant elements of the narrative which Seneca preserved (*Suas.* 6.17) can be neatly outlined, as can Livy's "epitaph." The former (1) establishes from the outset that Cicero knew that he could no more be rescued from Antonius, than Brutus and Cassius could from Caesar, thus meeting the declamatory conceits head on

and contradicting them. Seneca then (2) says nothing whatsoever about Cicero's irresolution in deciding whether to sail, (3) allows Cicero, "weary of flight and life," to decide to end things, (4) grants him the quote "I shall die in the country I have often saved," (5) makes him order the slaves, willing to make a fight of the issue, not to do so but rather "suffer calmly what unfair fate compelled them to," and (6) lets him calmly offer his neck (*immotam cervicem*) to the assassins (none of whom he formerly defended from charges of parricide), *essential* behavior for a Roman.¹¹¹ The rest establishes the connection between (7) Cicero's future identity as the greatest orator through the fact that Antonius exhibits his parts at the *rostrum*, "where Cicero as consul, and often as ex-consul, and where in that very year against Antonius was heard with the admiration of his eloquence as no other human voice ever had,"¹¹² and (8) his loss as a tragedy shared by all men, who could "hardly lift their eyes, wet with tears, to look at the butchered limbs of the citizen,"¹¹³ again pointing to the *consensus* which determined Cicero's *Nachleben*.

Livy's "epitaph" (*Suas.* 6.22) demonstrates that his overall depiction maintained balance throughout the narrative, but asserts that Cicero redeemed his faults through his death (a judgment noticed earlier in Velleius). The first few lines are similar to Pollio's (but more general again), recounting his long life, great talent, and good luck. Next comes the statement that his string of successes was punctuated by great misfortunes (which are listed). The balance of Livy's account then becomes quite clear, and reverberates with themes in Pollio's judgment.¹¹⁴ He deviates by asserting that Cicero faced his death (but only his death) as a man, but goes even further in his claim that in this he only received the punishment he would have meted had the tables been turned (thus corresponding with Hispo's *color* at *Contr.* 7.2.13). He agrees with Pollio again by asserting the need to balance faults with virtues, but adds the idea that only a Cicero could sing Cicero's praises, establishing the notion that each *laudatio* provides the figurative opportunity to rival the font of eloquence himself.¹¹⁵

The genres of oratory, history and poetry, in order of increasing importance, stood at the top of the hierarchy of significant "speech" for Seneca, all of them above declamation.¹¹⁶ In fact, he pulls the accounts of Cicero's death from the historians (and one poet) for the very purpose of demonstrating to his students the superiority of these "genuine and truthful" depictions, to prompt them to withdraw from declamation.¹¹⁷ This preference of genre, however, does not establish a priority of theme, but this is nevertheless evident from both internal and external evidence.

Within Seneca's text, Cicero is considered the epitome of eloquence by the historians and poets. His death is identified with the death of the Latin tongue itself, and by implication "the right of free expression of opinion died with Cicero. His might be termed the voice of the old constitution."¹¹⁸ Cicero represents the death of republican *dictio*, yet the theme

resolves the inherent self-contradiction involved with regard to imperial elite self-identity. Seneca considers Pollio's "epitaph" (6.25) to be the most eloquent thing in his entire history—"he seems not only to have praised Cicero, but to have contended with him."¹¹⁹ That is to say, Pollio vies with Cicero over the crown of eloquence by passing fair judgment over his life. Clearly, historians are challenged to compose something worthy of Cicero in writing these epitaphs, for that is precisely where Cordus fails in his (6.23).

Other authors confirm this evaluation. Valerius Maximus, following Livy's lead, intones that ". . . no other Cicero exists who could lament the death of Cicero worthily enough, such a death."¹²⁰ The most rhetorical passage in Velleius' work consists in his outburst on the subject (2.66.2–5), unequalled in his entire history, occurring in nearly the exact center of the second book. Velleius does not produce a "historical" account of his death, nor an "epitaph," but rather "what is essentially a suasorial speech . . . cast in a historical mould by the initial verbs' being placed in the past tense . . . its generally eulogistic tone means that it functions as an *epitaphion* without actually being one."¹²¹ In addition, except for Tiberius, the author devotes more praise to this figure than any other character in his history, Augustus included.¹²²

Similar to the highly praised poetic accounts in Seneca, Velleius also writes that "by the crime of Antonius the voice of the people was severed,"¹²³ and a few lines later effusively praises Cicero's achievements (3–6), declaring that Antonius did not rob him of his fame and words, but rather enhanced them. He hymns on:

He lives and will continue to live in the memory of all the ages, and while this body of the universe—whether it is ruled by chance or in whatever way it has been put together—this universe which he alone of the Romans saw with his mind, comprehended with his genius, and illuminated with his eloquence remains intact, it shall draw as a comrade the praises of Cicero . . . and sooner shall the race of men disappear from the planet than the name of Cicero.¹²⁴

The subject evolved a great deal from the treatments of Pollio, then Livy. From a founding figure of Latin eloquence, Cicero had become the quintessential and messianic expounder of the universe, worthy of a perpetual litany.

It would be worthwhile now to organize the historical and poetic accounts more rhetorical in nature which Seneca provides, in order to observe how Cicero as a figure became the symbolic "peg" on which to present matters of ideological, cultural and social significance. Since Cicero came to symbolize the proscriptions, the elements which make up this *consensus* clearly resonate within the context of these events, the recollection of which frames the activity of the presentation: one can demonstrate one's commitment to the objects of *consensus* by passionately railing at that which undoes them.

From Livy's description of Cicero's death, Seneca proceeds to that of Aufidius Bassus (*Suas.* 6.18). This renowned historian, who lived to no less than 63 AD, when he was quite old, wrote at least one history, most likely covering the death of Julius Caesar up to the end of Sejanus, or perhaps Tiberius.¹²⁵ Assuming that Seneca excerpts from a completed work, it was perhaps finished by 37, or at any rate before he himself died. Seneca cites him as in agreement with Livy over Cicero's courage at his death. Bassus embellishes the account, reversing the role of victim and slayer. Cicero tells the slaves carrying his litter to stop. He commands the assassin with gallant aplomb: "come on, soldier, if you can at least do this rightly, cut off my neck." He then teases the trembling culprit: "what if you had come to me first?"¹²⁶ Seneca later returns to Bassus (*Suas.* 6.23) in his presentation of epitaphs. There the historian describes Cicero as a "man born to save the state, which slipped from his grasp after he had defended and managed it for a long time, a state hurt by this one fault of his, that nothing with a view to its safety pleased him unless it lacked Antonius."¹²⁷ This, along with the refusal to criticize Antonius in the (extant) narrative, suggests, perhaps, a desire to please Caligula.¹²⁸ Bassus finishes with a sentence corresponding to this attitude, asserting that Cicero spent his life attacking and being attacked, and that someone was always interested in seeing him dead.

From Bassus' first account the author moves to the treatment of Cremutius Cordus (*ca* 35 BC—25 AD),¹²⁹ a historian who explicitly chose to write about the Augustan period, covering the era from the civil wars down to at least 18 BC. His work, known for its eloquence and its republicanism, lamented the deaths of Brutus and Cassius as the "last of the Romans," and depicted the proscriptions in a way that, as the younger Seneca writes, "proscribed the proscribers forever" (*Ep.* 6.26.1). Notwithstanding the fact that Augustus himself had read his work, his praise for the liberators and his lukewarm attitude towards Augustus gave Sejanus a pretext to indict him under Tiberius, and Cordus took his own life. Thus, his work predates Bassus' by some three and a half decades. His treatment of Cicero's death was at least contemporaneous to Livy's and could have preceded it, seeing that it came closer to the beginning of Cordus' work, whereas book 120 of Livy's history was published near the end of the first decade AD.

Before giving a sample, Seneca writes that Cordus asserted that Cicero pondered whether to try to reach the republican forces before choosing death over everything else.¹³⁰ Seneca does not cite this, probably because it is precisely this element which the passage from Bassus covers. Rather, Cordus seems to be the first historian we know of to depict Antonius' joy at seeing the dead Cicero: "when Antonius saw these things he was happy, since he said that the proscriptions were over for his part (for in fact he was not only sated with killing citizens but stuffed full), and he displayed Cicero's body over the rostrum."¹³¹ The historian then exploits the ironic tragedy of Cicero's exhibition piece by piece at the place where he had spoken dutiful *contiones* and had defended so many, and how pathetic he appeared

to his own citizens: “shortly before, he had been the *princeps senatus* and the source of pride for the Roman name, but was now a source of bounty for his killer.”¹³² From there, the account turns to describe the grief of the crowd more intensely, fastening on the sight of Cicero’s right hand, the “servant of divine eloquence,” and ends with the judgment that “the deaths of everyone else prompted private grief, this alone the grief of all.”¹³³

Unfortunately for us, Seneca finds Cordus’ epitaph unworthy of excerpt but for two short statements (*Suas.* 6.23). The first, arguing the opposite of Bassus’ epitaph, makes him an agent of reconciliation: he “thought that sometimes private quarrels should be set aside, and that public ones should not be eagerly prosecuted.”¹³⁴ The second makes an imperial figure of him through an amalgamation of virtues: “a prominent citizen both on account of the number and magnitude of his virtues.”¹³⁵

The final historian enlisted by Seneca, Brutteditus Niger (*Suas.* 6.20–21),¹³⁶ falls, temporally, between Cordus and Bassus. Niger, a very accomplished and educated man, was destined for the highest political success, but chose the shortcut of delation (*Tac. Ann.* 3.66), finally falling along with the friends of Sejanus (*Juv.* 10.83). He was a student of Apollodorus of Pergamum, the tutor of Augustus at Apollonia (*Sen. Contr.* 2.1.35–36), and provides the first that Popillius, the “murderer” of Cicero, was someone he had once defended in court, which, according to Seneca, only a “few” (*pauci*) historians put in their works—the declaimers alone added that Cicero successfully defended him on a charge of parricide (*Contr.* 7.2.8). This account does very little to furnish Cicero a brave and noble death. The subject flees out the back door of his villa. The historian does not depict him ordering the slaves to set down the litter, but rather exploits the irony of the artificial situation by having Cicero’s face light up with hope when he sees one of his former clients, a detail straight from the schools.¹³⁷ Furthermore, Brutteditus intensifies Popillius’ guilt by making him eager to act, to gain better standing with the triumvirs in betraying a former patron. His depiction of Cicero’s behavior at his death is markedly neutral: “doing nothing at the very end of his life which could be noted either way.”¹³⁸ The historian again highlights Popillius’ betrayal in presenting the head to Antonius, further inventing the detail that Cicero had defended him “shortly before.” At this point, Seneca breaks into the narrative, saying that the historian wanted to recount the appearance of the head on the *rostra*, but was overwhelmed by the gravity of the subject (a literary *topos*). The reaction of the crowd follows—interesting because Brutteditus says that the people, though they failed to hear the customary eulogy, narrated it themselves:

When they saw the head placed between the two hands at the rostrum, where it had been heard so often, the funeral rites were given to so great a man with groans and tears, nor, as was customary, did the *contio* hear the life of the body deposited at the rostrum, but narrated it itself.

No part of the forum was undistinguished by the trace of some famous pleading. No one did not confess some benefit received by him. One public benefit was certainly well-known: that servitude of the most miserable period was deferred from Catiline to Antonius.¹³⁹

Cicero's cultural prominence is established by the *consensus* of the crowd, the voice of whom Brutedius usurps, and is based on something no longer possible: a distinguished republican career attained through eloquence. The deprecation of Antonius only comes at the very end of the account, where the author exploits the likeness to Catiline drawn by Cicero himself in the *Philippics*.¹⁴⁰

After relating the palmary epitaph by Pollio, Seneca writes that “nevertheless, among so many eloquent men, no one deplored the death of Cicero better than Cornelius Severus,” a prominent epic poet (*Suas.* 6.26).¹⁴¹ This remarkable excerpt compliments Brutedius Niger's, and probably predates it. Seneca does not provide Cornelius' handling of the death itself, if in fact he did portray it, and does not mention Popillius or the notion of betrayal. Rather the account begins with the sight of Cicero's head, the very thing Brutedius said he was incompetent to portray. The first three lines produce a drastic effect, presenting Cicero's death as the archetype of the proscriptions and the death of the republic. The radical postposition of the subject in the third line enhances the visceral symbolism:

The heads of the great hearted men, still almost breathing,
lay upon their own *rostra*. But the image of the devastated Cicero
swept them all away, as if it were by itself.

*oraque magnanimum spirantia paene virorum
in rostris iacuerе suis. sed enim abstulit omnis,
tamquam sola foret, rapti Ciceronis imago.*

The event has become central, one image excluding the rest. Decapitation being an act of extreme degradation for the Roman citizen male, Cicero's death acquires emblematic force that echoes through the portrayals of decapitation in early imperial literature.¹⁴² Analysis, however, does not require a description *qua* image, but rather depends upon a historical narration. Brutedius asserted that the *contio* itself narrated the eulogy of Cicero and recounted the highlights of his life. This is precisely what Cornelius does next: “Then the colossal deeds of his consulship returned to their minds.”¹⁴³ He spends the next three lines describing the suppression of the Catilinarian conspiracy, before equating Cicero's death with that of the republic:

The favor of the crowd, years full of distinction—what good
did they do? What good a lifetime adorned with the liberal arts?

One day destroyed the ornament of an era, and smitten with grief
the eloquence of the Latin tongue grew dumb with silence.¹⁴⁴

Severus clearly projects what the figure of Cicero meant to Romans of the early empire back to the moment of his death. He treats him as the founding father of Roman culture. But the poet makes even more of him than that. The next four lines describe his political standing in terms usually reserved for the imperial *princeps* himself:

Once the one and only protection and safety for the distressed,
always the eminent head of his country, the champion
of the senate and the law courts, of law, of right, of the toga,
the voice of the people was forever hushed by savage arms.

*unica sollicitis quondam tutela salusque
egregium semper patriae caput, ille senatus
vindex, ille fori, legum iurisque togaeque,
publica vox saevis aeternum obmutuit armis.*

Just as the former section projected Cicero's contemporary standing as the quintessential representative of Roman culture into the past, so *this* grafts the political ideal as embodied by the imperial *princeps* onto the ideal republican *princeps*. Like Livy's Camillus or Fabius Maximus Rullianus, Cicero becomes a way of reconciling the imperial present with the republican past (see Ch. 1). It would be trite to assert that, in so doing, the poet acted as an imperial propagandist in the modern sense.

The following lines describe the mangled head and hands, the latter with quasi-religious overtones, as "the sacred servants of his great deeds."¹⁴⁵ Then comes the haughty mistreatment of his head by an impious "fellow citizen," whom the next sentence identifies: "Till the end of time Antonius will never atone for this."¹⁴⁶ The last five lines enlist numerous historical *exempla* to assert that Rome never treated her worst foreign enemies in such a manner as the body of Cicero. This widens the significance of the proscriptions, and civil war, as the worst disaster in Roman history.

The contemporary narratives of Velleius Paterculus and Valerius Maximus round out the picture, and instigate observations about the practice of declamation itself. Velleius' account appears to be more influenced by this environment than any other extant narrative. Cicero's emblematic status emerges from the fact that the historian describes the death of no other proscribed person, and through the particular infamy he attaches to proscribing him (2.66.2). From the outset the author apologizes for Octavian and blames Antonius (*ibid.*, cf. 2.64.4). Next, he exploits the irony noted above that "no one defended the safety of he who defended the public safety of the state and the private safety of citizens."¹⁴⁷ Then

follows a violent outburst, an apostrophe, directed at Antonius, and it is here that the declamatory elements are felt most strongly.

First, the device which frames the outburst, the futility of Antonius' proscription of the man (*nihil tamen egisti*, repeated twice), clearly draws its inspiration from two declamatory elements: the first derives from *Suasoria* 7, where all of the declaimers exhort Cicero not to burn his writings, which made him immortal. Seneca, moreover, observes that in the declamation "everyone was worried about Cicero's books, no one about Cicero," and they ascribe to Antonius the wish to obliterate Cicero's memory by offering him his life.¹⁴⁸ Velleius' remarks echo this by recognizing the immortality of Cicero's works, reflecting his impact on Roman culture (see above),¹⁴⁹ and by asserting that Antonius defeated his own purpose, because the works written against him forever condemned him, as did Cicero's death itself.¹⁵⁰ The second element comprises the notion that, in losing his life Cicero did not lose much, and derives from the exhortation that he die and spare himself a few troubled years and the sight of the republic dominated by Antonius—something the excerpted historians never detail—and ultimately again from the declaimers' anxiety to make Cicero die worthy of himself. *Suasoria* 6 introduces this component, but it spills over into 7 as well.

Valerius Maximus (5.4.4) includes his account in the set of *exempla* devoted to ingrates (5.4). In the first two sections, he recounts some instances on the part of the Roman community towards great benefactors before moving on to the more serious crime of ingratitude by Roman individuals, in three accounts, all of which deal with proscription. The first and third arise from a narrative of the first civil war, and Cicero's demise comes in the middle. Valerius predictably alters his account to reflect his exemplary purpose, which matches the theme of *Contr.* 7.2, the trial of Popillius, and the historical account of Brutteditus Niger. The author, or his source, freely invents details which give the account a veneer of historical veracity.¹⁵¹ The charge of parricide is omitted for this very reason. The author concocts a place for Cicero's defense of Popillius (Picenum), a motive (the request of Caelius), and the fact that it was closely contested. Like Brutteditus, Valerius emphasizes the fact that Popillius volunteered for the deed, something mentioned by only one declaimer (Cornelius Hispanus at *Contr.* 7.2.4), and contrary to the *color* enlisted in his defense, *viz.*, that Antonius forced him. True to his purpose, he exploits the ungrateful nature of the culprit.

2. To *Consensus* and *Concordia* through Cicero

Early on, Cicero became a powerful symbol not simply on account of his incomparable rhetorical genius. It was even more the fact that he was the consummate orator of the Roman *republic*, which necessarily contextualized imperial ideology, couched as it was in terms of the restoration.¹⁵²

This explains the political convenience Octavian could appropriate in credibly passing off most of the blame for Cicero's demise on Antonius, and especially in making Cicero's son his colleague, promoting him to the suffect consulship of 30 BC: his tenure corresponded opportunely with the announcement at Rome of Antonius' death and the decrees effacing his memory.¹⁵³ On account of the *Philippics*, Antonius could never have exploited the considerable sentiment Octavian's actions presuppose. Nor could he have asserted his reluctance to do away with the man. Once again, we observe the apparatus of power responding to the *consensus* from below, not dictating it from above.

Rhetorical products recounting (and embellishing) his death, and the declamatory exercises themselves, were highly important cultural moments, in that they created an autonomous mechanism of Romanization. Augustus' own opinion of Cicero was not necessarily obvious,¹⁵⁴ but he was too shrewd to hinder strong currents of *consensus*, while a restrained approach to a former enemy whose work had so strongly influenced Roman culture appeared credible and lenient.

Cicero was everything to those to whom Cicero's works were everything: to Italian municipal aristocrats like Velleius, to a compiler of historical *exempla* like Valerius Maximus, or those on the edges of the empire, like Seneca the Elder and his fellow Corduban Sextilius Ena, talented but not very learned.¹⁵⁵ This poet, some time before AD 4, began a recital at the house of Messalla Corvinus, to which he had invited Pollio, with a line well received from the outset (*Suas.* 6.27): "It is time to lament Cicero and the silence of the Latin tongue."¹⁵⁶ Only Pollio was miffed, and he got up and left the room. The poet Cornelius Severus was also there. He lifted the line, reworked it, and grafted it onto his own palmary rendition.

It is now necessary to look more closely at the declamatory exercises themselves, to see how they actually functioned as a tool of acculturation and Romanization. This they did in several ways. In *Suasoria* 6, for example, "the speaker assumes that he is one of Cicero's friends, giving the old statesman advice in a council held to consider whether he should stoop to beg Antonius for life or not."¹⁵⁷ This is the chance for the speaker, whether he be a Greek like Cestius Pius, or a young student, to demonstrate the extent to which he has assimilated Roman culture and values and can apply it to rendering advice to a figure who embodied the republic. The speaker projects himself back to the universal "time" of tradition which no longer exists and which cannot return, but which contains all of the material—moments, incidents, sayings, etc., the use of which, in navigating an imaginary situation, allows him both to practice his acquaintance with Roman culture, and demonstrate the extent and degree to which he is a member of Roman society. Only someone who claims to know what the *res publica* and being a Roman is all about can presume to render the advice. At *Suasoria* 6.8, for example, Latro puts forward the argument that "it is shameful for any *Roman*, let alone Cicero, to beg for his

life.”¹⁵⁸ Many declaimers demonstrate a marked proficiency in reproducing the significant historical moments of Roman history and of Cicero’s life, sometimes artfully using quotations from Cicero’s writings to make their point.¹⁵⁹ To muster a few examples, at *Contr.* 7.2.4–7 Triarius refers to the statesman’s hostilities with Catiline, Verres and Clodius, while Haterius contrasts his triumphant return from exile on “the shoulders of Italy,” known from the *post reditum* speeches, to Popillius toting his head around. Finally Capito (6–7) enlists numerous historical *exempla* to accent the unprecedented nature of Popillius’ act. He concludes with Cicero’s victory over Catiline, declares that his deliverance of the state on that occasion made him greater than Romulus when he founded the city, contrasts the saving of the city with Metellus’ preservation of the temple of Vesta, and finishes with a crescendo elevating the event over the defeat of seven of Rome’s greatest enemies.¹⁶⁰ This favorable comparison between figures of the past mirrors a similar reconfiguration of Roman history around the figure of the emperor, as can be seen in the visual program of the *Forum Augustum*.

That said, the three declamations relating to the death of Cicero lend themselves nicely to a thematic approach. It is important to keep in mind that these were as much exhibition as exercise, and that the political classes and the imperial *domus* fully participated in them. Through the rather bold speech that occurs, one can thus obtain insight into the genesis of imperial *consensus* and *concordia*, which in turn has significant implications for imperial ideology. The themes and appreciations derived would, moreover, have been preserved and reproduced through the future repetition of the declamations.

First, it is easy to deduce that, though Seneca could have heard declamations from the mid-triumviral period, these in particular must date from the post-Actian period, otherwise they would have been too anti-Antonian. Rather, they assume, or better, *invite* slander of this triumvir, generally saddled with the responsibility for the evils of the time. The themes of *Contr.* 7.2 and *Suas.* 7 both emphasize the cruelty of Antonius: in the first, the defense of Popillius invites the *color* that Antonius forced him to kill his own patron; in the second, Pompeius Silo invents the *color* that Antonius did not offer Cicero mercy, but rather tried to trick him into dishonoring himself. Thus, Antonius becomes the despotic antitype for all of the elements that enter into the senatorial republicanism so dear to the Romans of the early empire. Haterius’ performance opens *Suasoria* 6 with the phrase: “Let posterity know that if the state could serve Antonius, Cicero could not.”¹⁶¹ He then lists several great names and asks why Cicero would even want to enter the senate when he will see them no more (cf. *Suas.* 7.1, 7.4). He exhorts him to imitate the noble end of Cato, whom he praises for “having hands clean of citizen blood up to the last day,”¹⁶² or Metellus Scipio, whom, as one declaimer says (*Suas.* 7.8), “a noble death replaced in the ranks of the Scipios after he had degenerated

from the standards of his ancestors.”¹⁶³ Porcius Latro clearly makes Antonius responsible in his portrayal (6.3):

The Sullan thirst for citizen blood has returned to the state, and the deaths of Roman citizens are set at the triumviral auction like revenues. The ruins of Pharsalus, Munda and Mutina are surpassed by one posted list. The heads of ex-consuls are weighed out in gold. One can only use your own words, Cicero: “Oh the times! What behavior!” You will see eyes burning at once with cruelty and insolence; you will see the face, not of a man, but of civil war. . . . Will you as a suppliant fall on your knees and beg, and emit from your mouth humble words of flattery for him to whom the public safety is beholden? For shame! Verres, also proscribed, died more bravely!¹⁶⁴

Pompeius Silo (6.4), too, asks Cicero: “will you be silent then though Antonius is carrying out the proscriptions and tearing the state apart, and not even your groans will be free?”¹⁶⁵ Triarius proclaims (7.6): “The republic has declared Antonius an enemy, and now he declares the state his enemy.”¹⁶⁶ He lifts an entire passage from the *Philippics* in describing Antonius’ rapacity (6.5); Argentarius (6.7) ends his account of his revelries during the proscriptions with a line from the same piece. Cornelius Hispanus, on the other hand, clearly uses Octavian’s apology by referring to the measures which forced his hand (6.7): “The senate, which followed your advice, has been proscribed. The whole list is a prelude to your death. One allows his brother to be proscribed, another his uncle. What hope do you have? So many acts of parricide are committed just so Cicero can die.”¹⁶⁷ Lepidus and Antonius are further singled out by Argentarius at 7.8.

This, however, is not the whole story. Given the general tenor of things just outlined, the utterances made against Cicero or on behalf of Antonius, when they do occur, become more significant (we have seen some examples of this already, cf. *Contr.* 7.2.13) and characterize the freedom of speech enjoyed in the early empire. More importantly, however, some implicate the *princeps* himself in the evils of the triumvirate.¹⁶⁸ The declaimer Albucius (from Cisalpine Gaul), born at roughly the same time as Seneca the Elder, and who began his career at Rome sometime around 25 BC (*Suas.* 6.9), said that

Cicero himself was the greatest cause of the proscriptions. Also, he alone of the declaimers tried to say that Antonius was not the only one hostile to him. At this point, he spoke that well-known (*illam*) epigram: “you are a burden to any one of the triumvirs who does not find you hateful,” and that other epigram which was applauded exceedingly: “ask, Cicero, and beseech one man, so that you may be the slave of three.”¹⁶⁹

Albucius exhibited this attitude more than once. Suetonius (*de Gram. et Rhet.* 30.5) reports another incident when he was defending a man at

Milan some time around 15 BC, before the proconsul L. Piso.¹⁷⁰ When the lictors tried to quiet the crowd of his admirers, he launched into a tirade about the “re-provincialization” of Italy, and “in addition invoked M. Brutus, whose statue was in sight, as the origin and champion of liberty and the laws, and almost paid the penalty.”¹⁷¹ Invoking Brutus (or Cassius) may have been inopportune (though Augustus himself praised the loyalty of the Milanese for keeping the statue), but Albius jeopardized himself not for this reason, but by challenging proconsular *imperium*.¹⁷² For the rest, the declaimer’s outspokenness in implying that Octavian was one of the “three” for Cicero to enslave himself to was popular; the epigram was wildly applauded (*valde excepta*), probably for this very reason.

This attitude corresponds to the one voiced by Varius Geminus (*Suas.* 6.11), who exhorted Cicero to flee rather than die or beg:

Brutus, Cassius and Sextus Pompey had fled. And he added that epigram especially admired by Cassius Severus: why are we disheartened? The republic, too, has its own triumvirs. Then he ran through all the regions which Cicero could make for. . . . But he especially urged him to go to Asia and Macedonia, to the camp of Brutus and Cassius, and so Cassius Severus used to say that the others just declaimed, but Varius Geminus gave *real* counsel.¹⁷³

It is little surprise that Severus, who fiercely maintains the division between *declamatio* and *dictio*, and is himself known (and feared) for his outspokenness, should accord respect to the most republican treatment. Nevertheless, Geminus’ attitude is not stubbornly republican, for he declaims the opposite side too, i.e. that Cicero should not flee but beg Antonius’ pardon: “he added that he would have to be a slave wherever he went: he would have to put up with Cassius’ violence or Brutus’ arrogance or Pompey’s idiocy.”¹⁷⁴ All the same, he still speaks against the grain by defending Antonius, and blaming Cicero for the proscriptions. Geminus, true to his nature, enjoyed speaking the harsher line.

The exercise also afforded the opportunity to discuss the worst aspects of the past in a way that resolved the terrible things that had happened. This is clear from the defense of Popillius mounted by several rhetors. At *Contr.* 7.2.8, Seneca writes: “it was pleasing to the declaimers that he had been Cicero’s defendant on a charge of parricide. For in this way, they accuse him as if he cannot be defended, when in fact he can be acquitted to such an extent that he can’t even be accused.”¹⁷⁵ His narration of Latro’s division of the topic is revealing. The accusation must hasten to the point of betrayal:

for, as to the rest, he had such a good case, that, if you take away the point that he killed his patron, he’s not going to have any trouble at all; his defense is the necessity of civil war. . . . He had the right, in war, to

kill a man, a citizen, a consular—there is no crime in this either, that it was Cicero, but only in that he was his patron. It is natural, however, that what ought to occur in the case of no patron is more scandalous in the case of Cicero as patron.¹⁷⁶

Killing is forgiven, betrayal is not. *Latro* does not provide *carte blanche* on the past, but he does indicate lenient parameters which nevertheless uphold social norms. One element of his division consists in the question (7.2.9): “Whether deeds done in the time of civil war cannot be the subject of a charge.” Seneca adds an epigram by the outspoken declaimer: “*Varius Geminus* spoke handsomely when he handled this topic: ‘if you accuse those times, you are speaking not about people but about the behavior of the nation.’”¹⁷⁷ Similarly, at 7.2.10, *Latro* says: “Are you surprised that *Popillius* was forced to kill at a time when Cicero was forced to die?”¹⁷⁸ This is the language of *concordia*.

Further division, clarifying *Popillius*’ liability, reveals more. With respect to the notion that he was forced to the deed, *Latro* considers (7.2.9): “whether, even if it was necessary for him to do so, it still shouldn’t be forgiven. For no amount of compulsion should drive us to certain things.” The corresponding epigram was well received (*summis clamoribus*): “*Popillius*, if *Antonius* had ordered you to, would you have therefore killed your own father?”¹⁷⁹ He continues by recounting the things *Popillius* could have done: warn Cicero ahead of time and, at any rate, not mutilate his body.

For the rest (7.2.10–14), however, the declaimers provide several *colores* justifying *Popillius*. *Antonius* again becomes useful for turning the assassin into as much a victim as the victim himself. Seneca’s teacher *Marullus*, for example, declares: “the commander-in-chief, the victor, the proscriber ordered it. Could I deny anything to the person to whom the state could deny nothing?”¹⁸⁰

Augustus, or the post-Actian Octavian, was detached from his former self to the extent that declaimers felt no compunction about saying these things. Declamation reflected *consensus* precisely because it favorably differentiated the present conditions from the ugly past, and the old triumvir who took part in that past from the new *princeps*. The contrast illuminated the benefits of restoration; the fact that speech was to a large degree free spoke volumes. In the end, one might conclude from a study of the declamatory and historical treatments of the death of Cicero in particular that (1) it allowed educated folk of the Roman empire, from a diversity of ethnicities and backgrounds, to demonstrate the fact that they were familiar with Roman history, culture and mores, and just as important (2) it modeled this to the imperial youth for imitation as the way to show oneself to be Roman. Moreover, (3) it demonstrates the extent to which the new imperial system, again, made sense of itself through the articulation of a past that let bygones be bygones but still upheld fundamental societal values, allowing scope through creative embellishment for highlighting specific elements

like the evils of betrayal. (4) It shows the autonomy and diversity of opinion tolerated in the attempt to formulate these things in such a way that gained the applause and acclamations—the *consensus*—of a crowd virtually addicted to such performances, and which often appreciated epigrams as much for political truculence as for any stylistic effects. Moreover (5), it foregrounded the principate's *raison d'être*, by representing the conditions from which it arose, and the horrors it solved; the proscriptions and triumviral despotism—especially, though not exclusively Antonian—became all that it was supposed *not* to be. Finally (6) in embellishing the tragedy it effaced the contradiction between the past and the imperial present in three ways. First, it allowed the elite Roman male to foreground his mastery of and commitment to republican *dictio* through different media. Second, it prompted the eulogy of Cicero in a way that turned the quintessential figure of the republic into an amalgam of imperial virtues, or more properly the guarantor of public and private safety. Finally it inspired comparisons with figures from earlier Roman history in a way that mirrored the imperial program (*viz.* the position of Augustus in the *Forum Augustum*).

C. DECLAMATION AS A WIDER FORUM FOR POLITICAL AND SOCIAL CONSENSUS

Declamatory treatments of Cicero kept the flame of the civil wars burning brightly in the mind's eye of the Roman citizenry old and new, and early on helped them formulate who they were.¹⁸¹ In this section, I will further show how other declamatory themes illuminate the formation of imperial ideology through their treatment of similar elements. First, I will expose the implicit discourse surrounding the civil wars, their horrors, and the reasons for their occurrence in a way that, again, informs the early imperial moral program; second, how depictions of the tyrant and the conditions of tyranny provided an antitype which implicitly justified the legitimacy of the current political system, and how the imperial program actively responded to this discourse. It is important to keep in mind, throughout, that the ruling classes and the imperial house participated in these exercises, and that epigrams, which were generally spoken in a free environment, could relate to sensitive topics in the current political situation.

1. Civil War in Declamation

Seneca lived through the civil war out of which the principate arose (*Contr.* 1.pr.11), and he had friends in Spain who recovered from its devastation (*Contr.* 10.pr.16). Those who experienced the violence had the images thereof grafted into their minds and it colored their portrayal of other affairs. At *Contr.* 1.6.12, for example, the author paraphrases a vivid description by the orator Haterius in the course of a declamation about a

father who disinherits his son for marrying the daughter of a pirate-chief. The loss of the portrayal itself is unfortunate, for it was surely tinged by personal experience, perhaps of a coastal raid by Sextus Pompey:

Q. Haterius, on the side of the father, painted a most beautiful picture: for with his usual flood of an oration, he began to depict, just as if he heard some tumult, universal devastation and plunder, villas burnt in the inferno, the flight of rustic commoners, and when he had filled everyone with terror, he added: "why are you terrified, young man? Your father-in-law is coming."¹⁸²

It is not surprising, therefore, to find proscription as a point of comparison elsewhere. The first excerpt from book 5 preserves fresh memories, defending someone who prevented the suicide of a man who had lost everything: "go on living, the vicissitudes of human fortune are changing. One who formerly did the proscribing is now proscribed. The conquered flee, the proscribed lie in hiding, the shipwrecked swim."¹⁸³

Four other declamations from the extant collection (one surmises there were more), aside from those dealing with Cicero, frame their themes with proscription, and further demonstrate contemporary attitudes concerning the event. They nicely compliment the general ambience of the declamations, preoccupied with problems in basic social and familial relations.

The first example from Seneca (*Contr.* 4.8), preserved in excerpt form, clearly reflects themes prevalent in the proscription narratives. This exercise, which must date to after 36 BC, presents a case in which a patron on the losing side in a civil war takes refuge with a freedman, who then asks him to waive the obligations customarily owed by freedmen to their former owners, which is done in writing. Upon the grant of restitution, this person demands his services, and the freedman objects. The excerpted account preserves epigrams for both sides, but not who said what. The debate hinges on whether the freedman unduly exploited his patron's situation, or deserved the privilege in return for harboring his master. The first side contends that the freedman is more cruel than the proscriptions themselves, demonstrating the amount of closure that had occurred, and the expectation that traditional relationships would be upheld:

Produce the document, more cruel than that well known proscription list. The former pursued the defeated, the latter pursued guests; revenge was contained in the former, treachery in the latter; and finally, the proscriptions have ceased; this still has effect.¹⁸⁴

The other side emphasizes the dangers the freedman incurred, the fact that his patron fled to him rather than to anyone else, and that if he'd wished to have no patron, he could have killed him, as others did. To no avail. The upper classes were inclined to the opposite position: "Everyone railed at the

freedman”¹⁸⁵ for bringing the suit against his master. Only two declaimers took the more lenient stance of trying to convince him that upon legal victory his patron intended to waive the rights anyway.

Another *Controversia* (6.2), again in excerpt form, though it does not deal explicitly with the topic of proscription, clearly handles an analogous situation. The *lex Titia* stipulated that those who helped the proscribed would themselves be liable to proscription, and the author of the so-called *Laudatio Turiae* recalls that, while he was in exile, his wife incurred danger by (illegally) sending him means of support, even deceiving the guards that had been sent to prevent this very thing (2a-5a). This complicated *controversia* presents a father, exiled for the non-political reason of involuntary homicide, who is subject to the *aquae et ignis interdictio* punishing anyone who assists him. When the father starts visiting one of his border-estates, his son beats the bailiff and excludes the father, who then begins visiting the daughter. She, in turn, accused of harboring the exile, is acquitted with the help of this brother. When the father’s term of exile is over, he disinherits his son.

The father’s side pleads the irreverence of the son in comparison to the daughter and slave, who behaved correctly: “My accuser exiled me from my fellow citizens, my son from my own family. I found my daughter more honorable, because she was accused, my slave of better character because he was beaten. You have deserved poorly of your father. . . .”¹⁸⁶ The son’s side, of course, pleads the line that his behavior was ultimately in his father’s best interest, preserving his life.

Two excerpts later, one finds a declamation based on a story of marital fidelity (*Contr.* 6.4) clearly occasioned by the second proscription, because of a reference to restitution. In this case, a wife flees with her proscribed husband. When he is on the point of suicide, she asks for a draught of the poison he is drinking, because she does not want to live without him. He swallows half, and gives her the rest; she dies while he lives. Since her will named him her heir, he is arraigned after his restoration. The prosecution insists that he murdered his wife, and provides some epigrams reflecting the relatively recent sight of proscription and restitution: “This man who says he wanted to die, fled lest he be killed. He alone was made more wealthy by being proscribed. . . . The victors put an end to killing sooner than the conquered. . . . Where is your wife? Aren’t you ashamed? Now even the proscribed are returning.”¹⁸⁷ The first part of the husband’s defense could have easily found a home in a funeral eulogy like the so-called *Laudatio Turiae*, and is probably based on something of the sort:

She loved her husband in peace, she followed him in war, she did not abandon him in his last decision. Oh, that I, though innocent, could accompany *her!* I waged civil war, I was proscribed, I went into exile. What could possibly be added to these ills except that I take poison and survive?¹⁸⁸

Controversia 10.3, completely preserved, provides the fullest account of a theme dealing with the question of party vs. familial loyalties during civil war. In this case, a woman refuses to desert her husband, though her father and brother belong to the other party. When the husband's side loses and he is killed, she returns to her father, who does not receive her. When she asks him how to make amends, he replies "die." After she hangs herself before the door, her brother accuses the father of madness.

This exercise illuminates pervasive attitudes of leniency and forgiveness. As was true of the previous cases, the behavior of the transgressor, assumed to belong to the senatorial order,¹⁸⁹ compared unfavorably to that of the actual victor in the civil war, as if the latter set the example for clemency. To provide a few, more prominent examples:

Porcius Latro (10.3.1): Not even the victor wanted amends to be made in this manner. He pardoned the defeated, and in fact restored their standing. . . . No one ever saw the head of a woman in the proscriptions!¹⁹⁰

Clodius Turrinus Senior (2): The fact that you granted pardon, victor, pertains to men, and they give you their thanks, for you would not have proscribed women even if you were angry.¹⁹¹

Marullus (4): Oh strange prodigy! The victor is angry and she may live; the father has been prevailed upon, and she must die.¹⁹²

Similar comments occur in the *colores* of the case.

(12): The *color* for the accuser is simple. Latro said that the father had been harsh, brutal even. It was for the good of the state that he had not been the leader of the party. . . .¹⁹³

Clodius Turrinus: *This* occurred after the war? Even after the edict? . . . Now the republic understands, *imperator*, how much it owes to you, who didn't require amends in blood.¹⁹⁴

Cornelius Hispanus, to make the same point, decides on the opposite tack, emphasizing the cruelty of the victor in exacting retribution (10.3.5):

That fortune of cruel war pervaded every order, and the punishment reached all the way down to the most lowly plebs; nothing was exempt from the wrath of the victor except women. Our wretched city was allowed to keep this ground for praise. Either the father or the victor is crazy.¹⁹⁵

Such an attitude, though unique, is not as severe as it appears. As the contemporary Valerius Maximus shows, the Romans remembered in particular

acts of cruelty to women in the civil wars.¹⁹⁶ Other orators choose anecdotes from the relatively recent civil war between Pompey and Julius Caesar to emphasize the pity and leniency felt by the winning side. Re-integrating the losers appears as a *normal* thing (*Contr.* 10.3.3).

Albucius Silus: If it was an act of parricide to have adhered to the opposite side, Cicero would have never defended Ligarius before Caesar. Marcus Tullius, you judged it a small crime indeed to which you confessed!¹⁹⁷

That is to say, Cicero himself confessed to opposing Caesar in the civil war.

The declaimers Moschus and Musa also refer to Caesar's shock and grief at seeing the head of Pompey (1, 5), Labienus to Caesar's failed clemency towards Cato (5). The great orator Passienus (4) says he would have "called the father crazy if he had *not* pleaded on behalf of the son-in-law," let alone the daughter, and that "the son-in-law followed a different party, the daughter her own."¹⁹⁸

The *colores* on behalf of the father (7–11, 13–16) betray the same attitude, and rely on the argument that he only meant to chastise his daughter, whom he intended to pardon, though Labienus, in typical fashion, has the father speak more harshly in reply to an imaginary statement (15): "But the victor was quickly won over.' No wonder: it is easier to forgive war than parricide."¹⁹⁹ On the other hand, the daughter/wife herself finds praise for her loyalty, and compassion for having to choose sides, likened to the *vetera exempla* of wives who sacrificed themselves for the sake of their husbands (1.2.4).²⁰⁰

Yet nothing reflects the urgency to bury the hatchet for the good of the state better than two epigrams, both from very outspoken declaimers of republican sentiment. Albucius' dates from the period after Actium, because he first came to Rome to join the retinue of Plancus. He (3) refuses to cast blame: "Only the gods seemed able to judge which of the two sides was better."²⁰¹ Titus Labienus, somewhat later, exhibits a similar attitude (5): "the best defense against civil war is forgetting."²⁰² In all, however, it must be stressed that this theme, since it refers to both (1) a proscription proper, and (2) leniency on the part of the victor along with an edict of restoration (something that did not happen in the Sullan proscriptions), must have been developed from the experience of the second proscription. The inclusion of Seneca's own teacher Marullus indicates that at least some of the epigrams came at a time when the author was still a schoolboy. Given the general attitudes evident from Nepos' life of Atticus, most of which had been composed prior to March 32 BC, nothing precludes dating the epigrams to the time after the peace of Misenum (39 BC), and prior to the battle of Actium (31 BC), the aftermath of which, though marked by the signal *clementia* of the victor, did not require an edict of restoration. This means that, again, one observes underlying and spontaneous attitudes of the imperial upper class

that *preceded* the principate and inspired its ideology and symbolic imagery, one of forgiveness and reconciliation.

The declaimers also show the way in which moral sensibilities, so central to the restoration of the republic, pervaded the social and political outlook of the Roman elite.²⁰³ The triumviral political diagnosis of Sallust, explored in the second chapter, showed how civil turmoil was seen to be symptomatic of the greed of its citizens, and that this generally reflected old Greco-Roman attitudes about *concordia* and the need for courage and frugality to preserve it. The suitability of these attitudes to the times plays an important role in certain treatments which invite the deprecation of riches, especially those found in *Contr.* 2.1. Here, a poor man disinherits his only son after the latter refuses to be adopted by a rich man. The *color* for the son's defense calls for a general deprecation of riches, and some provide a tint to this that reflects an understanding of the underlying causes of *concordia* and *discordia*, even making references to the civil wars. Porcius Latro, for example, says (1): "We had more peaceful times when we were poor, and waged civil wars after the Capitol was gilded."²⁰⁴ According to Pliny (*N.H.* 33.18.57), the Capitol was gilded after the fall of Carthage, an event which Sallust canonized as the beginning of civil turmoil at Rome. An epigram of Arellius Fuscus Senior (5) exhibits similar attitudes: "Even now the people victorious over all races venerates a hut on the Capitol. They are deservedly powerful, and no one wonders why they succeed so well."²⁰⁵ This refers to the famous hut of Romulus that was "preserved" up to the time when the declamation was given. Seeing that the edifice finds frequent mention by writers of the Augustan age in particular (and never before), it must have figured prominently in the Augustan program of moral renewal, and thus the declaimers surely echo official motifs.²⁰⁶

Papirius Fabianus, declaiming in the second decade of the principate or later, provides the most vivid picture of the civil wars, though he himself would have been too young to have experienced them.²⁰⁷ The outlook offers a standard view of the causes:

Behold, often the armies of fellow citizens and relatives have drawn up in battle, ready to come to blows, and the hills on either side are filled with cavalry, and suddenly the whole area is strewn with the bodies of the slain. Then, amidst the multitude of corpses and robbers of the dead, someone may ask this question: what reason compels man to crimes against man? . . . What disease, powerful as it is, since you are of one race and one blood, or what madness drives you to shed each other's blood? . . . Was the murder of kin worth the price of banquets served to the populace and the roofs gleaming with gold? . . . Finally, what is there that riches have not corrupted?²⁰⁸

In sum, a certain moral earnestness had impressed itself upon generations succeeding the atrocity.

2. Tyranny in Declamation

The presence of these themes in Seneca's text should not, however, be pushed too far, as if declamation and ideology walked hand-in-hand. Declamation in itself naturally reflects, *from time to time*, the spirit of the age, certain cultural shifts, and the assimilation of standard themes and treatments that reflect these shifts. Most of the declamations, not just the few studied above, overtly framed by civil conflict, reflect a civilized preference for the "natural" bonds through which families and relations cohere. Time and again there appear celebrations of filial or marital piety, a deprecation of ingratitude or impudence on the part of dependents or slaves, or an appeal to their loyalty and sacrifice. Declamation is also fond of exploring the anxious relationship between wealth, status and privilege.²⁰⁹ Though these elements predominate and provide important illustrative evidence for the inculcated values upon which ancient society was based, it would be wrong to assert that they comprise a *reassertion* of their ordinary yet authoritative presence, instigated by recent events.

It went without saying that legitimate power upheld social mores. As has been shown, a major process of the transformation from republic to empire was the atrophy of republican institutions of popular sovereignty and a shift in the notion of legitimacy towards an appreciation of the defense of traditional conservative society, social and political order, and the rights of property and legality, through the *auctoritas* of an emperor expected to keep things safe and orderly. Chapter 3 showed the extent to which early imperial proscription narratives illustrate a template of indispensable values in their description of danger and social inversion. Declamations from the early imperial period also provide a similar negative template, an antitype against which the principate contrasted itself, through the deprecation of the tyrant and the sorrows he caused. Since there was a strong inclination to apply the arguments, themes and *colores* of these exercises to real-life realities of power, the activity provided autonomous yet strong proofs for the legitimacy of the princeps and the blessings of his "restoration."

The correspondence of Cicero reveals that he began declaiming on the topic of tyranny at a time when the theme was especially apt, after Julius Caesar achieved his domination of the state (*Att.* 9.4 = *SB* 173). Béranger (1932) has shown how the term "tyrant" developed from a politically neutral term until the philosophical theories of Plato made the figure unequivocally bad. This invective was imported into Roman rhetorical and political discourse, "tyrant" being a useful political catchword, along with "king" (*rex*), "kingship" (*regnum*), and the blacker terms "master" (*dominus*) and "oppression" (*dominatio*) with which to vilify one's political opponents.²¹⁰ One recalls how Augustus justified his extra-constitutional debut on behalf of the state in the first chapter of the *Res Gestae*: "At the age of nineteen . . . I gathered an army together, through which I

freed the republic, oppressed by the domination of a faction" (*a dominatione factionis*).²¹¹ He scrupulously avoided the title of *dominus*, though granted enthusiastically by the populace, as did his successor Tiberius.²¹² Augustus' contemporaries, however, were not deceived by his position, notwithstanding the traditional terms in which it was formulated. Nevertheless, this position was unequivocal but not unilateral; he respected the notion of reciprocity both in behavior and beneficence.²¹³ Thus, of course, every emperor did all he could to portray his power as untyrannical.²¹⁴ For many Romans, autocracy—provided it acted responsibly, responded to the *consensus* of its subjects and upheld the *mos maiorum*—was tolerable, and had the sanction of philosophical theory with its notion of the "good king."²¹⁵ Yet despite the evidence from poetry and philosophy (which tends to call a spade a spade) the evidence from declamation casts a very different slant, and one much more in tune with the republican context of imperial ideology.

The declaimers practiced on the topic of tyranny *ad nauseam* (Petr. *Sat.* 1.1).²¹⁶ Scope does not allow an exhaustive account of the interface between the rhetorical discourse surrounding the tyrant and imperial ideology. It is enough for now to show that such an interface existed in fact, namely that imperial "propaganda" (from various sources) responded to confirm eagerly and convincingly that the *principate* was not the tyrannical government characteristic of declamation.

Here, the antitype of the tyrant is *not* a good king (who does not exist in declamation at all), but rather the *vir fortis* who puts an end to tyranny and restores the republic. As a former tyrant who resigned his power says in the "Lesser Declamations" ascribed to Quintilian, "I restored the *res publica* to the laws and power of the people"—language that mirrors Augustus' statement at the end of the *Res Gestae*.²¹⁷ In declamation, *any* autocrat is *ipso facto* a tyrant—and the point of reference is invariably the republic with all of its old elements and institutions.²¹⁸ This is extremely important because it shows the unequivocal force of republican tradition in educational practices through which imperial Romans formulated notions of legitimate political power.²¹⁹

The traits of the tyrant in Roman declamation can be amalgamated from the various treatments of and assumptions made about him by the declaimers. He seizes power by force, strips the *res publica* of its *libertas*, and enslaves it. He does away with the magistracies, subverts the *leges*, *ius*, and customs of society, especially the norms governing social hierarchy—for example by ordering sons to kill or beat their fathers, or by inviting slaves to kill their masters and violate their mistresses. Rather than ruling by *consensus*, his subjects fear him, and he is suspicious of them—he rules apart from society, in isolation, hidden away in his citadel. When he takes power he violates temples and confiscates property; the rich and the *principes civitatis* flee. He is cruel, greedy, lustful, impious and lacks all moderation and—as a declaimer says against a rich man accused of

attempted tyranny: “To the wicked-minded and those seeking more than what a citizen can, to not be a despot is the equivalent of slavery.”²²⁰

One could demonstrate point by point the way in which depictions of the triumviral period mirror these declamatory elements and how Augustus anxiously and credibly portrayed himself as the opposite of the tyrant—everything from the rebuilding of temples, to the restoration of the republic, to his own moderate behavior all duly recorded in the *Res Gestae*. But to narrow the focus a bit to something particularly illuminating (and within our scope), *Controversia* 2.5 provides an excellent opportunity to associate common attitudes about tyranny prevalent in the declamations with more diverse imperial sources relating directly to the principate. In this scenario, a tyrant tortures a wife to try and get her to betray her husband’s complicity in a plot. The wife remains steadfast, and the husband kills the tyrant. He divorces her on the grounds of barrenness for five years, and she sues him on grounds of ingratitude.

Some of the declaimers use the *color* that the woman cannot be held accountable for her barrenness during the tyranny, because no one wanted to bring children into the world at such a time:

Porcius Latro (1): The wife pressed her husband daily, and demanded the tyrant be slain: “It is time, mount the citadel, if for no other reason, so that you may have children. I won’t give birth during a tyranny. Do you marvel, if at that time [. . .] a matron could not. . . .”²²¹

Similarly, Latro says in the *divisio* (14):

Do you ask why she did not give birth? There was a tyrant; there was no one who did not complain to his parents that he had been born.²²²

Cestius Pius (2–3): Suddenly the tyrant oppressed the unlucky nuptials: matrons were roughly handled, maidens were raped; nothing was safe. No women seemed luckier at that time than those who had not born children. Consequently, some aborted the children they had conceived, others delayed their own fertility. As far as this woman is concerned, let her thank her own good fortune, that she did not give birth at that time. . . . Would anyone wonder, even if she were not being tortured, that she did not give birth when the husband was considering tyrannicide. . . . He married her for the purpose of children, but the tyrant quickly suppressed the unlucky nuptials . . . How many mothers did I hear say at that time: “what was I thinking in bearing children?”²²³

Arellius Fuscus (4): Still the tyrant raged. Wives were being tortured while their husbands watched. Mothers regretted their own fertility.²²⁴

In the *divisio*, Seneca writes (13):

Blandus . . . raised the question whether the five years' barrenness should be calculated with the time of the tyranny excepted. That time, in which even mothers railed at the births they brought forth, shouldn't be entered into the account as if she were sterile. The five years should be reckoned for women at a time when they give birth for the *res publica*, not for a tyrant.²²⁵

It is striking to find this notion clearly implied in the so-called *Laudatio Turiae*. The end of the civil wars *and* the restoration of the republic are depicted as ideal times for children (II.25–27):

When the entire world was at peace, and the republic restored, we consequently fell upon settled and happy times. We hoped for children, which fate had begrudged us for some time.²²⁶

The couple was frustrated in the attempt, but it is clear that, like Blandus, they started counting from the time when the birthing of children was desirable (II.28–33):

But fortune, moving in a different direction, was putting an end to our hopes. . . . You, despairing in your fertility and grieving in my childlessness, lest, by staying married to you I abandon my hope of having children and be unhappy for that reason, spoke of a divorce. . . .²²⁷

Thus, a real life situation in a private inscription confirms what became a standard panegyric *topos*.²²⁸ The couple really was eager for better times to have children, and the fact that they awaited the restoration of the republic means that the end of civil war alone was not enough to warrant childbearing. Moreover, the *controversia* places the husband on trial for ingratitude. The inscription, on the other hand, continues to relate the deceased woman's loyal plan to find another, more fertile wife for her husband. He recoils at the ingratitude this implies in himself (II.42–3): “. . . to think that you could conceive in your mind a reason why you would cease to be my wife while I was alive, although *you* had remained utterly loyal to me when I was an exile and practically dead.”²²⁹ He considers such an act tantamount to breaking his faith with her (*fidem exuerem*), a shameful deed to a Roman. Valerius Maximus, Seneca's contemporary, recounts the first divorce *sterilitatis causa* in one of his *exempla* on ancient institutions, which, according to him, occurred 520 years after the founding of the city, and asserts that, though people thought there was reason to the man's behavior, “he did not lack blame, because they [= our ancestors] thought that not even the desire to have children should be placed before the faith (*fides*) of a married couple” (2.1.4).²³⁰ Thus, this declamation drove straight to the heart of living attitudes seen to correspond to a substantiated consciousness of the *mos maiorum*.

Though the philosophical *auctor* of the stereotypical tyrant, Plato, does not speak of a decline in population under tyranny because women thwart their own fertility, he does assert that “it is clear to everyone that no polity is more wretched than that ruled by a tyrant, none more happy than that ruled by the good king.”²³¹ Depictions of this wretchedness prompt some interesting formulations. Latro’s *color* in his *divisio*, that under the tyrant “there was no one who did not complain to his parents that he had been born,” seems to find a specific response in an inscription from the Greek East (*EJ* 98), recounting the adoption of the birthday of Augustus as the beginning of the calendrical year by the cities of Asia. The proposer of the measure was the proconsul of Asia, Paullus Fabius Maximus (*cos. ord.* 11 BC), who shows up expounding a case (*Contr.* 2.4.11–12) one declamation prior to the present. This proximity heightens the likelihood that he had heard Latro’s epigram, or one like it (good epigrams traveled quickly), and recycled it at the end of the long paragraph presenting his reasons for his proposal (ll. 4–11):

[. . .] whether the birthday of the most godlike Caesar is more pleasing or more useful, which we would justly accept as equivalent to the beginning of all things, if not by the nature of the day itself, at least by its usefulness, if in fact it set aright nothing that was not crumbling to ruin and had altered to the less fortunate, and gave to the whole universe a brand new look, and which otherwise would have been likely to have received its destruction, if Caesar had not been born as the common stroke of good fortune for all things. For this reason, one would justly assume that this is the beginning of life and existence for anyone, *i.e. that which is the limit and end of regretting that one has been born.*²³²

The *consensus* of the provincials is not necessarily exaggerated (Suet. *Aug.* 98.2). Augustus’ avowed purpose, too, was to “strive in every way to make no one regret the new arrangement.”²³³

To return to the notion of population increase, Cicero had already suggested this as one of Julius Caesar’s tasks as the victor (*Marc.* 23), and Augustus himself advertised the fertility and abundance of his *principate* zealously, incorporating the notion into state ritual and iconography,²³⁴ and taking active measures to increase the number of citizens and members of the ruling class.²³⁵ The various laws promoting chaste married life and the raising of children may have failed, and no autocrat would have been pleased to find coins circulating that associated his reign with death and desolation, or showed him trampling the *res publica* instead of helping her to her feet.²³⁶ But if the general prosperity of the post-civil war period, aided by the glut of money from the looting of Egyptian treasures, was not enough,²³⁷ census numbers, scrupulously recorded, could provide indisputable proof (*RG* 8):

In my sixth consulship I conducted a census with M. Agrippa as colleague. I performed the *lustrum* after an interval of 41 years. In that *lustrum*, the number of Roman citizens assessed was 4,006,300. Then, a second time, by consular *imperium* I performed the *lustrum* alone, in the consulship of C. Censorinus and C. Asinius, and in this *lustrum* 4,233,000 Roman citizens were assessed. And a third time, by consular *imperium* I performed the *lustrum* with my son Tiberius as colleague, when Sex. Pompey and Sex. Appuleius were consuls, and in this *lustrum*, 4,937,000 Roman citizens were assessed.²³⁸

The first census took place in 28 BC, the second in 10–8 BC, and the third in 14 AD. Thus, the evidence records a net growth of nearly 25% over 42 years of Augustus' rule. Scholarly opinion varies between whether this increase was due to Augustus' marriage legislation of 18 BC, or through the extension of the franchise,²³⁹ though it matters less what the demographic reality was than the reasons for the phenomenon that would have occurred to the reader and the associations the author intended to make. It is hard to believe that Augustus would have recorded a net decline.

If, as Béranger asserts, the mark of the tyrant was his cruelty, his lust for power, his slavery to the passions and his injustice, these attributes qualify the civil wars and the memory of the triumvirate as well. In Valerius Maximus' chapter *de Crudelitate*, it is noteworthy that all of the domestic *exempla* concern proscription and civil war, and in the foreign *exempla*, the author foregrounds acts of tyranny.²⁴⁰ Without a doubt the only entity that could tear at the familial and social fabric of Roman society to the degree that the proscriptions had was the tyrant, who tried to turn wife against husband, made father beat son (*Contr.* 9.4), and allowed slaves to kill their masters and rape their mistresses (V. Max. 7.6, cf. 5.ext.8). Such thinking reflects a common dialogue of legitimacy and power, sharpened by experiencing the caprice of powerful individuals detached from traditional notions of responsibility and accountability. They demonstrate the degree to which the system and the *princeps* responded to organic developments in cultural practice, which in turn formulated an autonomous blueprint for the legitimate interaction of government and individual, subject and ruler. The relationship between the treatment of themes and the contemporary political situation was intense, pointed and as real as the intercourse between actor, audience and political figures at the theatre. Speech was, for the most part, free. Though the likes of the republican-minded Labienus and Cassius Severus suffered for their outspokenness later in the reign of Augustus, Seneca himself clearly asserts that Labienus' attitude was inappropriate to the times and not conducive to peace.²⁴¹ The burning of books was a different matter and altogether unforgivable (*Contr.* 10.pr.5–8), but this development came late, and Augustus was otherwise known for tolerating all kinds of verbal abuse (Suet. *Aug.* 51). Under Caligula and Domitian, by contrast, people were banished or killed for merely declaiming about tyrants.²⁴²

6 “Presenting” the Past

Valerius Maximus and Imperial *Consensus*

. . . the obstinate fidelity to a past conceived as a timeless model, rather than a stage in the historical process, betrays no moral or intellectual deficiency whatsoever. It expresses a consciously or unconsciously adopted attitude, the systematic nature of which is attested all over the world by that endlessly repeated justification of every technique, rule and custom in the single argument: the ancestors taught it to us. As for us in other domains until recently, antiquity and continuance are the foundations of legitimacy. But the antiquity is conceived as absolute. . . . Mythical history thus presents the paradox of being both disjoined from and conjoined with the present. It is disjoined from it because the original ancestors were of a nature different from contemporary men: they were creators and these are imitators. It is conjoined with it because nothing has been going on since the appearance of these ancestors except events whose recurrence periodically effaces their particularity.

Claude Lévi-Strauss. *The Savage Mind*, 236.

This statement from a founder of modern anthropology arises from generalizations about Australian aborigines. It may, however, also characterize the Roman standpoint, perhaps more so than the rest of the peoples of the Mediterranean basin. It is true that the Romans learned historiography from the Greeks, and initially practiced it in their tongue. Yet apart from this genre, which reported events ordered diachronically, the Romans had an indigenous sense of the past *in* the present: the *mos maiorum*, or “the ways and behavior of our ancestors.” A Romanized Oscan named Ennius proudly announced this a-temporality as characteristic of his foster community, in a “nationalistic” work written in the first quarter of the second century BC: “Rome stands by means of its ancient customs and men.”¹

This sense of the past pressurized the present in several ways. Ennius’ formula implies the duty to uphold ancient customs that allow Rome to succeed as a community. This “past” dominated virtually every aspect of behavior and procedure in the public and private realm: the practice of

politics, religion, education, etc. Nothing could be allowed to occur contrary to the customs of the ancestors, whereas the demonstration that a practice accorded with them was virtually a justification in itself.²

This self-conscious relationship that every Roman had to his heritage was mediated by the historical *exemplum*, which roughly translates into English as “example.”³ The *exemplum* was a notable deed, statement or way of acting on the part of an individual or group, the memory of which had been preserved, which could be recalled and used to inform, justify or prescribe some action or point of view vis-à-vis the present. The etymology of the word itself designates something set apart from a greater whole.⁴ The selection creates something discrete out of what was or could be connected to events prior and subsequent to the moment in question, and creates further isolation by foregrounding a *particular* arrangement, practice, or quality from the plurality of attributes and moments that constitute the identity of an individual or collective.⁵

Apart from the “precedents” which governed the permissibility of political or other arrangements, however, the past weighed on the present in another way as well. *Exempla* transmitted the behaviors and exploits of individuals from bygone days, through the emulation of which one learned how to act in the present. Conduct and manners were learned by imitating one’s father or *exemplar*, but the standards were those of the forefathers, and one followed these *exempla virtutis* with the aim of demonstrating such *virtus* oneself. A Roman was pressured to both know and live up to ancestral standards, especially if his ancestors were famous.⁶

This chapter explores the manner in which these two powerful and abiding aspects of Roman culture helped determine the form and function of the principate, and more specifically how they allow one to better understand and exploit the invaluable storehouse of *exempla* compiled in the early imperial period, the *Facta et Dicta Memorabilia* of the Tiberian author Valerius Maximus.

A. MOS MAIORUM, EXEMPLA AND THE EARLY PRINCIPATE

Augustus had a wonderful tool at his disposal: cultural attitudes would not tolerate a system that lacked continuity between the past and the present, and his regime could garner considerable *auctoritas* by committing itself to preserving that continuity.⁷ In this regard, two things are especially significant. First, that the past, to the average Roman, was clearer, more “present” perhaps, than it had been earlier, on account of the activities of scholars of the late republic and the authoritative narrative of Livy, stretching back from the origins of the city to the middle of the Augustan period. Second, these authors, through the more or less inadvertent fact that any representation of the past (especially one integral to the creation of cultural consciousness and identity) is inevitably conditioned by the present, produced representations

of that past that informed the imperial system, allowing it to “reproduce” the past in a politically expedient way.⁸ Moreover, the newly emphasized religious rituals of the state purported to revive archaic custom. Octavian, for example, inaugurated the final conflict against Antonius by reviving (or inventing) the ancient fetial ceremony for declaring war at the temple of Bellona.⁹ Augustus writes, with explicit reference to the *maiores*, that rituals such as the several closings (and implied *re-openings*) of the temple of Janus took place in his principate for the first time in a long while,¹⁰ and that he passed new laws precisely in order to preserve ancestral *exempla* from fading away (RG 8).¹¹ At the same time, he claims to have accepted no magistracy *contra morem maiorum* (RG 6). The force of this *mos* is also reflected in a contemporary decree of the *Quindecimviri* prohibiting the excessive grief of matrons during the *ludi saeculares*: “since through custom (*more*) both good and famous for its many examples (*frequentibus exemplis*), it was pleasing that the grief of matrons diminish . . . we have decided through an edict of our office to order women to lessen their grief.”¹²

Suetonius writes that the *princeps* also “showed honor to the memory of the leaders who raised the Roman state from obscurity to greatness,” by restoring the buildings they had built while retaining their dedicatory inscriptions.¹³ Moreover, he included these men in the pictorial program of the *Forum Augustum*, lining the *exedrae* with their statues along with brief *elogia* recalling their deeds and careers, and stressed the purpose of the whole complex by an edict: “he said that he fabricated it with the intention that he, while he lived, and the *principes* of the following ages, be held to account by the standards of their lives, just as if *they* were the model (*exemplar*).”¹⁴ Thus, the *Forum* as a whole, which became the standard model for other forums outside of Rome, and which mirrored the alterations to traditional funerary displays for important members of the imperial family (and Augustus himself),¹⁵ explicitly asserted a program of commensurability of the present with the past, which, for the sake of credibility, invited a comparison of the two. Yet the comparison was also self-justifying: the emperor could tweak the *exempla* to promote his policy, and his own *elogium*, the lengthy *Res Gestae*, deliberately surpassed those of the *summi viri*, just as the triumphal chariot positioned in the center of the *Forum* itself outshined their statues.¹⁶

This self-authored program exploited recent literary-cultural trends whereby short biographies of prominent individuals, both Roman and foreign, were collected and published, some along with an image of the character in question. The discrete portraits acted as unifying “pegs” for individual virtues and vices to coexist in a concrete totality (an effect enhanced by the image).¹⁷ At the same time, literary and rhetorical trends “fixed” the value and meaning of *exempla* that had previously been more fluid.¹⁸

At Rome . . . there was, it appears, an epoch in which the Romans looked with more interest to set in place great series of important personalities

whose portraits they established or compared to each other. This was the period of the last decades of the republic and the beginning of the empire, as if, at this very moment more than any other, they felt the need to mark the limits of civic conduct, to define a code which, being imposed on everyone forever, would establish, through the regulation of behavior, the equilibrium of a city which civil war menaced with destruction.¹⁹

The Romans of the Augustan age, therefore, if they were not living in the same community their forefathers did, still lived in a very “ancestral” atmosphere.

Moreover, Augustus culled *exempla* from history to use as a tool of policy and persuasion. Suetonius writes (*Aug.* 89.2):

In reading the authors of both tongues he looked for nothing so carefully as the precepts (*praecepta*) and examples (*exempla*) wholesome for the public or individuals, and generally sent the selections excerpted *verbatim* to the members of his household, to the commanders of armies and provinces, or the magistrates of Rome, whenever any one of them required admonition. He even read whole books to the senate and often made the people familiar with them by edict, like the orations of Q. Metellus “On the Increase of the Family,” and those of Rutilius “On the Height of Buildings,” in order to persuade people that he was not the first one to pay attention to both things, but that they were also an object of concern to the forefathers.²⁰

The *auctoritas* of the *princeps*, however, not only required a command of the *exempla* of Roman history; it also required making an *exemplum* of himself and the imperial *domus*. The senatorial decree granting the *clipeus virtutis* implies that the recipient himself was an *exemplum virtutis*.²¹ Augustus writes (*RG* 8) that “I myself handed down *exempla* of many things for imitation,” by which could be understood either the activity related by Suetonius (of excerpting), or the meaning understood by the Greek translator, that Augustus provided himself as a model for imitation.²² Ovid also informs his reader through the prophecy of Jupiter that the *princeps* “shall rule behavior with his own example.”²³ Later in the *Fasti* he gives a concrete instance, when he tells of how the *princeps* destroyed the luxurious mansion of Vedius Pollio to create the *Porticus Liviae* (6.643–48): “it was leveled to the ground, not because of a charge of treason, but because it seemed to cause harm by its extravagance . . . *this* is the way to discharge a censorship, and *this* is how examples (*exempla*) are set, when the upholder of the law himself does what he admonishes others to do.”²⁴ In addition, when the knights protested the marriage legislation of Augustus, he exhibited the six children of Germanicus “and indicated by expression and gesture that they should not feel burdened to imitate the example (*exemplum*) of the young man.”²⁵ As for Livia, the wife of Augustus, an anonymous poet of the period, commemorating the death of Drusus, admonishes her:

Fortune exalted you and bade you guard the honored spot. Bear the burden Livia! You draw all eyes and ears to yourself, we observe all your deeds, and no word, once it leaves the mouth of a princess (*principis*), can be concealed. Remain lofty, and rise above your grief. Shall we not better seek examples of virtues (*virtutum exempla*) through you than if you performed the business of a Roman princess?²⁶

This behavioral aspect of leadership owed by the ruling house (extending even to the whole ruling class) had already found clear articulation in Cicero, and continued for many centuries.²⁷ Velleius Paterculus (2.126.4) claims that justice, morality and—as the passage implies—the lack of oppression depends on Tiberius’ example: “for the best of emperors teaches his citizens to do right by doing it himself, and though his power is the greatest, he is even greater by his example.”²⁸ Suetonius (*Tib.* 34) records a concrete instance of this: his ostentatious thrift at banquets “in order that he might promote the frugality of the public through his example.”²⁹ The *Tabula Siarensis*, moreover, recording the funeral honors for Germanicus Caesar, also states that Tiberius’ funeral oration was to be inscribed and disseminated,

because the inmost mind of Tiberius Caesar Augustus contained not so much a *laudatio* of his son Germanicus Caesar as the succession of his whole life and a true testimonial of his *virtus*, to be handed down to eternal remembrance, and Tiberius himself attested in the same document that he did not want to disguise the truth, and judged it useful for the youth, viz. the children and future generations.³⁰

The crucial importance of ruling by example continues to find strong resonances in the panegyric of Pliny, and, at a much later period, those of Claudian.³¹

The activity of culling *exempla* from history and imitating them was a constant feature of intellectual life as well, born of the older activity of contemplating the deeds of one’s family ancestors. Seneca the Elder reports an exercise in which Gavius Silo declaims the part of a son who will not yield to his father in a point of honor: “You were accustomed, father, to narrate the *exempla* of famous men, and some even came from the family records. You would say: ‘you had a brave grandfather; see that you are braver.’”³²

Likewise, Cicero says (*Arch.* 6.14):

all literature . . . all of antiquity is filled with *exempla* . . . how many images (*imagines*) of the most valorous men have both Greek and Latin authors left expressed for us, not only to contemplate but even to imitate. Placing them before myself in the management of the republic I used to train my soul and my mind just by thinking of the most outstanding men.³³

Claudian (10.230–33), again, reports the same phenomenon continuing in the late empire, as Stilicho’s daughter studied under the direction of her mother.

This method of civic education was also a means of self-definition, since the Romans viewed it as superior to Greek instruction (based on the use of precept) in both technique and content. They preferred to teach by concrete *exemplum* because of its immediate and potent effect.³⁴ The imitation of a real person was a distinctly Roman practice,³⁵ but this and the transmission of a Roman tradition through practical demonstration coalesced. The well known passage from Horace (*Sat.* 1.4.105–121) comes to mind, where the author narrates how his father instructs his son by pointing out *exempla* from other people’s lives. The father distinguishes between Greek philosophy and Roman practicality:

The sage (*sapiens*) is better at rendering reasons to pursue one thing and avoid another. It is enough for me if I can preserve the customs handed down from our ancestors (*ab antiquis*), and preserve your life and reputation free from damage.³⁶

The fact that Horace’s father, a former slave who, if he was not in fact house-born, may have been harshly dislocated from his area of origin, speaks of handing down the *mos ab antiquis*, is highly significant. The *exemplum* was a mechanism of cultural assimilation. Horace himself was from Venusia in Italy, and his poetry reflected the unification of the peninsula and the self-identification of those peoples with Rome and her traditions. Notwithstanding, many Americans will know from their own genealogies that a family can experience an entire reorientation of cultural ancestry within a generation or two. Thus, aristocratic ideology was adopted by members of the non-aristocratic class while the notion was articulated that merit and not aristocratic birth alone deserved political honor; this change corresponded to the rise of the *homo novus* to full political incorporation under the early empire.³⁷

Romans of this time also viewed the *exempla* of their own history as superior.³⁸ Livy (*pr.*10) asserts this in his preface:

This is especially advantageous and profitable in getting acquainted with facts, i.e. for you to behold the lessons (*documenta*) of every *exemplum*, placed in an illustrious monument. From this you can select what you and your state should imitate, and from this you can select what things, shameful in conception and outcome, you should avoid. In other respects, either my affection for the work I have undertaken deceives me, or no other state was ever greater or more morally pure or more rich in good examples than our own, nor did luxury and avarice enter into a community so late, nor was there a place where poverty and thrift were honored so much and for so long.³⁹

Quintilian, writing a century or so later, concurs. After remarking on the educational usefulness of (Greek) philosophical doctrine, he writes (*Inst.* 12.2.29–30):

But it is not only proper to know and always work through in the mind the things which are contained in such studies, but even more those things said and done eminently (*dicta ac facta praeclare*) which were handed down from ancient times. These things can nowhere be found greater or more numerous than in the monuments of our state. Surely other peoples will not teach us fortitude, justice, good faith, self-control, frugality and contempt of pain and death better than the Fabricii, Curii, Reguli, Decii, Mucii and other countless men? For, as much as the Greeks prevail in precepts, the Romans prevail in something greater: *exempla*.⁴⁰

Finally, the purpose of public life was to become an *exemplum* oneself. Tacitus writes of his father-in-law Agricola (*Ag.* 8.2), that after Petilius Cerialis became the governor of Britain, “his virtues had ample scope for display.”⁴¹ Preferably, one’s deeds would mirror those of Rome’s early days, as Velleius Paterculus writes of Domitius Calvinus, who “was the author of a very strict deed *comparable to those of old*: indeed he had a centurion of the first rank named Vibillius beaten to death for cowardly flight from the line of battle.”⁴² In the end, however, such displays were not restricted to the elite Roman male. Tacitus, writing in the early second century AD, says of the tumultuous events of 69 (*Hist.* 1.3.1):

The age was not so barren of virtues that it did not produce noble examples (*bona exempla*). Mothers accompanied their children in flight, wives followed their husbands into exile: relatives showed daring, sons-in-law were resolute, slaves were defiant even against torture. Distinguished men met their end bravely, and their demises were equal to the commended deaths of the men of old.⁴³

Tacitus seems to have in mind stories of the kind told in the proscription narratives. Like Livy, he viewed presenting *exempla* as an essential component of his historical task.⁴⁴

Thus, *exempla* permeated and informed every significant aspect of Roman society, to the extent that participating in this society required an intimate familiarity with these building blocks of behavior and judgment. True to its origins in the economic sphere, as a “sample” of goods or a “pattern” of wares, *exempla* reflect something tangible and deictic.⁴⁵ The Roman inclination for them denotes a communicative preference, that of the demonstrative and intuitive over the discursive and ratiocinative,⁴⁶ rooted in a cultural predilection deliberately opposed to the inclinations of Greek instruction.

B. VALERIUS MAXIMUS AND THE ELEMENTS OF EARLY IMPERIAL ROMAN IDENTITY

To the Roman, *exempla* embodied the elements of religious, political and social *consensus*. Key to such a *consensus* was the notion that these *exempla* actually took place in the past, at a certain time, in a certain context and with a certain outcome.⁴⁷ This, in turn, reflects a certain awareness of a historical reality independent of particular *exempla*, without which they could not exist. Knowledge of history was necessary if one were to promote or counteract the use of a particular *exemplum*, by either contesting its legitimacy or its commensurability to the present situation, arrangement, argument, legal case, etc. This required a command over both rhetoric and history, both in terms of actual mastery and the general “recognition” that one possessed such mastery.⁴⁸

The political unification engendered by the principate, moreover, instigated historical and cultural unification through the promotion (and eager acceptance) of works encapsulating the character of a unified and expanding nation. The standardization of the historical record in the late republic, and especially in the early empire by Livy, and the application of Roman *exempla* to explain many facets of life by Cicero, provided, as it were, a standard totality of *exempla* embedded in the quasi-mythical philosophical and historical universe.⁴⁹ The totality of *exempla* had virtually solidified with the Augustan principate. Yet becoming familiar with such instances—necessary for participation in elite society—must have been very daunting, as there were 120 books of Livy published sometime around AD 10 (to say nothing of 22 more to come after 14), and there was tome upon tome of Cicero. Even with a familiarity with all of this material, real command of the *exempla* must have been difficult for all but the learned antiquarian. There were no indices. Moreover, if Livy purported to instruct Romans on proper behavior by presenting *exempla* in the narrative of Roman history, then, given the Roman penchant for using the *exemplum* to isolate the relevant action or quality (*fides*, *fortitudo*, *avaritia*, etc.) embodied in the unified instance and personality, the notion of collecting and arranging *exempla* makes sense for a number of reasons: e.g. ease of access, for use in rhetorical discourse or argument, or perhaps as a compressed pedagogical tool. By the end of the Augustan period, the entire Italian peninsula had come to identify itself as Roman, and elites across the empire were looking to join the club too, yet there was no handbook available.

Valerius Maximus fills this need, providing a compilation of historical *exempla* covering virtually every aspect of Roman life. He falls neatly into this historico-cultural trend, as his preface shows:

Both the deeds and words of the city of Rome and the external nations worthy of remembrance, being too widely scattered among the sources

for them to be understood with brevity, I have decided to set in order, after selecting them from illustrious authors, so that those who want to take lessons are spared the toil of a long search. Nor has the desire of comprising everything come upon me. For who could embrace the deeds of all time in a reasonable number of books, or who in his right mind could hope to transmit the series of foreign and domestic history established by the successful pen of our predecessors with more attentive care or more outstanding eloquence?⁵⁰

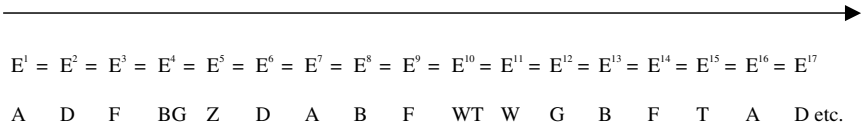
Valerius is very unpretentious. Like his contemporary Velleius Paterculus, who appreciates many of the same incidents in Roman history, he adapts to the possibilities of the contemporary literary field.⁵¹ Both authors express a need for brevity, but Valerius expressly denies the possibility of the brevity Velleius chooses: to comprehend the totality of history in a few volumes. On the other hand, he asserts the existence of a universal aggregate of *exempla* that someone might want to know, and that certain authors have canonized (*conditam*) them through their superior accuracy and presentation. They have already written the totality (*cuncta*), and he cannot do better what has already been done best. Moreover, though the *exempla* are widely diffused over many authors, he will select them only from the eminent ones, which again refers to canonical authority.

The work is purposeful. The title, present in the first preface, anticipates Quintilian (*Inst.* 12.2.29) in promoting the educational activity both Roman and superior: meditation on the *facta et dicta praeclara*. This is confirmed by the word *documenta*, practically interchangeable with *exempla*.⁵² Valerius modestly asserts that his only contribution will be an arrangement. He will set in order (*digerere*) what has already been handed down in a chronological series (*series*).

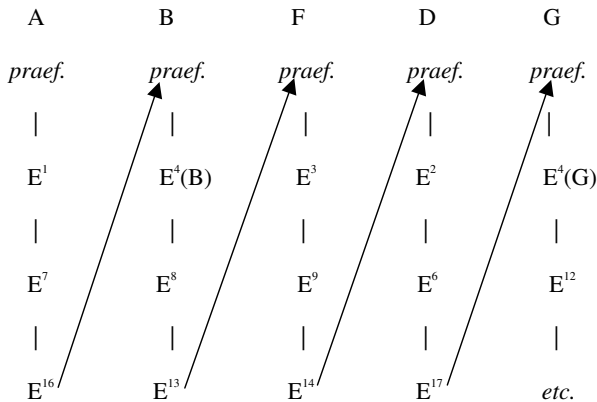
The *form* of Valerius' work, therefore, logically emerges in the first paragraph, once one understands the qualities of the *exempla* he provides, determined by their cultural characteristics and the logic of their use in communication. There were compilations of *exempla* in both Greek and Latin before Valerius, but the principle of selection (from canonical authors) and organization (under a set of relevant and discrete themes exhaustive in its totality) may comprise his own contribution to literary history.⁵³ One should not be disappointed to find that the work as a whole contains anything other than what he says it will. The point may be seen clearly through the use of diagrams.

One of Valerius' primary sources, Livy, claims to provide "instances of every *exemplum*" in his history (*praef.* 10: *omnis . . . exempli documenta*). In the diagram below, the letter E stands for a particular event, occurrence or episode in the history. The capital letters underneath stand for instances of particular types of *exempla* (e.g. *fides*, *fortitudo*, *pietas*) within the context of the event. I choose them at random and they have

no concrete correspondences to real *exempla* observed in Livy’s text. The double line represents the fact that the instances or events (E) are tied to a particular context, a course of events related causally and chronologically. The narrative “progresses” from left to right: *exempla* on the left occur earlier—in narrative and chronology—than those on the right (hence the numbers at the upper right of each “event” E). The *exempla*, represented by the capital letters, occur periodically and at random, and sometimes the same event might provide two *exempla* when seen from different perspectives (hence E⁴ and E¹⁰).



Valerius, on the other hand, offers instances in categories, that is to say the concepts which classify and give meaning to the *exemplum*, and which, in turn are given a concrete reality by the *exemplum* itself. The chronology and logical connection between events is broken. Instead of the *exemplum* being subordinated to the narrative which, in a historically ordered sequence can exist independently of the *exemplum*, events become fully subordinated as instances of the concept, and are ordered in discrete units one after the other in a relationship that is not structured causally or temporally in the presentation.⁵⁴ If there ever *is* a link between events (or chapters) expressed, it is one of an association formed in Valerius’ own mind through his concatenation of ideas, or a loose schema of categories informally (perhaps unconsciously) adopted from another source.⁵⁵ Thus, the structure of his work transforms the narrative represented by the previous figure into something (roughly) as follows:



Here, the capital letters represent the chapter headings, which are concepts, ideas or virtues, e.g. “Ancient Customs” (2.1–6), *Patientia* (3.3), *Fortitudo* (3.2), just as they represented particular *exempla* in the previous diagram. *Praef.* represents a preface which usually introduces the particular *exempla* by explaining the relevancy of the concept but hardly ever explaining what it is. The letter “E” is the generic symbol for particular events within which (according to Valerius) the instances occur, and which Valerius generally depletes or “strips” of the full narrative content within which they had formerly existed, and reworks to foreground the *exemplum*. The lines and arrows reflect the flow of narrative which, within the chapter *only* is generally (but not necessarily) chronological.⁵⁶ The author also ranks the *exempla* from time to time to gauge their worth as instances of the category in question, with a tendency to place the consummate ones at the end of the chapter.⁵⁷ E⁴ in the diagram of the Livian narrative and in Valerius signifies an event (or milieu of events) which sometimes occurs in two of Valerius’ categories. In these cases he gears the text towards that particular *exemplum* apropos to the chapter.⁵⁸

The diagrams only roughly illustrate basic compositional structures and do not entirely explain Valerius’ method. Many *exempla* come from Cicero, who, of course, is not writing a historical narrative like Livy. They nevertheless still derive from a place and a time in history. The author, too, divides most chapters into two sections: the first dealing with domestic, the second with foreign *exempla*. But the point is that Valerius takes elements that have their origin in a history or philosophical/oratorical argument, strips them of their narrative context, and re-constitutes them as elements which are *still* (of course) written within language, yet designed to communicate more intuitively, creating (paradoxically) a less discursive text consisting of discrete but similar, yet otherwise unconnected elements. He creates a synchronous totality from a diachronous totality by compressing in the same chapter similar *exempla* from different periods, and by composing chapters that have no temporal relationship to each other. This results simply from the nature of Valerius’ task and the nature of the *exemplum* itself. This temporal unification of the total past heightens its significance as a touchstone for Valerius’ present, because the pedigree of each virtue, from the beginning through to the late republic, is immediately comprehensible through repetition.

In the second paragraph of his preface, Valerius heightens the relevance of his activity by associating it with the imperial program and its moral purpose (1.*praef.*):

And so I summon you to this undertaking, Caesar, most certain safety of the fatherland in whose power the *consensus* of men and gods desired the rule of land and sea to be, and by whose heavenly providence the virtues, about which I am going to speak, are most kindly fostered, and the vices most strictly punished: for if the orators of old rightly began from

Jupiter Optimus Maximus, if the most excellent bards drew their beginnings from some deity, my insignificance shall all the more justly betake itself to your favor, in that the other divinities are inferred by opinion, whereas yours appears, through certainty based on presence, equal to your fatherly and grandfatherly stars, whose outstanding brilliance has added much glorious distinction to our religious rites: for the other gods we have received, but we have bestowed the Caesars.⁵⁹

Consensus and morality inform Valerius’ work, since the *consensus* of the imperial system depends upon Tiberius being the primary moral exemplar whose manifest effectiveness (*praesenti fide*) renders him similar to his deified predecessors. Since the position of the *princeps*, his *domus* and the ruling class was made legitimate and intelligible through *exempla* of the virtues and the *mos maiorum*, Valerius will provide the raw materials, the bits and pieces of *consensus* out of which a system based on *consensus* can be both constructed and refitted with potent flexibility. The question to ask now—and the difficulties modern scholarship faces in dealing with this author reflect a failure to ask it—is what can Valerius tell us about imperial *consensus*?

Elevating lists of *exempla* to the status of literature (with some attempt to keep the reader moving through connective phrases) creates a disjointed narrative of elements, each of which relate more to their conceptual category than to other members of that category; rather, they relate to each other only through that category, because each has a different narrative origin both chronologically and circumstantially. In this sense, Valerius, working in the realm of mythico-historical thought, acts much like the “bricoleur,” whom Lévi-Strauss used as a model to explain the operation of mythical thought proper.⁶⁰ Like the “bricoleur,” Valerius expresses himself “by means of a heterogeneous repertoire which, even if extensive, is nevertheless limited.” He “has to use this repertoire . . . because [he] has nothing else at his disposal.” The assortment of “tools and materials” is derived from “the remains of previous constructions or deconstructions,” that is to say previous narratives and arguments, and “is to be defined only by its potential use or . . . because the elements are collected or retained on the principle that they may ‘always come in handy.’” The bricoleur, too, operates with signs; they “resemble images in being concrete entities but they resemble concepts in their power of reference.” Similarly, the *exemplum*, which acts as a “link between images and concepts,”⁶¹ foregrounds the concrete action with immediacy (like an image) in order to demonstrate the concept. Additionally, when Valerius sets about demonstrating a virtue or tradition, he, as Lévi-Strauss says of the bricoleur,

has to turn back to an already existent set made up of tools and materials, to consider or reconsider what it contains . . . to engage in a sort of dialogue with it . . . he interrogates all the heterogeneous objects of

which his treasury is composed to discover what each of them could ‘signify’ and so contribute to the definition of a set which has yet to materialize but which will ultimately differ from the instrumental set only in the internal disposition of its parts.

In this sense, every use of *exempla*, whether it be in the construction of the *principate* or to reinforce an argument in a legal case or declamation, is a kind of bricolage. Each one can be used in multiple ways in a variety of constructs, but “the possibilities always remain limited by the particular history of each piece and by those of its features which are already determined by the use for which it was originally intended or the modifications it has undergone for other purposes.”

That is to say, the *exempla* which others use and Valerius compiles are predetermined by the context and circumstances of their creation or modification in a previously living field of cultural production, in a political system (the republic) where the stakes were different and the partisanship had real consequences: the moment events achieve the rank of *exempla*, however, they become de-politicized. Thus, elements which obtained their *genesis* in opposition can coexist in a later pastiche without contradiction. Velleius Paterculus’ narrative of the Gracchan period provides the perfect example. Scipio Nasica’s extra-constitutional killing of Tiberius Gracchus is justified as being in the interests of the *res publica*,⁶² as is Opimius’ killing of Gaius,⁶³ while the designs of the Gracchans are unequivocally bad (2.2.3, 3.2, 6.1–3). These judgments reflect an *optimata* perspective. On the other hand, Velleius deplores the consequences of Scipio’s vigilantism, the bounty Opimius set on Gaius’ head, along with the motive for killing him (vendetta rather than patriotism).⁶⁴ He describes the Gracchi themselves as misguided, but still men of character (2.2.1–2, 6.1–2, 7.1), while he lauds Flaccus’ defense of Gaius, and his suicide. These are all attitudes which belong to a *popularis* perspective. The point is simply this: the historian would never find such a disparity of partisanship in the narratives, arguments, or viewpoints in which each of the particular elements originated. Yet Velleius’ account does not reflect a confused historical understanding, but rather units which cannot entirely be liberated from their origin. He could only have resolved the contradictions by *excluding* the disparate elements in his account (e.g. *not* mentioning Flaccus’ suicide, *not* mentioning Opimius’ bounty, etc., just as he doesn’t mention the so-called *senatus consultum ultimum* by which the latter claimed justification),⁶⁵ or by opening the narrative into a wider historiographical discourse that resolved the disparities conceptually, which his *festinatio* does not allow. This does not mean that the author has no voice. Rather, the entire assemblage presents a deliberate, cogent display of attitudes that a Roman of Velleius’ class felt with respect to official and unofficial authority, political subversion and violence, and personal loyalty. Only *we* feel the contradictions; they did not exist for the author. To the extent that Velleius is not constrained

by a particular source that already places different units together (e.g. the notion that Scipio’s act was the beginning of civil turmoil, which originates with Sallust), he can choose and exclude what he wants to suit his particular needs.⁶⁶ Elements like Sulla’s proscriptions, which were permanently colored with negative characteristics, could *not* serve the same purpose as Scipio’s vigilantism and thus would not work within this particular set, but they are effective when the author wishes to characterize unbridled and unjustifiable abuse of power. To return to Valerius, since he provides the set of all sets, it is not surprising that “one gets the very strong impression that they come from a variety of contexts with different perspectives and aims, with the compiler failing to impose an historical pattern on this material.”⁶⁷ Yet this is no more inconsistent than the *Forum Augustum*, or the funeral of Augustus, both of which featured Marius, Sulla, Pompey and Caesar all in the same place.⁶⁸

The Roman obsession with the past constrained the possibilities in adapting its political system to new realities. Theoretical forays into justifications of autocracy were limited to discussions of the practical realities of power and the need for stability, but this did not liberate Roman thinkers, such as Tacitus, from concerns that the system reflect republican tradition. In other words, the theory of monarchic rule, as conceived by the Greeks, immediately hit an invisible barrier and simply could not dispense with Rome’s heritage. There was no Locke, Rousseau or Marx to demolish centuries-old structures and traditions. If the Romans *had* been able to do so, they would have done so immediately. The Roman view was, for the longest time, stuck fast in the past, which provided ample room for a necessary play of historical “bricolage” through which the Roman related to his present and made it intelligible by reorganizing old structures to reflect new realities.

Valerius’ work is a compilation of the elements of Roman “bricolage” that find their origin in different social and political settings, to be reused in ways that do not necessarily reflect their original function. His work is uniquely informative because *exempla* are usually selected to serve an argument or narrative, that is to say they are usually “for” some ulterior purpose and not “for themselves.”⁶⁹ Valerius, however, collapses the entirety of *diachronous* Roman history into a totality that is *synchronous*, thus inviting the scholar to observe the principles of its organization and the mechanisms that generate the self-evidence of its construction of values. The generation of “for itself” legitimacy then provides the new political system with a panoply of tools suited to the needs of the day. In other words, Valerius can demonstrate quite vividly *how* the imperial system could generate *consensus* through *exempla* and the *mos maiorum*, in a way that a rational disquisition on the necessity of autocracy never could.

Three aspects heighten the value of Valerius’ work as a reflection of *consensus*. First, the logic of *exempla* derives from their self-evident nature—Valerius felt no need to justify his criteria of selection programmatically.⁷⁰ Second, Valerius derives his incidents from what is viewed as an

independent and self-sufficient body of historical events, but pares it down to highlight the concrete *exemplum*. Thus the reader must activate his own knowledge of history to fill in the narrative lacunae, to meet Valerius half-way and participate in an inside discourse,⁷¹ an aspect of the work that no doubt pleased the reader by furnishing a sense of control over a vast canon. The same holds of those instances where the author compresses several historical incidents.⁷²

Finally, the overwhelming majority of the *exempla* (98% or so) date to no later than 42 BC, the year with which Livy ended book 120, waiting until after the decease of Augustus to publish his last 22 books. Additionally, the language Valerius uses in relating those 23 *exempla* dated to after this period suggest that he may report general knowledge.⁷³ The reason behind this pattern is not, as Bellemore contends, that he wrote the majority of his work before Livy (his main source) published the rest of his history, covering the period down to 9 BC, for the internal evidence dating Valerius leaves ample room for him to utilize this resource. Briscoe, on the other hand, who re-established these dates,⁷⁴ offers another explanation: “that Valerius, writing soon after the trial of Cremutius Cordus (AD 25), regarded it as dangerous to say anything about the triumviral and Augustan periods other than to make flattering remarks about the imperial family.”⁷⁵ Yet the years since 42 BC would have provided a plethora of inoffensive subject matter. Briscoe, therefore, fails to supply an adequate answer as to why the author did not add more contemporary material flattering to the imperial house.⁷⁶

There is a more suitable reason. An overabundance of recent events would skew the balance, destroy the mystique of the *exempla* and wreck their authority. This betrays an implicit consciousness of the difference between the Republic and the Empire, despite the fact that, like his contemporary Velleius Paterculus, the author makes no indication that a difference exists, and despite the fact that the declaimers all declaim as if they are doing so in the old republic.⁷⁷ A similar unwitting perspective arises when the latter, in recounting acts of strict morality, asserts that those which occur early in Rome’s history reflect an austerity which no longer exists, but then first in the triumviral period recalls deeds by Octavian and his associates as comparable to those of antiquity.⁷⁸ This flattery betrays a tacit outlook: *res gestae* celebrated after the death of the republic (42 BC) smack of a present that needs to be deliberately brought into line with the past. Thus, the legitimating point of reference in the restored republic is the pre-imperial past; the imperial present is not entirely self-justified. The widespread and long-lasting nature of this perspective was demonstrated some time ago in Litchfield’s comprehensive study of the *exempla virtutis* in Roman literature,⁷⁹ and finds anthropological parallels in other cultures, for example the Nuer of North-East Africa.⁸⁰ While the Romans preferred *exempla* from the “olden days,” it is also the case that during the centuries of empire they were oddly inclined to think that these ended in 42.⁸¹ Like

the declamations on the death of Cicero, Valerius drew from the pre-imperial (or pre-Philippi) republic the material from which he shaped Roman identity.⁸² To some extent this was deliberate, for, in one instance, on the topic of “Distinction Falling to Individuals” (8.15. *praef.*), he categorically excuses himself from offering the obvious instances from the imperial *domus*, but takes his prime *exemplum* from a figure of the late republic, Pompey, and not Julius Caesar, who still was too close to the ruling house. This characteristic has striking ideological consequences, because, though the preface clearly ties itself to the moral program of the principate, it evades tautological self-referentiality—overt propaganda—by presenting a total set of behaviors forming the independent measure against which to judge the authority and legitimacy of the present establishment.⁸³ The fact that few, if any, had experienced the republic itself diminished the contradiction (Tac. *Ann.* 1.3).⁸⁴

Thus, the nature of his work invites two investigations with a view to *consensus*. First, there is the question of how Valerius’ work reflects the possibility of mirroring the standards of the Roman past. This invites the observer to reach *outside* the text in a search for points of comparison where this is overtly the case. Second, there is the question of how the work reflects a total system of hierarchical relations that governed Valerius’ society. This invites an *internal* comparison of the different components to find the generative principles whereby relations of superiority and inferiority, authority and obedience, appear self-justified and Roman. Since these principles, by which the events become elevated to the status of *exempla*, tend to inform comparisons between Valerius and “real” history outside the text, it is sensible to begin with the second question first.

C. A TOTAL VIEW OF THE FIELD OF ROMAN CONSENSUS

Scholarship has recently started to appreciate Valerius’ work as moral literature written to instruct and entertain, and not simply a compilation for declaimers.⁸⁵ These studies, however, are hampered by a limited approach. It has been demonstrated, for instance, that Valerius operates in the realm of traditional civic virtue by referencing his *exempla* to the brilliance or praise which the agents merit through their action.⁸⁶ It is also true that *exempla* achieve their status partly because of the *auctoritas* of those who make them.⁸⁷ To argue that this constitutes Valerius’ implicit criterion of selection, however, is circular, because not every famous deed by every famous person constitutes an *exemplum*. Certain persons, in fact, are famous precisely because of the incident recounted, and many exemplars, such as slaves, women and commoners, have no *auctoritas* to exercise. Apart from that, the observation has been made that Valerius sometimes presents the loyalty, courage, etc. of inferiors from whom one would not expect such behavior, in order to exhort those from whom such conduct

was expected, namely elite males.⁸⁸ Yet this argument fails to establish why a Roman would agree that such behavior counts as an *exemplum* to be celebrated in the first place. For the rest, there has been little attempt to appreciate the purpose of the work beyond citing references to a moral purpose, or—what has some use but is equally tautological—listing the types of moral behavior Valerius appreciates and demonstrating its relationship to extant canons of virtues.⁸⁹ These approaches fail to comprehend the whole as a system of relations, whereby each position makes sense by implicit or explicit reference to other positions in the total field, and whereby many exemplary elements attain their self-evident nature through a generative principle of contrast or contradiction, implying, on the part of the subject, some inversion, self-nullification, extraordinary self-assertion, or another such reversal attained through circumstance or behavior, for the purpose of highlighting the normative and correct. Since others have despaired of accounting for Valerius' logic, some attempt must be made to find coherence.⁹⁰

1. Being Roman: Rome and her Past, Rome and the Outside World

First and foremost, Valerius' work is informed by a contrast between Rome and the rest of the world. Throughout, the author displays a jingoism commensurable to a Roman-style education based on national historical *exempla*. This attitude appears early on, when the author narrates some very old antecedents (2.1.10):

At dinner, the ancestors used to celebrate in poetry the outstanding deeds of their ancestors to the flute, in order to render the youth more eager to imitate them. What is more splendid, more useful than this contest? . . . What Athens, what school of philosophy, what alien-born studies should I prefer to this discipline? From this practice arose the Camilli, the Scipiones, the Fabricii, the Marcelli, the Fabii, and, not to dally in running through the individual luminaries of our empire, from this practice, I say, shone the brightest part of the heavens, the Caesars.⁹¹

The author places the reader directly within this assertive national tradition, described as responsible for producing all of Rome's greatest heroes. This belief in the superiority of Rome's ancestors over all others trickles down to even the most casual statements, as, for example, at the beginning of 2.6, where the author places Spartan austerity second to that of Rome,⁹² or when in 2.7.*ext.*2, he decides to break off the foreign *exempla* of military discipline with the phrase: "but it is enough merely to have had a glimpse of foreign material, since we can boast examples far more abundant and successful."⁹³ In other instances too, Valerius finds Rome best-suited to school the rest of the world, as is the case with examples of her severity and discipline;⁹⁴ her *iustitia* and *fides* are also manifest to the world.⁹⁵ At

several transition points, moreover, Valerius asserts that Roman material is sufficient and preferable and that the foreign is secondary, sometimes added merely for the sake of variety.⁹⁶

This self-conscious aspect of the work stands out all the more when the author highlights national characteristics that enable Rome’s greatness. Near the beginning of the work, he interrupts his account of the meticulous, uncompromising attention which the ancestors paid to religious observance with the statement:

There is no wonder then if the persistent fondness of the gods has always been attentive in increasing and protecting our empire, †because† they see that even the most minute matters of religion are pondered with such anxious care, because one must deem that our state never held its eyes away from the most precise reverence of sacred rites.⁹⁷

Another similar attitude emerges when Valerius reflects on Roman military discipline, a virtue which serves as a source of continuity with Rome’s past and present:

I come now to the principal glory and backbone of the Roman empire, protected whole and unscathed to this day through a wholesome steadfastness: the most persistent bond of military discipline, in whose bosom and custody the serene and tranquil state of peace has come to rest.⁹⁸

At the beginning of the next chapter (2.8), the author gives a brief synopsis of the rise to empire due to this discipline; the attitude carries over to chapter 2.9.*pr.* where he presents censorial severity as its civilian counterpart, clearly meant to preserve the Roman character in time of peace.⁹⁹

For the most part, however, Roman characteristics, i.e. the self-identity of the work, emerge most vividly through direct interactions in the text with non-Romans, that is to say either through Valerius’ own judgments on their capacity to appreciate virtue, or through Roman behavior *towards* these peoples in the narrative. Curiously, Valerius includes under the rubric “foreign” all Italian peoples prior to their attainment of the Roman franchise, as if this event occasioned a character change *de pied en cap*.¹⁰⁰

The author occasionally selects historical episodes which present the proper attitude to take vis-à-vis foreigners. *Exempla* 2.2.2–3, for example, demonstrate how to deal with Greeks and their language. The first relates that ancient magistrates used to compel them to adopt Latin in their communication with Rome, in order, as the author asserts, to enforce respect for the Latin tongue. The second presents an apostrophe to Gaius Marius on his ignorance of Greek, in which Valerius maintains through a pointed *sententia* that it would have been improper for such a conqueror to adopt the tongue of a conquered people and abandon his native usage.¹⁰¹

A portion of the chapter *de Fortitudine* (3.2.20–22, 23b) deals with the display of Roman valor vis-à-vis foreigners. The first, for example, narrates the refusal of the Roman army to be outdone by their allies in a battle against the Carthaginians, while 22 insists on the equality of valor between one of Caesar's soldiers in a naval action at Massilia and the more renowned Cynegirus of Athens, the famous brother of Aeschylus who lost a hand at Marathon. Valerius' jingoism shades into hypocrisy when he complains that Greece, "wordy in crowing its own praises force-feeds [the incident] upon the memory of all ages through literary proclamation."¹⁰² In another *exemplum*, relating the loyalty of Volumnius, who offered himself to Antonius to be slain over his proscribed friend, the author goes further in his contempt for the fact that the only comparable events the Greeks can muster are mere fairy-tales:

Let Greece speak of Theseus, how he entrusted himself to Father Dis in support of the unlawful love of Pirithous. It is delusive to narrate it, and stupid to believe it. But to see the mingled blood of friends, wound touching wound, and the dead clinging to the dead—*these* are the real proofs of Roman friendship; *those* are the monstrous lies of a race well-versed in fabrication.¹⁰³

This touches on an element which the author presents as more deeply characteristic of his people, and an outlook that informs the organization of his entire work as something only a Roman can fully appreciate. At the end of the *externa* to his chapter *de Ingratis* (5.3.ext.3f), summarizing the preceding *exempla*, Valerius presents a long and unusual tirade against the ingratitude Athens has shown to its own leaders. He accuses the Athenians of inverting the correct (and Roman) practice of recognizing merit awarded by civic *consensus*: "Why, then, should we not judge it public insanity to punish by the greatest consent (*summo consensu*) the greatest virtues as if they were the most serious crimes, and to repay benefits with injuries?"¹⁰⁴ Foreigners do not properly appreciate *exempla virtutis*. Such lack of judgment, moreover, results from a defective national character: "this should seem intolerable everywhere, but especially at Athens, where legal action against ingratitude was instituted. . . . Therefore, how much censure do they deserve, who, while they have the most fair laws, but the most unfair natures, prefer to use their own character rather than their statutes?"¹⁰⁵ The author then highlights the inconsistency through a literary conceit, imagining a situation where the *excellentissimi viri* hale Athens into a foreign court to arraign her for ingratitude. After summarizing the deeds of the great men, he highlights the inconsistency whereby they lie buried in dishonor, even as characters such as Oedipus, an incestuous foreigner and a parricide, receive divine honors.

This rather unrefined approach to hero worship is connected with Valerius' earlier judgment on the warped Greek inclination to present *exempla*

in the form of myths. The total set presents a picture in which this culture has a perverted view, not only of its own past and the stories comprising its national character, but also of the deeds worthy of commemoration. The Greek practice inverts the Roman, which honors and contemplates the *exempla virtutis* of history. In fact, as the example above shows, the Romans, who participate in a culture of *consensus*, must inform *others* of their own history and the proper *exempla* it contains.¹⁰⁶

Yet the appreciation of proper foreign *exempla* also effaces the artificiality of the contrast between Roman and foreigner. This is far more sophisticated than the *argumenta imparia* or *a fortiori* one would normally assume such *exempla* to be, because it inadvertently distances the work from its obvious partiality through a superficial impartiality—an objective detachment—that, through its presentation, surfaces as the essential Roman characteristic and chief generative principle both of exemplary behavior and its appreciation. Put another way: lack of personal investment, the self-nullification or self-effacement that constitutes exemplary behavior, converges with a lack of overt prejudice in judging *exempla* to form a Roman ethos that is highly exclusive but selectively inclusive of foreigners, and conversely, selectively exclusive with regard to some Romans who are morally flawed. Only the Romans are able to look past nationality to the true appreciation of virtue; only they can fully appreciate it in others and deprecate the lack of it in their own. Romans thus have a unique and overriding sense of honor and morality.

Foreign peoples—Greeks, Carthaginians, or other peoples of the Mediterranean basin—besides being mendacious and ungrateful, generally exhibit other vicious behaviors. They present stereotypical treachery¹⁰⁷ and cruelty¹⁰⁸ and are either prone to a luxury and idleness which is their undoing,¹⁰⁹ or uncouth and wild.¹¹⁰ In one amusing anecdote an Egyptian host facing the Romans, when ordered to surround their camp with a rampart and ditch, demands that the work be let out by public contract. Valerius adds that “minds so sissified by luxuriousness could not withstand the spirit of our army.”¹¹¹

Interactions with foreigners enable Roman characteristics to emerge naturally or by contrast, as the chapter *de Abstinencia et Continentia* (4.3) shows. Of the 17 domestic instances cited, 14 are occasioned by some relationship to the non-Roman. The first, for example, relates to the sexual continence of Scipio Africanus in restoring a captured Spanish princess to her parents, whereas *exempla* 2.4.5b, 8–10 all deal with the continent management of foreign property or the equitable distribution of plunder. On the other hand, 11–13 present Roman officials who travel abroad or govern provinces with only a small retinue of slaves. Finally, 5a, 6a, 7 and 14a describe misguided foreigners who assume that money and gifts can buy favor with Roman commanders, or, in the last case, with the Roman people itself. Roman self-awareness registers in the text as foreign misunderstanding: they are surprised to find the Romans different from

everybody else, or this needs to be explained to them (5a, 7). Of six foreign *exempla*, on the other hand, three concern sexual continence and the others lack of greed. Yet only one presents a public official (*ext.*1), whereas the rest concern philosophers—a different category altogether.

The chapters *de Iustitia* (6.5) and *de Fide Publica* (6.6) are also illuminating. The remark at the end of the preface to the former that “our state is the most special and certain *exemplum* amongst the nations,”¹¹² implies that Rome sets a world standard through her treatment of foreigners, a fact which emerges from the first four of the ten domestic episodes of the chapter, in each of which the Romans forgo their own advantage in the interests of justice. In the last of this series (1d), relating an offer by one of Pyrrhus’ henchmen to poison the king, Valerius foregrounds the ecumenical aspect: “what I have related thus far [pertains] to our walls and the neighboring area; what follows emanated through the entire world.”¹¹³ The Romans send envoys to Pyrrhus to warn him of the treachery, “mindful that a city founded by the son of Mars should wage war with arms, not poison,” yet they suppress the name of the conspirator, “embracing justice in two ways, because they were unwilling to remove an enemy by a bad example (*malo exemplo*), or betray a man ready to do them a service.”¹¹⁴ The anecdote presents a disinclination to exhibit behavior that would fall short of the Roman national character.¹¹⁵ Likewise, the senate returns to the Falisci a schoolmaster who tried to abduct their children as hostages to Rome, with the result that the city capitulates out of respect.¹¹⁶ The same city then prompts a second *exemplum* in which a Roman commander restrains the Roman people from plundering it, “after being told that the Falisci surrendered not to Roman might, but Roman *fides*.” This information, according to Valerius, was enough to assuage the Romans’ anger and overcome violent, usually uncontrollable emotions, “lest they be found lacking in their own justice.”¹¹⁷ This sentiment no doubt again prompts the next instance (1c), whereby the Romans redeem the enslaved inhabitants of a captured community “because this seemed to have been done by the commander in questionable faith (*parum liquida fide*);” the narrative emphasizes the care and sacrifice involved in finding and redeeming the slaves and returning their property.

Though the author says with respect to the last two of the four *externa* in this chapter that “nothing could be braver than the following examples of justice,”¹¹⁸ these concern individual lawgivers only, who, when the appropriate situation arises, insist on punishing themselves according to the same Draconian standards they have set for others. In the first *exemplum*, Pittacus of Mitylene displays this virtue most impressively by resigning his tyranny. Yet only the second example involves collective conscience. Here the Athenian people (ignorant of the details) refuse to follow Themistocles’ advice to gain world power when Aristides tells them that it would be profitable but unjust. “The entire assembly immediately clamored that what did not seem fair was not expedient.”¹¹⁹ Though this incident betrays a collective sense

of fairness, it does not illustrate any anxious desire to preserve a national characteristic at any great sacrifice.

Roman ethical self-consciousness comes to the fore with the next chapter *de Fide Publica* (6.6), a virtue Valerius finds in Rome and her allies only. All his examples date from the middle republic. The first *exemplum* narrates how the Roman people provided a distinguished tutor for king Ptolemy of Egypt, “lest the faith of our community appear to have been sought in vain.”¹²⁰ The rest, both domestic and foreign, unfold mainly through a contrast between Roman and Punic behavior. The second *exemplum*, for instance, presents a situation in the First Punic War where Hamilcar, wishing to surrender, fears to approach the Romans because the Carthaginians had once placed a consul in chains. Nevertheless, Hanno, “a better judge of the Roman character,”¹²¹ allays this fear. When, during the parley, a Roman military tribune suggests that they treat Hanno as the Carthaginians had treated the consul, the consuls order him to keep silent, and respond that “the good faith of our city, Hanno, frees you from that fear.”¹²² Then, in typical fashion, the author ends with a *sententia* that highlights the act through contrast: “to have been able to imprison so great a commander made them famous, but the fact that they were unwilling made them much more famous.”¹²³

The rest of the domestic instances concern envoys. Two *exempla* (3 and 5) tell of situations where the Romans surrender their own people to punish them for striking ambassadors. In the first, pertaining to Carthage, “the senate’s regard was for itself, not those to whom this rectification was offered,”¹²⁴ whereas in the second, involving the city of Apollonia, Valerius exclaims “who would call that senate house a council of mortals and not a temple of *Fides*?”¹²⁵ The fourth *exemplum* details a situation in which Scipio Africanus dismisses the passengers of a captured Carthaginian ship when they claim to be envoys, even though he knows they are lying, “in order that it might be judged that the faith of a Roman commander had been cheated rather than implored in vain.”¹²⁶

Since the author’s interest here is to present examples of *fides* and not the lack thereof, one must reach outside the chapter for contrast. The direct opposite of Roman behavior surfaces elsewhere, in chapter 2 (2.2.5), where the narrative flows according to a looser principle of association than is the case in the later books. Though the example is not used to highlight a lack of *fides* in a foreign community, the effect is the same. Roman envoys demand restitution from Tarentum: they are mistreated (one of them is splashed with urine), and yet make no complaint when introduced to the populace. The author concludes with an apostrophe to Tarentum highlighting Roman superiority, contrasting its rugged simplicity with the opulence of the perpetrator:

City of Tarentum, you indeed sought the end of enjoying that wealth you abounded in for a long time, to the point of the envy of others. For while

you were judging the mainstay of rugged, self-sufficient virtue with contempt, inflated with the splendor of present success, you rushed blind and mad full-tilt upon the mighty sword-point of our empire.¹²⁷

Finally, the *externa* (6.6) record two instances in the Second Punic War in which allies of Rome, in hopeless situations, commit mass suicide rather than abandon their *fides*, even though in the second case they are given permission by Rome to do just that. This would be less significant except that Valerius renders his acknowledgement in accord with the Roman practice of appreciating such reciprocity.¹²⁸ Implicit throughout is the assumption that communities only have the opportunity to demonstrate their *fides* because they exist in such a relationship with Rome.¹²⁹

As a whole, the anecdotes concerning *abstinentia/continentia*, *iniustitia* and *fides* demonstrate an approach that highlights, first, the fact that the Romans view themselves as adhering to a higher moral standard than other peoples; second, that they anxiously preserve this identity at all costs; and third, that their idiosyncrasies denote a superior national character, a *Romana virtus*,¹³⁰ in war and peace, granting them the permanent upper hand in case of conflict and enabling them to strike lasting alliances by foregoing opportunism. Furthermore, it highlights a cultural strategy that duly recognizes foreign *exempla*, but which, at least in these instances, tends to stress the uniqueness of Roman behavior while naturalizing the artificiality of the construct.

Such characteristics do not pertain only to these chapters (chosen simply because they highlight these features by their very nature). The story of Regulus, for example, would have fit nicely in the chapter on *fides*, but Valerius displays his courage elsewhere. Yet the same schematics of disinterest and detachment (and the lack thereof) operate to structure most of the other *exempla* scattered through the work, centering around three key themes that reflect ancient attitudes on the necessary conditions for *concordia*: courage, thrift and—to add a third and easily related concept—sexual continence:

... for, in short, that household, community or kingdom will easily stand eternally firm where the desire for sex and money appropriates a minimum of strength to itself: for where these most certain plagues of the human race enter, injustice dictates, dishonor flagrantly shines, force holds sway, and wars arise. Therefore, with words that avoid ill omen, let us commemorate behavior contrary to these vices, terrible as they are.¹³¹

The specter of civil war again lends urgency to the promotion of a moral antidote.

Valerius, despite his overt chauvinism, is capable of surprising impartiality. This appears clearly when he appreciates proper Roman behavior in foreigners and traduces as un-roman those Romans themselves who violate

such conduct. A good instance of the former occurs in the chapter *de Gratis* (5.2.8), when Marius, contrary to law, enfranchises two cohorts of Camerti during a battle as thanks for their *virtus* in resisting the Cimbri. The award would not have been possible without the demonstration of *virtus* and the recognition it merited. Unconditional courage ennobles and Romanizes.¹³² This, in turn, relates to the author’s strong insistence that examples of *virtue* can be found in either sex, and every status and race.¹³³

Such categorical inversions actually, if very rarely, took place. One reads, for example, of the freedom granted to slaves who had saved their masters during the proscriptions (which implies courage: see the accounts discussed in Ch. 3, *supra*). In one case, the tradition records that a slave was even rewarded with equestrian status (App. BC 4.6.44). As for foreigners, the Romans appreciated the exhibition of behavior characteristic of their own values, and honored it accordingly, as can be seen from an incident in the theatre—a space most reflective of social hierarchies and civic values—during the reign of Nero. Tacitus writes that two Frisian envoys, while waiting for the emperor, were shown the theatre of Pompey, where

. . . they noticed certain men in foreign dress in the seats of the senators. They asked who they were, and upon hearing that this honor was granted to the envoys of those nations which were superior for their courage (*virtus*) and their friendship to Rome, exclaimed that no mortals surpassed the Germans for their valor or loyalty, and went down and sat among the senators. This was received graciously by the onlookers, as characteristic of old-fashioned vigor and good rivalry. Nero gifted both with Roman citizenship. . . .¹³⁴

The principle of alienation, however, by which Valerius takes the side of foreigners against Rome, operates just as powerfully. For instance, in the chapter *de Fortitudine* (3.2), one reads at the head of the *externa* that a Campanian who, though the senate decreed leniency towards his city, killed himself and his children in order to show himself of greater courage than the consul Fulvius Flaccus, who took the city, and to taunt his cruelty.¹³⁵ Likewise, Valerius praises the wife of a barbarian king who kills a centurion who raped her (6.1.*ext.*2) and deplores the *legatus* Manius Aquillius (cos. 101), who, though he could have killed himself, chose to be the slave of Mithridates. Valerius adds that “one would say that he was more worthy of Pontic execution than Roman *imperium*, since he caused a private reproach to become a public disgrace.”¹³⁶ The reader must add to this vague reference his knowledge that Mithridates executed Manius by pouring molten gold down his throat to chastise Roman bribe-taking.¹³⁷ Likewise, the author deplores the way in which Q. Labeo, in the course of settling a land dispute, gains territory for Rome through deceit,¹³⁸ and relates three *exempla* in his chapter *de Perfidia* (9.6.2–4) that expose the treacheries of Romans towards other foreigners.

2. Schematics and Impartiality: The Use of Inversion and the Common Currency of Virtue and Praise

Valerius' work displays inherent modes of composition that allow basic attitudes and mores to surface naturally and at random. Generative nodes of organization and judgment, therefore, must be reconstructed from a variety of places in the text to find the implicit norms that structure how he experiences the elements with which he composes. These, when they are informed by different contexts, can lead to the creation of disparate, apparently irreconcilable *exempla*, which, to the modern reader, give the collection as a whole the aspect of a confused and random mess that reflects poorly on the author.

This chaos, however, is precisely what makes the work successful, because the slippage of categories and inconsistencies naturalizes the schematic and artificial structure into which the elements fit. This is not to say that Valerius deliberately intended this. Rather, it reflects his organization by individual concepts, i.e. the category into which the elements fit and the semi-accidental ligature in which the *exemplum* arises from each context, an event based on some associative principle governed by personal and cultural logic and not entirely consistent from the standpoint of compositional unity. It is time now to expose the implicit yet autonomous cohesion behind some of this slippage that gives the whole construct independence and integrity, and illustrates the very nature of *exempla*.

I suggested earlier that detachment on the part of the agents in the *exempla* and the impartiality of the narrator in commending select non-Romans and traducing degeneracy from proper Roman behavior constituted a driving schematic mechanism. Both of these elements converge at the end of the chapter *de Patientia* (3.3), in which the author curtails his narrative of the domestic *exempla* to a mere two, on account of the fact that too many of them derive from sad stories of civil war, and provides, for a change, a disproportionately large number of *externa* (seven in all). Altogether the reader gets a bundle of accounts depicting great tolerance to pain or an impudent refusal to bend under torture. *Exempla* 3.3.ext.2–6 relate the endurance of philosophers (most in the face of some cruel tyrant), yet the author ends by mentioning a barbarian slave who kills Hasdrubal in revenge for killing his master and gladly endures the torture applied. Valerius highlights the contrast to the preceding: “the former arose from high and educated hearts, the following, however, no less admirable, was undertaken by a servile soul.”¹³⁹ He ends with an excursus on the parity of *virtus*:

Virtue, therefore, is not exclusive in access: she allows lively and motivated personalities to gain access to herself, nor does she offer doses of herself that are generous or stingy according to some division of people according to status, but, set forth to all equally, she appreciates the

desire you provide and not the rank, and she leaves it to you yourself to weigh the amount in taking her goods, so that you take away with you so much as you can endure to undergo in your mind.¹⁴⁰

A final assertion heightens the inversion of status accorded to the *exemplum* here, and constitutes an implicit mechanism of impartiality which, like virtue herself, refuses to favor artificial hierarchies. “Thus it occurs that those born in the most humble station rise to the highest rank, and the offspring of the most noble set of ancestors, having lapsed into some dishonor, turn the light received from them into darkness.”¹⁴¹ This occasions the subject of the subsequent two chapters (3.7–8).

A barbarian slave is noteworthy only for his endurance in torture and death. Thus, disregard for one’s own life, i.e. total self-nullification, constitutes the ultimate detachment from self-interest and is the final standard, the *sine qua non* of virtue, and comprises the primary mechanism of inversion.¹⁴²

Inversion works by according the actions of social inferiors the same amount of praise as those of the highest status, or by deprecating acts of degeneracy on the part of superiors. This clearly emerges from the juxtaposition of foreign *exempla* 2.6.7d-8, 10–14, 16, where the author evaluates the attitudes towards death in various cultures, and his chapter *de Cupiditate Vitae* (9.13). The former includes commendations of Massilian beliefs and customs (7d-e), a Cean woman whose suicide Valerius witnessed (8), the Cimbri and Celtiberians who exult at the prospect of leaving life in glory and mourn at the notion of leaving it in sickness (11), the Thracians who mourn birthdays and celebrate funerals (12), the Lycians who put a limit to their mourning (13), and the auto-immolation of Indian widows at the deaths of their husbands (14). The last of these (2.6.14) provides an excellent example of hierarchical inversion, informed by its immediate context:

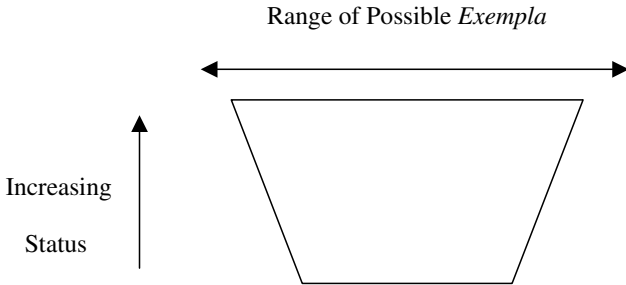
But why should I praise the bravest men in cases of this kind of wisdom? Let the women of India be considered . . . [description of self-immolation]. . . . Exhibit Celtiberian loyalty, join to it the spirited wisdom of the Thracians, add the rationale cleverly assumed by the Lycians in casting aside their grief, and still you will prefer nothing of these to the Indian pyre, into which wifely duty untroubled by death climbs as if it were the nuptial couch.¹⁴³

By contrast, chapter 9.13 relates the cowardly deaths of three Romans, and the author deprecates such cowardice by members of his own race elsewhere, coinciding with contemporary attitudes towards this vice evident in Velleius and Seneca the Elder (with respect to the death of Cicero, discussed in Ch. 5 *supra*) and, perhaps most clearly, in the words of Livy’s Manlius Torquatus, who after Cannae counsels against ransoming the prisoners taken by Hannibal. Just as courage Romanizes, so cowardice makes one unworthy of citizenship:

50,000 citizens and allies lay around you cut down on that very day. If so many *exempla* of virtue do not stir you, nothing ever will; if such slaughter does not make life cheap, nothing will. Long for your fatherland while you are men free and unspoiled; rather, while you still *have* a fatherland, and are its citizens. You now long for it too late, having forfeited citizen status, dispossessed of the privileges of your fellow citizens, and having been made slaves of the Carthaginians. Are you, for a price, intending to return to the position you abandoned through cowardice and worthlessness?¹⁴⁴

This, however, does not exhaust the (conceptual) possibilities of inversion, or those of detached, self-effacing behavior, but only reflects the limit and ultimate standard. There are varying degrees of each, and the manner in which they correspond to different classes indicates the manner in which hierarchy appears legitimated and naturalized.

Charting the moral appreciations for different social groupings through the chapters provides a cross-section of the work. The total field of *exempla* is structured somewhat like an inverted, truncated pyramid, the opposite of the pyramid often used to depict the actual configuration of Roman society.¹⁴⁵



The bottom of this figure represents the lowest-ranking members of society (e.g. slaves, women), while the top represents the highest. The horizontal lines depict the range of *exempla* available to these different orders (those available to the lower elements would be considerably less than the image depicted suggests). The *exempla*, numerically, are heavily weighted toward the higher orders: Valerius apologizes for mentioning mere centurions, and even a man of senatorial rank is considered lower than the most distinguished republican figures (4.6.2). Generally speaking, social rank widens the range of possible acts, which also include those open to social inferiors. Men can be loyal, not just to their spouses and fathers, as women are, but also to their friends and superiors; slaves can demonstrate loyalty to their masters alone. In fact, slaves *qua* slaves can only demonstrate exemplary behavior through loyalty.¹⁴⁶ Elements higher on the scale, moreover, derive

part of their exemplarity through violence against those lower on the social scale. A freedman, for example, can punish an unchaste daughter, but the highest orders can use sanctioned violence against all subordinates.¹⁴⁷

Though pain and death are important qualifications for *exempla* performed by all members of society, virtue tends to be more lethal to the lower elements, especially slaves and women, because they must exhibit more drastic behavior on behalf of the social order to gain recognition, and because they are the recipients of punishments whereby more privileged subjects exhibit exemplary behavior.

This rather brutal structure, however, turns out to be less grim than it appears at first, because it is overtly geared towards emphasizing the individual *exemplum* and not the system of relations, and on account of the mechanisms of reversal in which selected members of the lower orders receive a rank commensurable to or higher than those of the higher orders.¹⁴⁸ This bottom-up inversion which *momentarily* subverts or denies the significance of social hierarchy through the “promotion” of inferiors to positions of equality is, in return, met by a top-down inversion that can be external to or generated by the subject of the *exemplum* itself. Externally, Valerius can chastise improper behavior or degeneracy on the part of prominent individuals, or emphasize and praise the unassuming nature of great men, whereas the subjects of the *exempla* themselves gain prominence by punishing the vices of other privileged folk, and sometimes overtly deny themselves any special privilege, honor or exception to social, political and religious rules, even if this goes to the extreme of sacrificing oneself or one’s family members.¹⁴⁹ Such denial, however, is not always so drastic, inasmuch as the author places a variety of milder aspects, e.g. the poverty of Cincinnatus (4.4.7), Camillus’ scrupulous (and rather pedantic) adherence to public law (4.1.2), or simple primacy in *virtus*, as in the case of Scipio Nasica (8.15.3), on the same level as the greatest triumphal honors. The greater the status of the subject of the *exemplum*, the easier it is for him to become an *exemplum* through condescension and the adherence to norms. Put differently, self-effacing behavior is more readily accessible in a variety of less lethal forms to the privileged, who can reflect the same objective principles of self-nullification without dying.

At the same time, elites must live up to the status they hold. True to the actual public culture from which the *exempla* derive, their unseemly behavior is noted more acutely and deprecated with greater rigor.¹⁵⁰ The consequences of failing to live up to standards can be drastic and the punishment severe. Whereas it might be expected for others to show cowardice, greed or lust, such vices delegitimize the privileged, who can degenerate from their ancestors, and whose place can always be filled by talented newcomers.¹⁵¹ While, on the one hand, Valerius deprecates ingratitude and a failure by inferiors to respect traditional hierarchies, he just as strictly censures moral failure, arrogance and cruelty on the part of superiors. In a few select

instances, moreover, he even defends insubordination, which may be justified in the face of outrage.¹⁵²

For all that, only elites can be honored merely for adhering to religious and political scruple, or, like Valerius Publicola, for respecting the majesty of the people, or, like Cincinnatus, for their poverty alone, or their modesty in refusing extraordinary political commands, which only they can be offered in the first place.¹⁵³ Only they can receive social and political reverence (*maiestas*) (2.10) or praise for their leniency or mildness (5.1), and only they can occasionally set the law aside if their *auctoritas* suffices.¹⁵⁴

D. VALERIUS MAXIMUS AND EARLY IMPERIAL POLITICS

Valerius' work would hold little value if it were not possible to demonstrate actual convergences between the *exempla* he provides and the social and political realities of the period in which he writes. Valerius' direct use of imperial figures as *exempla* is rare and comparatively mundane, but offers useful insights into the more ordinary societal norms which the upper classes liked to see represented in their ruling family (much as the citizens of Britain expect their royalty to be dutiful and loving sons, daughters, wives and husbands). Thus, one reads extended *exempla* of the chaste and loyal marital relations between Agrippina and Drusus Claudius Nero (4.3.3), and the dramatic and touching scene of fraternal piety upon the death of the latter (5.5.3). Similarly, Augustus protects the integrity of the imperial *domus* by preventing a nobody from passing himself off as his nephew (9.15.2). Again, apart from a few *exempla* relating to the civil wars (1.1.19, 1.7.7), where Augustus appears as an agent of divine retribution, Valerius appreciates how he averted an economic crisis in the Bosphorus occasioned by an anticipated Parthian invasion (7.6.6, but without details), and his sense of fairness in annulling unjust wills (7.7.3–4) and prohibiting imposters from usurping property (9.15.*ext.*1).¹⁵⁵

Yet the success of the scheme described in the previous section lies simply in the fact that, though the preponderance of material derives from the august annals of the republic, most of the *exempla* would have been, in the imperial age, directly imitable only by the emperor or his *domus*, or a select few elites. Reaching outside the text for points of contact provides important insight into the living history behind Valerius' work.

The legitimacy of imitating prior *exempla* is built into Valerius' portrayal of two instances in the Augustan "repertoire." The first (1.7.1–2) relates the premonitory dream of Augustus' doctor at Philippi, derives from the emperor's autobiography, and is less significant because it is so apologetic: the author claims that the *princeps* took the dream seriously because his adoptive father paid the price for disregarding the one his wife had before his assassination. The next, however, from the chapter *de Amicitia* (4.7.7), presents very charged material. It brings the imperial succession into direct

connection with one (perhaps two) of the most famous republican figures, endows it with direct exemplary significance, and most likely connects it to the current relationship between Tiberius and Sejanus. This is quite possible despite the author’s subsequent villainization of the latter because the *exemplum* itself is universally applicable and contains nothing overt, and because the later deprecation is exactly that: later, occurring near the end of the ninth and last extant book (9.11.*ext.*4). In the final and culminating domestic *exemplum* of chapter 4.7 the author writes:

Arise, therefore, from that place which is believed to be dedicated to the shades of the venerable, on this side D. Laelius, on that M. Agrippa, you who, with sure sentiment and favorable omen drew as their fated portion, the former, the greatest of men, the latter, the greatest of gods as friends, and bring to light with you the whole band of the happy throng, who under your leadership completed dignified campaigns of true loyalty, loaded with acclaim and decorations. A later age, looking upon your faithful hearts, your energetic services, your impregnable reserve, your constant vigil and sentinel of benevolence over the dignity and safety of your friends, and again looking upon their most profuse rewards, will work at attending, as much gladly as religiously, to the law of friendship.¹⁵⁶

Valerius fails to specify which Scipio he implies as the friend to the first figure, since both had Laelii as close friends, though in each case their *praenomen* was Gaius, not Decimus.¹⁵⁷ There were, however, some Laelii who bore this comparatively rare name in Valerius’ era.¹⁵⁸ For the rest, an implicit reference to Sejanus finds confirmation through the fact that Valerius later execrates him precisely for violating his friendship with Tiberius,¹⁵⁹ and through a comparison with Velleius Paterculus, who enlists exactly the same *exempla* to justify his increasingly powerful position vis-à-vis Tiberius (2.127).

Velleius wants to justify the prefect’s position despite being a *homo novus*, and thus enumerates the honors these men (and Statilius Taurus) held as friends and the rationale behind it (127.1–2):

. . . the newness of their families hardly prevented these men from promotion to multiple consulships, triumphs and several priesthoods. For great affairs require great helpers . . . and it is in the interest of the republic that what is necessary in use be eminent in honor, and that expediency have the reinforcement of authority.¹⁶⁰

This corresponds to the “profuse rewards” of friendship to which Valerius refers, though the latter, in a somewhat convoluted way, anxiously widens the scope (the “happy throng”) of those who participate in the friendship of the prominent under the leadership of their right-hand men. Valerius’

reference to military campaigns (*stipendia*) and “acclaim and decorations” might indicate his desire to include men like Velleius and his brother, who certainly felt rewarded for their services, or the ingrate who owed to Augustus his promotion from the lowest to the highest ranks, yet failed to include him in his will (7.8.6). Regardless, Velleius then moves on to Sejanus, explicitly justifying his promotion by the *exempla* of the past (2.127.3–4):

Following these examples (*his exemplis*) . . . Tiberius Caesar has had and currently has Aelius Sejanus as his unique helper for everything in the tasks of the princeps, most capable in toil and loyalty, whose energetic mind and bodily frame are up to the task . . . a man in action similar to one at leisure, claiming nothing for himself and therefore obtaining everything, ever measuring himself below the judgment of others, calm in his visage and his life, but sleepless in his mind.¹⁶¹

The language describing Sejanus’ qualifications displays similarities, at least conceptually, to that Valerius uses to describe Laelius and Agrippa, and the phrases *animo exsomnia* and *perpetuam excubationem* appear particularly close.¹⁶² On at least one occasion during the principate of Augustus, it was proposed in the senate that the senators take turns rendering a real *excubatio* for the princeps (see *D.C.* 54.15.8: one fast-thinker escaped the duty by claiming to snore). But the real significance of all this is that Valerius and Velleius together demonstrate how the contemporary discourse of loyalty and power was firmly and overtly rooted in the republican past.

Convergences between Valerius and the historical account confirm this correspondence between the past and the present, and occur with enough frequency to arouse suspicion. Only some can be discussed here, enough to demonstrate the pervasiveness of the phenomenon. A careful, thorough study is needed, and one that takes into account to what extent the convergences correspond temporally, i.e. whether the discrete issues and concerns of the day are reflected in the sequence of Valerius’ narrative.

To begin with imperial policy first and foremost, one cannot help but notice that the chapters mentioning the granting of extraordinary commands and the refusal of unprecedented distinctions or offices both correspond to imperial political messages. Of the *recusationes* most current to Valerius’ age, Tacitus (*Ann.* 1.72) relates that Tiberius turned down the title *pater patriae* granted by the plebs, and refused to require the swearing of an oath to uphold his *acta* when this was voted by the senate, the purpose being to appear a citizen and not a monarch. Later, he again refused the title (pressed on him after he subsidized grain), “firmly upbraided those who called his occupations ‘divine’ and himself ‘master,’”¹⁶³ and refused to let *Hispania ulterior*, following the example of Pergamum, establish a shrine to himself and his mother, deeming it “vain and arrogant to be consecrated in the image of a deity throughout the provinces.”¹⁶⁴ Frustrated, moreover, at the constant flattery on the part of

the senators, he was supposedly given to calling them “men ready for slavery” (*Ann.* 3.65). The refusals of dictatorships and perpetual consulships on the part of Tiberius’ predecessor Augustus were even more conspicuous and well advertised.¹⁶⁵ Thus, it is entirely relevant that Valerius, in the first chapter of book 4 (*de Moderatione*), though without mention of either *princeps*, locates the precedents for such refusals in the early republic: Marcius Rutilius Censorinus rebukes the people at a *contio* for electing him *ensor* twice in a row (4.1.3); Cincinnatus refuses a similar illegality when his consulship continues beyond the legal limit (4.1.4); Fabius Maximus, since his father had held the office on several occasions and himself five times, asks the people not to elect his son consul on account of the impropriety of dominating it through his *gens*. Augustus, of course, stopped monopolizing the consulship after the “second settlement” of 23 BC. This section culminates with Scipio Africanus (4.1.6a):

Our ancestors did not lack a grateful heart in paying out rewards to the elder Africanus, seeing that they tried to honor his greatest services with suitable ornaments. They wanted to set up statues for him in the place of assembly, at the speaker’s platform, in the senate house, and finally in the very temple of Jupiter Optimus Maximus. They wanted to add his effigy wearing the triumphal insignia on the Capitoline couches, and they wanted to give him a consulship continuous through all the years of his life and a perpetual dictatorship. By allowing none of these things to be decreed to him either by popular vote or senatorial decree, he behaved, in refusing honors, with almost as much greatness as he acted in earning them.¹⁶⁶

The details of the text correspond more closely to Augustus than to Tiberius, but the latter, too, acted with studied modesty and certainly did not allow his cult to spread. Valerius’ language clearly retrojects the complexities of power and conduct faced by his *princeps* to figures of the past, but reflects the fawning subject, never once suggesting that such adulation (towards the emperor) is inappropriate. This, however, he did imply a few *exempla* prior, in 4.1.3 (on the part of the people) and 4.1.4 (on the part of the senate), with regard to republican figures. In the same chapter, moreover, it is possible to compare Camillus’ scrupulous legal confirmation of his dictatorship (4.1.2) with Tiberius’ unwillingness to violate an old *senatus consultum* in questioning the slaves of Scribonius Libo, which Tacitus depicts as an act of hypocrisy (*Tac. Ann.* 2.30).

Another *exemplum* on moderation provides a peculiarity that seems irrelevant if one does not ascribe a deliberate attempt to mirror imperial policy (4.1.10a):

The younger Africanus, too, does not allow us to remain silent. As censor, when he was completing the *lustrum* and during the sacrifice

of the *solitaurilia* the scribe was reciting to him from the public script the ritual formula of prayer, in which the immortal gods are asked to make the empire of the Roman people better and greater, he said, ‘it is good and big enough: and so I pray that they might keep it forever safe,’ and with that ordered the formula to be emended in this manner in the public script. This modesty (*verecundia*) in prayer the censors have henceforth used in completing the *lustrum*. For Scipio wisely realized that increase to the Roman empire was necessary when triumphs were sought within the seventh milestone, but that when it already possessed the greater part of the whole world, just as it would be greedy to grasp after anything more, it would be very fortunate if it did not lose anything from what it held.¹⁶⁷

This account cannot be historically confirmed because it clashes with the internal logic of other sources,¹⁶⁸ but this matters little vis-à-vis the obvious similarity to the final clause of Augustus’ *breuiarium totius imperii* (Tac. *Ann.* 1.11), which recommended a policy of keeping the empire within its present bounds, and Tiberius’ own lack of enterprise in matters of conquest. Suspicion gathers with the next *exemplum*, provided by the same Africanus (4.1.10b) in his review of the centuries of knights. Suetonius (*Aug.* 38.3) describes the behavior of Augustus doing likewise in similar terms.

Valerius’ words at the end of the domestic *exempla de Cupiditate Gloriarum* (8.14.6) constitute another clear correspondence:

It [*sc.* glory] has sometimes been sought by distinguished men even from the lowest of things: for what did that citizen of the bluest blood want in putting his own name to the work after he had painted the walls of the temple of *Salus* which C. Iunius Bubulcus dedicated? For exactly that thing was lacking to the decoration of his family, most famous for its consulships and priesthoods and triumphs. However, his mind, devoted to base pursuits, was unwilling to have that labor of his, never mind what it was, obliterated by silence. . . .¹⁶⁹

A contemporary reader could not fail to notice how nicely this *exemplum* commends the practice of Augustus and Tiberius. The first writes (*RG* 20.1): “I restored the Capitolium and the theatre of Pompey, both projects of great expense, without any inscription of my name,”¹⁷⁰ while Suetonius (31.5) adds that he kept the original inscriptions intact in his other restorations too.¹⁷¹ Tiberius, too, rebuilt the theatre of Pompey after its destruction by fire “with the name of Pompey staying on it.”¹⁷²

There is no need to expound in any great detail the correspondence between Valerius’ chapter on extraordinary distinctions and offices (8.15) and the various multiple consulships and extraordinary positions that distinguished the careers of the *princeps* and his prospective successors. In the preface to this chapter, Valerius himself confesses an impulse to draw

from this stock, but restrains himself. Some of the more prominent *exempla* relate the consulship granted to Scipio Africanus before the legal age (8.15.1), and similar exemptions granted to Scipio Aemilianus (8.15.7). Valerius also presents Pompey (8.15.8), among other distinctions, entering the proconsulship in Spain with authority equal to the aristocrat Metellus Pius, though he was a mere *equus* with no prior political career, and later holding the sole consulship. His foremost exemplar, however, is a little more obscure (8.15.11):

But perhaps the foremost example of extraordinary honor is that of Lucius Marcius, a Roman knight whom two armies chose as commander (*dux*), torn to pieces as they were by the loss of Publius and Gnaeus Scipio and by the victory of Hannibal, at a time when their safety, reduced to the final straits, left no room for canvassing.¹⁷³

Such precedents, however, were not merely useful for future Emperors and hopeful Sejanuses, who as Praetorian Prefect (hence *equus*) was elected consul in 31 directly from this post. Others had a chance, though on a lesser scale, to “play” Pompey as well, as Velleius Paterculus seems to imply in writing of himself during the Pannonian crisis (2.111.3): “In this war my mediocre talent played the role of a distinguished service too. After I finished my tour with the cavalry, as quaestor-designate and not yet senator I was placed on an equal footing with senators, and even those who were designated tribunes. . . .”¹⁷⁴

Not just men, however, got to imitate republican behavior. Early on (1.1.15), Valerius recounts a decree issued in the aftermath of Cannae whereby women were to put aside their grief in order to celebrate the *sacra Cereris*. This corresponds to the decree with similar stipulations vis-à-vis the *ludi saeculares* of 17 BC (*EJ* 31, *vide supra*).

Other instances show more correspondences between Valerius’ text and the events of the day. The author feels inclined to mention (and praise) the Hellenizing habits of Scipio Africanus in Sicily (3.6.1) and takes pains to defend the refectory *otium* he sought there. The *exemplum* is applicable to Tiberius’ “retirement” at Rhodes, but relates even more directly (and contemporaneously) to Germanicus’ manners while visiting Alexandria (*Tac. Ann.* 2.59.1–2), which were said to have imitated those of Scipio. It is curious that the emperor allegedly disapproved of what Valerius commends.¹⁷⁵

Perhaps more striking are the similarities between Valerius’ attitude toward civil war and an alleged statement by Tiberius (*Tac. Ann.* 3.18). The former asserts (2.8.7):

Truly no one, though he may have accomplished deeds both outstanding and highly beneficial to the republic in civil war, was ever hailed *imperator* on that account, nor were any thanksgivings decreed, nor did he triumph either through an ovation or in a chariot,

because the victories were considered as mournful as they were necessary, seeing that they were gained at the price of domestic and not foreign blood.¹⁷⁶

The idea that anything good can arise from civil war—perhaps a gesture to the awkward realities underlying the Roman revolution—is somewhat mitigated by including the aftermath of the Catilinarian conspiracy in the list of events illustrating the fact. Nevertheless, Valerius reflects the attitude of his *princeps* in the aftermath of the Pisonian conspiracy (20 AD), in which the accused was alleged (*SCPP* 1.45) to have attempted to start a civil war. Tacitus writes (3.18.2): “And likewise, when Valerius Messalinus proposed that a golden statue be placed in the temple of Mars the Avenger and Caecina Severus an altar of Vengeance, he [*sc.* Tiberius] prevented it, saying that these things were consecrated for foreign victories, but the memory of domestic troubles needed to be concealed by sadness.”¹⁷⁷ There is no telling which of the two elements came first, Valerius’ *exempla* or Tiberius’ statement, and the former’s anecdote about Scipio in Sicily comes later (3.6.1 after 2.8.7), so there is automatically some lack of synchronicity. But there is a clear convergence in sentiment and presentation, which either way the reader would have appreciated.

Clear, too, is the accord between Valerius’ account of the Roman reply to Pyrrhus’ henchman, offering to poison the king (6.5.1d), and Tiberius’ reply to Adgandestrius, chief of the Chatti, who offers to poison Arminius if Rome supplies the means (19 BC). Tacitus (*Ann.* 2.88.1) writes:

the response was that the Roman people took vengeance on its enemies armed and in the open, not by treachery or in the dark. Through this boast Tiberius made himself equal to the commanders of old who prohibited poison against king Pyrrhus and warned him of it.¹⁷⁸

In this case too the particular *exemplum* is so famous that one cannot suspect Tiberius’ reply to have prompted Valerius to include it. Nevertheless, the similarity would not have been lost on the reader.

The following parallel, however, exhibits a more vivid transparency between text and event, because the *exemplum* is more obscure. Again, the source is Tacitus, who writes (*Ann.* 3.31) that during the consulship of Tiberius and Drusus (21 AD), a minor incident became overblown and that Drusus increased his popularity by resolving it:

It chanced that a trifling affair, after it grew into a major disagreement, provided the young man with an occasion for gaining popularity. Domitius Corbulo, an ex-praetor, complained to the senate about L. Sulla, a noble youth, because he did not surrender his seat to him at the gladiatorial games. On Corbulo’s side was age, the customs of our ancestors, and the support of the elders; Mamercus Scaurus,

Lucius Arruntius and Sulla’s other connections exerted themselves for the other side. They contended with speeches and the *exempla* of our ancestors were recalled, who reprimanded the irreverence of the youth with severe decrees, until Drusus said things suited for calming tempers, and an apology was made to Corbulo through MamerCUS. . . .⁷⁹

In his chapter *de Verecundia*, Valerius provides an *exemplum* from Cicero (*Sen.* 63) which virtually serves as a commentary on a contemporary situation. Perhaps it was used in the arguments reported in the quote above (4.5.ext.2):

At Athens, a man of extreme old age, when he entered the theatre to see the show and no citizen made a seat for him, happened to come upon the ambassadors of the Lacedaemonians. Moved by the age of the man, they showed reverence for his white hair and years by voluntarily rising, and gave him a seat amongst themselves in the most honorable spot. When the people saw what was done, they with the greatest applause approved the reverence of the foreign city. They say that one of the Lacedaemonians then said, “so the Athenians know what is right, but neglect to do it.”¹⁸⁰

Moreover, at the end of Tacitus’ chapter, Corbulo raises an outcry at the dilapidation of Italy’s roads and undertakes the prosecution of those responsible. This arouses curiosity because Valerius, in his chapter *de Fiducia sui*, offers an *exemplum* (3.7.ext.5) in which Epaminondas gladly accepts the commission of paving the roads of Thebes, which his fellow citizens granted him as a slight, and renders such service as to make the assignment henceforth honorable (one also recalls Agrippa’s *aedileship* in 33 BC, and Augustus’ statements in *RG* 20). Corbulo’s vigilance continued into the reign of Caligula, who made him consul and used him to attack highway commissioners both living and dead (D.C. 59.15.3). The point is that Corbulo’s preferred method of drawing attention to himself was a long-standing issue. Valerius’ politics regarding this controversial figure, therefore, are consistent and clear.

There is no sense at this point in needlessly multiplying further correspondences between text and history, whether in drawing valid comparisons between attitudes towards chastity, wealth and morality,¹⁸¹ or in comparing like instances in the text to Tiberius’ interventions in legal cases and wills (e.g. *Tac. Ann.* 2.48, cf. 3.22), or his handling of Clemens the impostor (*ibid.* 3.39). While it is impossible to determine the extent to which current issues prompt Valerius’ selection—and he would have been hampered somewhat by the topic each current chapter offered him—what his collection affords is the unmistakable overlap between current events and the understanding of those events through the distant

past. Establishing contemporary points of contact outside the text allows the historian to escape the affliction of viewing it as an irrelevant assemblage. Rather, Valerius adds life to history by showing just how actively the Roman of his day compared the past with the present, and by making concrete the rather paltry statements by ancient historians (e.g. Tacitus) that *exempla* were used or the past was enlisted. His work, moreover, reinvigorates the canon from which he drew and turns what are ultimately possible yet *incidental* correspondences between it and current events into *actual* and *particular* parallels. In short, Valerius breathes new life into the relevance of Cicero and Livy for the early empire.

More importantly, however—to return to the notion of bricolage—the fact that Valerius’ work related to the age in which it was written demonstrates the full panoply of strategies, behaviors and representations the ruling class could draw upon in performing their roles as legitimate heads of state. It shows the selections made, with respect to a variety of current issues, from the annals of republican history, some of which occurred quite early (e.g. Camillus, Scipio Africanus), others less so (e.g. Marius, Pompey). These selections from a series of indifferent incidents, all or most of which belonged to a different world altogether from that experienced by the denizens of the early empire, allowed, through a shift in emphasis implied in the very activity of selection and representation, an entirely new yet wholly necessary restructuring of Roman politics and society to remain within the old set of republican elements.

But such *exempla* were probably just as necessary to the leaders themselves; they too needed the comforting sense that they were acting like the leaders of old, in conformity with the *mos maiorum*. They wanted to be cherished by a people who appreciated this about them, and who demanded that they be placed among the long series of heroes through timeless honors and ceremonies. Thus, Tacitus reports, the people celebrated Agrippina on the death of Germanicus, styling her “the glory of her country, the last descendant of Augustus, the matchless model of antiquity.”¹⁸² Incensed at the lack of pomp and ceremony for the occasion, they complained to their *princeps*: “where were those ancient conventions, the effigy placed at the head of the couch, the poems written to commemorate his virtues, the tears, the panegyrics, and at least the semblance of sorrow?”¹⁸³ Tiberius responded with *exempla* from the lives of Caesar and Augustus, and the report continues: “there was no need for older examples (*vetustioribus exemplis*) of how often the Roman people steadfastly bore the destruction of armies, the death of generals, and the extirpation of noble families.”¹⁸⁴ The official statement takes for granted what is widely known, and Valerius himself compiles a chapter on “parents who steadfastly endured the deaths of their children” (5.10).

The familiar language of republican history was not merely indispensable to clothe naked and brute force in the garb of authority, whether through fear or convenience. It was something more, and less devious.

It contained the unimpeachable social and cultural truths whereby Romans learned to become Roman, experienced their social and political world, and understood themselves and their roles. It could no more be randomly discarded or adopted than the speaking of Latin in the senate or the army.

Conclusion

Valerius Maximus, though much deprecated in the modern age, is an author of great importance when it comes to providing information about the intersection of Roman culture and politics. Yet at the same time, it is no accident that there are more Renaissance manuscripts of this author than of any other ancient text. He has been far more influential in shaping Western culture than he has been given credit for.¹ Did so many people who enjoyed reading him simply have no taste? Could it not rather mean people admired the values in his work and the way he presented them? Perhaps Valerius' success can be tied to the success of the Roman empire and its longevity.

When one encounters terms such as *concordia* or *consensus* on inscriptions, coins and in historical narratives, one is tempted to hear a hollow ring. *Concordia* is reduced to a commitment to stability, *consensus* to nothing more concrete than mass demonstrations in favor of autocracy, something the modern mind distrusts. But one is naive oneself to think that these concepts were directed merely at the naive. The emperor "had" power not because people recognized him as the leader of an armed gang who simply had the capacity to enforce his will because soldiers followed him out of their own interest (nor could this explain the loyalty of the army and the authority he had over it, and later imperial history demonstrates the fragility of power based solely on military backing), but because he promoted and guaranteed values encapsulated by these very powerful concepts. Embracing a set of powerful symbols, activities, ceremonies and speech acts, they shaped and structured set of shared ideas that were influential and very attractive. In fact, one might say that the success of the Roman imperial system as the culmination of western antiquity—and the influence on what it bequeathed to the period after—was precisely the strength and attractiveness of these ideas. Even upper class Goths wanted to be Romans,² Charlemagne was crowned *Imperator Augustus*, and the Byzantines tightly embraced their identity as the Roman empire until the very end.

Concordia and *consensus*, notions present early in the republican period formed the core of a system of values that anchored the transition

from republic to empire, and succeeded in uniting a diversity of peoples in a way that the Hellenistic kingdoms were incapable of. While these other systems had imagined communities structured around a set of shared ideas, they were too nodular (islands of culture in a vast ocean of what was considered barbarity) and exclusive along racial lines—one could not become a Greek simply by absorbing Greek culture, and regardless access to the mechanisms making this possible (like the *gymnasium*) were tightly controlled.³ What we have observed, on the contrary, is the formulation of a set of integrative values created mainly by Italians forging standard elements of Roman identity (and forging them a particular way, because they were forging it for themselves), and the reconfiguration of that set through literary and cultural endeavors (such as declamation) in ways that facilitated their, absorption and replication by others. Just as important, however, as the chapters on Velleius Paterculus and Valerius Maximus have stressed, was the objective evaluation of those values in others, both Roman and non-Roman, whether slave or foreign. This objectivity allowed Roman culture to act as the cement for the social and political system, giving it integrity and resilience, a touchstone much like the Latin used as the unifying sacred language of the imagined community of Christendom.⁴ Related to this objectivity, perhaps, are the outspoken sentiments voiced during declamation, even to Augustus' embarrassment for his role in the triumvirate, along with the vehemently enjoyed attacks on tyrants and praise for tyrannicides—happily tolerated if not encouraged by the imperial *domus*.

Moreover, this study has shown that the importance an integrative approach to the source material in the study of Roman history: the documentary, narrative and cultural evidence—each one must all be used to inform the other. The significance of *consensus* in the *Res Gestae* and other documents, for example, only fully emerges when read against its function in the contemporary history of Livy; the expenditures listed in the appendix (and elsewhere) of that document only make sense if understood against the recently explicated backdrop of *concordia*, depicting a Roman state ruined by avarice; the increasing census figures Augustus presents in chapter 8—colorless by themselves—gain lustre when related to the *Laudatio Turiae*, declamations about tyrants, and the children depicted on the *Ara Pacis*; the attraction of the principate itself with its commitment to securing property and the rule of law makes more sense by attending to the proscription narratives that memorialized all the violent and illegitimate behavior the new administration eschewed; Valerius Maximus' compilation becomes part of living history when elites are observed using the exempla he writes about in their statements and arguments. The picture of Roman history grows richer and more nuanced with the discovery of more points of intersection, for it is they that make the whole greater than the sum of its parts. If this is not done, one is confronted with a collection of statements, images, symbols, etc.,

without knowing how or why they work, and one is then reduced to oversimplifying their purpose,—everything from panegyrics to images of the emperor are explained simply as ways to shut out rivals, or to awe the populace, etc. It is only through attention to the cultural milieu and the formation of mental models that contextualize the application of political concepts that one can observe the force their application actually has. This is crucial for understanding and explaining imperial power, or rather, authority.

Moreover, though writers like Velleius, Seneca the Elder and Valerius Maximus—long utilized only as secondary documentary evidence—have recently begun to receive more attention, this can only go so far if they are treated in isolation. Far from being only material that allows one to flex one’s scholarly muscles through literary analysis, source criticism, psychoanalysis, reassessments of genre or flat rehabilitation (though these activities do have their value), their application to other sources has been limited. This is unfortunate because they shed a unique light on crucial mechanisms of ideation that, quite frankly, allowed the imperial system to function, or, for that matter, even materialize in the first place.

If it is the case that “the ‘Restoration of the Republic’ was not merely a solemn comedy, staged by a hypocrite,”⁵ then Romans of all ranks are allowed to be enthusiastic about the arrangement without being cast as mere flatterers. The chapter on Velleius, in fact, demonstrates that adulation for the administration—no one forced Velleius to write what he did—could be all the more enthusiastically undertaken if it involved showing off how much one knew about world history and Greco-Roman culture (one should keep this in mind when considering panegyric too). Though the return of peace, stability and prosperity were strong reasons to support the principate, the enthusiasm behind that support was to a large extent prompted by the administration’s close engagement with and promotion of Roman tradition and culture.

Finally, it should be apparent, first, that the creation of imperial ideology was necessary for the Roman empire to function and cohere, and second, that this ideology was implicit and rooted in largely autonomous cultural practices. Specific examples show those in power actively adopting and reproducing elements generated autonomously. For example, though Sallust was no friend of the triumvirate, we find Agrippa reproducing the words of the dying Micipsa in his own statements on *concordia*. Nepos, moreover, glorified Atticus as a lifesaver during the proscriptions, and we find the emperor Augustus writing the same type of behavior in his own autobiography, as a boy using his influence with Caesar to save lives and help people.

This also shifts the focus of the notion that imperial subjects “freely participated” in the system. Since the ideology was culturally generated and implicit, participation means much more than mere “collaboration.” One could participate simply by exercising or demonstrating cultural authority,

and one could even participate with a little truculence. Even the fractious and republican minded Asinius Pollio could be cheerfully tasked with the honor of organizing the corpus of ancient literature (the raw material of ideology) in the *Atrium Libertatis*. It was he and Messalla Corvinus—once proscribed and a former partisan of the liberators who referred to Cassius as his *imperator*—who legislated on rhetorical matters in learned coteries. Livy provided models for *consensus*-based autocracy in the early history of Rome, but in his narrative of the late republic, his perspective was not Caesarean. It was Pompeian, that is to say, Republican.⁶

Augustus could use force to protect his position, but he could not force his subjects to participate in his program. He could not force the people to clap at the theatre, he could not force people like Messalla or Pollio from retiring in protest (something that would look very bad indeed).⁷ Participation, however, was irresistible, because in so doing their cultural authority was respected—their opinions on what being Roman was all about were legislative (this would be no less attractive to other Augustan writers and poets). This being the case, their participation inspired a strong eagerness among others to be like them. The imperial system was something many were eager to participate in, because that participation was as much cultural as it was political. Joining meant belonging to a community that shared ideas and values people wanted to demonstrate they had, because doing so generated value and distinction for themselves, and the only way one could demonstrate this was by participating.

Notes

NOTES TO THE INTRODUCTION

1. For an analysis of Syme's change of opinion on imperial ideology and propaganda, and the advances made during his lifetime, see Alföldy (1993). Modern studies of propaganda and ideology generally assume that these terms carry negative connotations for most people. The two terms, moreover, are closely related, and "this can be seen in the high degree of substitutability between their respective descriptions:" see Cunningham (2002) 43–6.
2. On the dangers of anachronism, see Cunningham (2002) 17–33, 79–80: "Prior to World War I, there was not as yet something recognized or that needed to be talked about as propaganda. By the end of World War I, all that had changed." One can find an excellent overview of the criticisms particular to the early empire in Eich (2003) and Weber and Zimmerman (2003). The first emphasizes that propaganda *per se* is specific to modernity, and thus one cannot transfer its methods, effects, goals or necessities to pre-modern societies. The second demonstrates that the application of common sender-receiver models leads to the misconception that every image, statement or public act (such as gladiatorial games or a funeral) carries an implicit message, and raises more questions about intent and reception than it answers.
3. The fact that the word derived from a counter-reformation document issued by Pope Gregory XV, the *Sacra Congregatio de Propaganda Fide* (1622), is to this day suspicious to the Protestant mentality: see Taylor (1995) 110–11, Jowett and O'Donnel (1999) 2–3.
4. For the "magic bullet theory," see Cunningham (2002) 43, 127, Jowett and O'Donnel (1999), 163–5. For WWI propaganda, reactions to it, and the aftermath, see *ibid.* 208–21, Taylor (1995) 3, 176–97.
5. For an overview, see McLellan (1995) 1–8 and Wolf (1999) 21–67.
6. Geertz (1964) 56, 62. Cf. Van Dijk (1998) 130: "Ideologies are not primarily about what is true or false, but about how people represent their beliefs about themselves and about the social world, truthfully or not. The criterion is not truth but relevance (self-serving social functions, interests)."
7. *Ibid.* 63. Useful too, and more recent, is Wolf (1999). Through a comparative study of the Kwakiutl, the Aztecs and Nazi Germany, he shows that changes in the structure of power, in adapting to the crises and processes that occasioned them, required ideologies fashioned by elites "out of pre-existing cultural materials" to "render the world understandable and manageable."
8. See McLellan (1995) 2: "... ideology is less than 200 years old ... the product of the social, political and intellectual upheavals that accompanied the industrial revolution," though Geertz uses it broadly to speak of a variety of cultures, even pre-modern ones. In addition, Van Dijk (1998) 36–41, 50,

argues that groups that unreflectively hold what they consider to be shared knowledge “can . . . be called ideological at a higher, comparative, universal or historical level of analysis.”

9. Geertz (1964) 63–64.
10. Millar (2000) 3–4.
11. See Syme (1986) 441: “Like sumptuary laws or state-enforced morality, a programme of indoctrination would arouse sentiment and disbelief. There was a simple remedy: leave it to the educated class to devise formulations of acceptance. . . .”
12. To recycle a phrase from Marshall Sahlins (1995) 8. See Wolf (1999) 61–2. Similarly, Gordon (1990 (a)) shows how antiquarian trends with regard to religion, coupled with Augustus’ multiple priesthoods served the purposes of elite control.
13. See Johnson (1976) 8–17, and cf. Alföldi (1976) 11: “Die dramatis personae, die diese Auseinandersetzung durch Reden, Bestechung, Gewaltanwendung und Blutvergießen anführen, handeln nur nach gegebenen Möglichkeiten und Situationen; sie sind eher nur Instrumente der vorhandenen Kräfte, machen sich Tendenze zunutze, als daß sie autonome Potenzen darstellen.” The same author (1971) 92–3 asserts “daß die Vaterbenennung für Augustus von unter her anhebt, und nicht durch einen Zwang von oben veranlaßt wurde.”
14. Demonstrated by Cartledge (1975), esp. p. 35. If one operates from the (contestable) assumption that “Augustus . . . was a crook” and “never did anything or gave the true reasons for his actions *unless compelled to do so*” (*ibid.* 31), then even the most cynical observer must admit that there was much he was compelled to do and represent.
15. Eich (2000) 353–66, formulated the notion of representation for the purposes of perceptible form. Cf. Eich (2003) 79. See also Weber-Zimmerman (2003) 24, 34 ff.: “Bei der Erforschung der Repräsentation steht also die Wechselwirkung zwischen Erwartung und Articulation von Herrschaftsideologie im Vordergrund. Es geht nicht . . . um propagandische Vermittlung von Inhalten zur Lenkung möglicher Rezipienten, sondern um die Behauptung der Erfüllung moralisch-ethischer und konsensfähiger Maximen, wobei in Maßen die Stellung des Kaisers überhöht werden kann.”
16. In general, see Eich (2003) 68ff.
17. Weber and Zimmerman (2003) themselves refer to “Herrschaftsideologie.” For some criticisms of their narrow view of propaganda, see Enenkel (2005) 5–9. Richard Gordon (1990 (a)) observes: “While of course late Republican or early Imperial Rome was not a ‘modern society,’ it was certainly not simple: indeed, one of the theoretical reasons for studying such an empire is the encouragement it offers us to create special ‘intermediate’ models replacing the insidious bipolarity of the dichotomy ‘archaic’ versus ‘modern.’” Field (2006) also offers judicious observations on the study of antiquity from the perspective of modernity.
18. See esp. Cunningham (2002) 75.
19. As shown by Vanderbroeck (1987).
20. See Alföldi (1976), who places great emphasis on the management of Balbus, again often behind the scenes.
21. I strongly disagree with Eich (2003) 50, who contends that “die Momente, die das . . . moralische Fluidum der augusteischen Phase konstituieren, finden sich im wesentlichen in Texten, die *nach* dem Ende der Bürgerkriege und *nach* der Konstituierung des Prinzipats geschrieben wird.” I also disagree with Johnson (1976), who finds the roots of Augustan ideology and propaganda in the Actian campaign. Rather, integration propaganda was operative from the peace of Misenum in 39.

22. Van Dijk (1998) 88. Cf. *ibid.* 97–8.
23. *Ibid.* 135–85. Habinek (1998) provides a useful and groundbreaking study on the role of elite literature in the formation of Roman identity and ideology.
24. See *ibid.* 147: “Groups may . . . have a collective past, history and experiences that not all members personally have, as is typical for the holocaust and the Jews.”
25. For the ease—and relative innocence—with which modern Western societies have completely invented histories and traditions to serve the needs of power and identity, see Lewis (1975) and Hobsbawm and Ranger (1983). Though the Augustan age is pre-modern, the political transformation bears striking similarities to the “imagined community” described by Anderson (1991).
26. Ellul (1965) 61–84.
27. Dio 53.19. Cf. Tac. *Hist.* 1.1: *simul veritas pluribus modis infracta, primum inscitia rei publicae ut alienae. . . .*
28. E.g. Taylor (1995) 8: “There is no real point . . . in making moral judgments concerning whether propaganda is a ‘good’ or a ‘bad’ thing; it merely *is*. Rather, one needs to direct any moral judgment away from the propaganda process itself and more to the intentions and goals of those employing propaganda to secure those intentions and goals.” For illuminating demonstrations of the propaganda and deception used on all fronts by the colonial forces during the American War of Independence, see *ibid.* 133ff. and Jowett and O’Donnell (1999) 76ff.
29. Cunningham’s (2002) study concentrates primarily on attacking the neutrality thesis, but is excellent for describing propaganda’s intimate relationship with and exploitation of the truth. Johnson’s (1976) excellent but neglected dissertation appears to be the first (and largely successful) attempt to rehabilitate Augustan propaganda from serious misconceptions (see esp. 4–17) based on the assumption that because it was propaganda, it had to be deceptive. Cf. Benario (1975) 301, with respect to the *Res Gestae*: “Augustus could not run the risk to his posthumous reputation of blatant falsehood.”
30. E.g. Taylor (1995) 6: “By propaganda . . . I mean the *deliberate* attempt to persuade people to think and behave *in a desired way* . . . the conscious, methodical and planned decisions to employ techniques of persuasion designed to achieve specific goals that are *intended to benefit those organizing the process*.” Jowett and O’Donnell (1999) 5–6 view it as a “subcategory of persuasion . . . : *Propaganda is the deliberate, systematic attempt to shape perceptions, manipulate cognitions, and direct behavior to achieve a response that furthers the desired intent of the propagandist.*” Cunningham (2002) 14–5, 36–7, 59–65, notes that the term propaganda itself is notoriously difficult to define, and “has been described as a ubiquitous sociological phenomenon that is virtually indistinguishable from culture itself.” Cf. *ibid.* 75, 88.
31. *Ibid.*
32. Foulkes (1983) 3. Cf. Cunningham (2002) 98.
33. *Ibid.* 102–106, 145–7. Though, based on Ellul’s (1965) observations of the use of information and audience receptivity in modern propaganda, the experience of the early principate is roughly analogous. Cf. Foulkes (1983) 30–34. The reign of Louis XIV provides an excellent example of censorship and propaganda in defense of absolutism that largely fails: see Taylor (1995) 121–6. For some examples from the ancient world, cf. Weber and Zimmerman (2003) 38.
34. Jowett and O’Donnell (1999) 33–4. For “anchors,” see *ibid.* 29–34.
35. For interpretants, see Foulkes (1983) 23ff. For the strategy of labeling opponents ‘enemies of the state,’ see *ibid.* 25, 84.

36. *Ibid.* 45ff.
37. For judicious use of the notion of linguistic determinism (and its possible subversions in literature), see *ibid.* 6, 37ff.
38. Doubtless through repetition the individual was confronted with a “language that did its thinking for you,” to borrow Klemperer’s expression. But the comparison between the monstrosity of totalitarianism and the Augustan regime is mostly artificial, and Hitler’s appalling success was partly due to his knowledge and manipulation of powerful notions in mainstream currents that even Zionism mirrored (though certainly not for purposes comparable to Hitler’s). See Klemperer (2000), 201ff.: “The problem is that Hitler and Herzl feed to a very large extent on the same heritage.”
39. For “essentially contested concepts” see Gallie (1955–6), and the discussion in Freedman (2003) 51ff.
40. See Wirszubski (1950), and Roller (2001) 227ff.
41. Suet. *Aug.* 31. Moreover, the *circumstances* to which the competing interpreters of essentially contested concepts adapt their activities is essential to their evaluation. See Gallie (1955–6) 177 (emphasis mine): “To follow an exemplar is to exert oneself to revive its . . . way of doing things, not only to the utmost of one’s ability, *but to the utmost that circumstances, favorable or unfavorable, will allow.*” Cf. Eder (2005): “. . . the spectrum of what could be considered republican had always been extraordinarily wide. The reason was that the Roman Republic in its heyday . . . boiled down to a system of traditional concepts and principles that could be adapted time and again to changing realities.”
42. The factionalist approach which dominated Anglophone Roman studies of the last century was dismantled by Brunt (1988), who emphasized popular politics in the social struggles that engendered the principate; see *idem* (1971). The stress on popular sovereignty in the Republic was established by the scholarship of his successor Fergus Millar (1984 (a), 1986, 1998). For useful summaries of the scholarly trend, see North (1990) and Hölkeskamp (1993). Vanderbroeck (1987) studies the central role of popular mass mobilization in late republican politics, while Yavetz’ (1988) study of the relationship between the emperor and the *plebs* provides a valuable link between the empire and these aspects of the republican system. Sumi (2005) has recently fleshed out this link with his study of triumviral politics. In general, Nippel (1995) highlights how Roman society was largely self-regulating in the ancient world with regard to public order, and largely based on the willing deference of the non-political classes to those in authority.
43. Torelli’s (1995) observations of the material record show that Italian Romanization occurred in the half-century between the social war and the beginning of the empire: “The great diversity of structures and of cultural levels which manifested itself during the preceding social war turns into evident uniformity” (p. 12). Cf. *idem* (1999), which sees in the slow process of Italian Romanization the roots of Augustan *consensus*. See especially Wallace-Hadrill (1997, 2005) The radical transformation of provincial society and culture along standard Roman models was also completely influenced by the Augustan “revolution”: see Woolf (1998) esp. 181–2, Macmullen (2000), esp. 124ff. See too Purcell (2005) and Woolf (2005).
44. Gowing (2005) 5.
45. Attention to *consensus* also interacts with the reorientation of Millar’s groundbreaking account of popular sovereignty, criticized nevertheless for its reliance on Polybius, who, being a Greek, understood the nature of assemblies differently than a Roman did (See Beard and Crawford (1985) 50 and North (1990) 282–7). Flaig’s (1995) approach, which describes the assembly

not as an organ of democracy, but rather of *consensus*, has added benefit for demonstrating how this culture of *consensus* could exist after the effective extinction of republican institutions.

NOTES TO CHAPTER 1

1. RG 34–35 Brunt and Moore (1967) trans.
2. For the context, purpose and significance of the mausoleum, see Zanker (1988) 72–77.
3. Widely regarded as such. See Syme (1974) = 1984 (a) 920; Brunt and Moore (1967) 5–6; Ramage (1987) 103, 108; Eder (1990) 73, 87; Galinsky (1996) 11.
4. See Hohl (1933).
5. Dec 31, 33 BC may now be considered the accepted expiration date. See Benario (1975), also Wardle (1995), Girardet's (1995) exceptionally good account, and Pelling (1996) 67–8. Millar (2000) 4–7 points out that the sources do not speak of Octavian “restoring” the republic (because it was never abolished), but rather of conserving it or setting it in order. For the sake of convenience I use the word “restoration of the republic” to refer to the transfer (*transtuli*) of the *res publica* from his own power into the control of the senate and Roman people.
6. See Krömer (1978) and Botteri (2003).
7. Petzold (1969) argued against Berve (1936), who followed Ramsay-Premerstein (1927) who maintained that the tense of *extinxeram* was prior to that of *potitus*.
8. *Ibid.* 347 n. 53. Seyfarth (1957) argued against the more common understanding of *potitus* as a takeover, an assumption that had led Schönbauer (1946) to replace it with *compos*, because the former seemed too arrogant. See, too, Béranger (1948) 175, Chilver (1950) 416 and Adcock (1951) 130.
9. Seyfarth (1957), 307 discusses Kolbe's (1944) thesis that the *potitus* in RG 34 has a concessive force.
10. See Krömer (1978) 140–44.
11. See esp. Johnson (1976) 21–102. Zanker (1988) 33–77 reviews triumviral propaganda with emphasis on the visual aspects. For Antonian propaganda in general, see Tarn (1932) and Zanker (1988) 57–65, esp. 57. Cf. the matching opinions of Meier (1990) 64–5 and Eder (1990) 95–100. See too Beacham (2005) 152–60. For an account that favors Antonius, see Syme (1939) 270–93.
12. The solution that Octavian kept legitimate *imperium* by staying outside the *pomerium* until he triumphed in 29, was proposed independently by Girardet (1990), then Lewis (1991).
13. D.C. 49.41.4 f. and Syme (1939) 278.
14. Syme (1939) 279.
15. See Syme (1939) 280–82.
16. D.C. 50.3.4. Both would have been convened outside the *pomerium*. The fact that much was made of the illegality of seizing the will speaks in favor of the idea that Octavian did not act illegally in his other dealings with the senate.
17. See D.C. 50.3.4. Seizing the will *was* illegal (according to the *Lex Cornelia de falsis* of 81). Plutarch (*Ant.* 58.4) also records the initial indignation of the senators. See further Fadinger (1969) 232–6, and Johnson (1976).
18. Fadinger (1969) 242–6 discusses the notion, first proposed by Rostovtzeff (1926), that the will was forged, observing that there is no evidence for this, even in pro-Antonian sources. See also Johnson (1976) 111–126.

19. Plutarch (*Ant.* 59.1–4), discussed by Fadinger (1969) 240–1, who persuasively argues for an eyewitness source, perhaps Dellius.
20. D.C. 50.4.2: καὶ τοσαύτη γε ἐπὶ τούτοις ὀργῇ ἐχρήσαντο ὥστε πάντας, οὐχ ὅπως τοὺς διαφόρους αὐτῶ ἢ καὶ ἐκ μέσου ἀμφοῖν ὄντας, ἀλλὰ καὶ τοὺς πάνυ φίλους, δεινῶς αὐτὸν αἰτιάσασθαι τοῖς τε γὰρ ἀναγνωσθεῖσιν ἐκπλαγέντες, καὶ πρὸς τὴν τοῦ Καίσαρος ὑποψίαν ἀνταγωνιζόμενοι, τὰ αὐτὰ τοῖς ἄλλοις ἔλεγον. This clearly depends on Augustus' autobiography: see Fadinger (1969) 239.
21. Petzold (1969) 346–7, Fadinger (1969) 236–9.
22. For the erroneous testimony of Appian (*BC* 4.38) and Suetonius (*Aug.* 17.2) that he was at this time declared an enemy of state, see Fadinger (1969) 245–64. The declaration was in fact after Actium, early in 30 BC. This postponement was designed to hold out the possibility of general reconciliation, avoid the odium of starting a civil war, and to help facilitate the defection of Antonians disgruntled with the influence of Egypt's Queen. Plutarch (*Ant.* 60) asserts that the reason he was deprived of command was that he was not his own man.
23. D.C. 50.13.6.
24. Petzold (1969) 347–8. On the importance of Octavian as *fetialis*, see Kearsley (1999) 58–60. On the possible invention of the ceremony, see Sumi (2005) 210ff.
25. D.C. 50.6.2–6. Herrmann (1968) 50–99 provides essential discussion and assessment of these oaths.
26. 4.6.41–2: *solve metu patriam, quae nunc te vindice freta | imposuit prorae publica vota tuae.*
27. *Iuraverunt in eadem verba provinciae Galliae, Hispaniae, Africa, Sicilia, Sardinia.* The notion of “free will” corresponds to the fact that the oath was specifically not a military *sacramentum*, but rather one of *evocatio/coniuratio*. For a superb account of its constitutional nature, see Linderski (1984) 80. Cf. Osgood (2006(a)) 357–64. Suetonius (*Aug.* 17.2), in clear dependence on Augustus' autobiography, records that Augustus exempted the people of Bononia, because they were colonists, and thus clients of Antonius. Dio (50.6.3) includes less flattering Antonian material, saying that Augustus intimidated or cajoled these waverers, and says that he changed the charter of Bononia to make it look like he himself had founded the colony. This was noticed by Petzold (1969) n. 65 and confirmed by inscription (*CIL* 11:133, no. 720).
28. See Girardet (1990) 345–50. On the title of *dux* instead of *imperator*, see Kearsley (1999) 63 ff. Von Premerstein (1937) 65 identified the oath with the *consensus* of RG 34, but Instinsky (1940) 266 notes that the evidence he compiled does not support this. Herrmann (1968) 83ff. demonstrates that the oath was modeled on a military *sacramentum*, and was not a client oath or the oath of a party towards its chief. Its immediate precedent was the one made voluntarily by almost the entire senate, most of the equestrians and the most prominent of the plebs to Antonius at the end of 44 or early 43 BC, before he decamped to engage D. Brutus at Mutina (see App. *B.C.* 3.7.44–45 and Herrmann (1968) 60–66). The oath of 32 turned the Italian citizen body into a quasi-military following, and formed an essential component for the actual recognition of Octavian's pre-eminent position.
29. D.C. 50.11.5: πάντας μὲν τοὺς στρατιώτας ὧν τι ὄφελος ἦν, πάντας δὲ τοὺς τι δυναμένους καὶ τῶν βουλευτῶν καὶ τῶν ἰππέων ἐς τὸ Βρεντέσιον συνήγαγε. τοὺς μὲν ὅπως τι συμπράξωσιν αὐτῶ τοὺς δ' ὅπως μηδὲν μωχθέντες νεοχμώσωσι, τό τε μέγιστον ὅπως ἐνδείξεται τοῖς ἀνθρώποις ὅτι καὶ τὸ πλεῖστον καὶ τὸ κράτιστον τῶν Ῥωμαίων ὁμογνωμονοῦν ἔχοι. See also Fadinger (1969) 281–2.

30. Petzold (1969) 348 n. 57.
31. *Aen.* 8.678 ff. *hinc Augustus ingens Italos in proelia Caesar | cum patribus populoque penatibus et magnis dis.*
32. See Syme (1986) 200–216, Hinard (1985) 550.
33. D.C. 51.1.1, 56.30.5, Suet. *Aug.* 8.3, Josephus *Ant. Jud.* 15.109. See also Fadinger (1969) 291–2.
34. *Hist.* 1.1.1: *postquam bellatum ad Actium atque omnem potentiam ad unum conferris pacis interfuit.*
35. *Ann.* 1.1: *Qui cuncta discordiis civilibus fessa nomine principis sub imperium accepit.* Cf. 1.9.4: *non aliud discordantis patriae remedium fuisse quam ut ab uno regeretur.*
36. D.C. 51.4.2: ἐφοβήθη μή τι κακὸν προστάτου τινὸς λαβόμενοι δράσωσι.
37. D.C. 51.4.4–5: ἐπεὶ γὰρ ἦ τε γερούσια πυθμομένη τὸν πρόσπλον αὐτοῦ πᾶσα ἐκέϊσε. . . ἀπήντησε, καὶ ἡ ἵππας τοῦ τε δήμου τὸ πλεῖον καὶ ἕτεροι, οἱ μὲν κατὰ πρεσβείας οἱ δὲ ἐθελονταί, πολλοὶ συνῆλθον, οὐκέτ' οὐδὲν ὑπ' οὐδενὸς πρὸς τε τὴν ἄφιξιν αὐτοῦ καὶ πρὸς τὴν τῶν πλειόνων σπουδὴν ἐνεοχμώθη. Cf. Suet. *Aug.* 17.3, Tac. *Ann.* 1.42.
38. The use of the word *universorum* designates, not each and every citizen *per se*, but rather, as Fadinger (1969), argues, “die aus der überwiegenden Majorität der einzelnen Stände zusammengesetzte Gesamtheit der Bürgerschaft.” In this he follows Petzold (1969) 344–6.
39. See Suet. *Aug.* 24–25, 49.2, which deals with the manner in which Augustus curbed the soldiers. This is celebrated again in the SCPP (ll. 52–3): . . . *militarem disciplinam a divo Aug(usto) institutam et servatam a Ti. Caesare.* . . . Cf. Tac. *Ann.* 1.34, where Germanicus confronts the mutinous German legions with the loyal *consensus* of Italy: *Italiae inde consensus, Galliarum fidem extulit.*
40. D.C. 51.4.6–8. Octavian went to great lengths to get people to believe that he would pay them back. And he eventually did discharge this debt from the spoils of Egypt.
41. Vell. 2.89.1: *Caesar autem, reversus in Italiam atque urbem, quo occurso, quo favore omnium hominum, aetatum, ordinum exceptus sit, quae magnificentia triumphorum eius, quae fuerit munerum, ne in operis quidem iusti materia, nedum huius tam recisi digne exprimi potest.*
42. Vell. 2.89.1–2: *Nihil deinde optare a dis homines, nihil dii hominibus praestare possunt, nihil voto concipi, nihil felicitate consummari, quod non Augustus post reditum in urbem rei publicae populoque Romano terrarumque orbi repraesentaverit.* See Fadinger (1969) 306. Vergil *Aen.* 8.714–19 commemorates the occasion too, in the ekphrasis on the shield of Aeneas: *At Caesar, triplici invecus Romana triumpho . . . laetitia ludisque viae plausuque fremebant; | omnibus in templis matrum chorus, omnibus arae; | ante aras terram caesi stravere iuveni.*
43. Augustus (RG 21) mentions the crowns, and adds that he refused the honor each time the towns voted him crowns for being saluted as *imperator*.
44. Fadinger (1969) 308–311.
45. D.C. 52.42.1. Cf. Suet. *Aug.* 35.1 who writes that there were over 1,000.
46. D.C. 52.42.8. This occurred *after* the purge, and thus there were still many senators (πολλοὺς ἔτι καὶ τῶν βουλευτῶν) *afterward*, formerly Antonians, who had reason to be suspicious. Syme (1939) 349–50 ignores this when he asserts that the purpose of the census was to purge Antonian partisans. He also ignores the compensation for the land confiscated from Antonians for the settlement of the veterans, thus removing the possibility that Antonian senators would be ejected on account of their ruined property. RG 16 makes much of this expenditure, scrupulously recording the amount (600,000,000

sesterces for the land in Italy alone). Cf. Jones (1970) 45. D.C. 56.41.3 records that the purpose was to remove the unworthy elements that had crept in during the triumvirate.

47. Gurval (1995).
48. For the official policy of amnesty, see Vell. 2.85.5, 2.86.2, 2.87.2. Cf. RG 3, and D.C. 56.38.1–5, with direct contrast to Marius, Sulla, Pompey and Caesar. For the politics of civic unity, see Vell. 2.90.1: *sepultis, ut praediximus bellis civilibus coalescentibusque rei publicae membris*. See especially Dio's (53.5.4) depiction of Octavian's self-understanding of his task prior to the restoration of the state: ἐπειδὴ δὲ καλῶς ποιούσα ἡ τύχη καὶ τὴν εἰρήνην ἀδολον καὶ τὴν ὁμόνοιαν ἀστασίαστον δι' ἐμοῦ ὑμῖν ἀποδέδωκεν. ἀπολάβετε καὶ τὴν ἐλευθερίαν καὶ τὴν δημοκρατίαν, κομίσασθε καὶ τὰ ὅπλα καὶ τὰ ἔθνη τὰ ὑπήκοα, καὶ πολιτεύεσθε ὡσπερ εἰώθετε. Cf. 53.8.2. Livy also reflects the spirit of the age when he writes at 9.19.17: *huius qua vivimus pacis amor et civilis cura concordiae*.
49. Fadinger (1969) 317.
50. ποιήσας δὲ ταῦτα, καὶ τὸ μὲν στασιωτικὸν πᾶν τὸ περιλειφθὲν φιλανθρωπία καταστήσας, τὸ δὲ στρατιωτικὸν τὸ κρατήσαν εὐεργεσία μετριάσας, καὶ δυνηθεῖς ἂν ἐκ τούτων καὶ ἐκ τῶν ὄπλων τῶν τε χρημάτων μόνος ἀναμφιλόγως κύριος ἀπάντων, ὧν γε καὶ ὑπ' αὐτῶν τῶν πραγμάτων ἐγεγόνη, εἶναι, οὐκ ἠθέλησεν. . . .
51. ὅστις πάσας μὲν τὰς δυνάμεις ὑμῶν τηλικαύτας οὖσας ἔχων, πάντων δὲ τῶν χρημάτων πλείστων ὄντων κρατῶν, καὶ μήτε φοβούμενός τινα μήθ' ὑποπτέων, ἀλλ' ἐξὸν αὐτῷ πάντων συνεπαινούστων μόνω ἄρχειν, οὐκ ἤξιωσεν, ἀλλὰ καὶ τὰ ὅπλα καὶ τὰ ἔθνη καὶ τὰ χρήματα ἐς τὸ μέσον ὑμῖν κατέθηκεν.
52. The fact that Augustus does not feel the need to explain his position vis-à-vis the constitution from 32–28 BC in the RG, though such justifications existed, shows just how unimportant he considered them to be at the time compared to the *consensus* that underwrote them. Chilver (1950) provides a good review of the possible explanations. He is surely right (p. 419–20) to emphasize Octavian's annual consulship during these years and “the subservience of his consular colleagues.” A “republican” paradigm for this lay clearly to hand in the work of Livy (6.6.1), discussed below. For the relationship between *consensus* and *potestas*, cf. Caes. BG 7.4 (with regard to Vercingetorix): *omnium consensu ad eum defertur imperium. Qua oblata potestate omnibus his civitatibus obsides imperat*.
53. See Sumi (2005) 216–7.
54. See Petzold (1969) 344 n. 43. Seyfarth (1957) 323 had merely proposed that *potitus* does not necessarily refer to a seizure of power, and saw *per* as denoting a secondary side-effect, not the cause for possessing it. Syme (1986) 80 followed this perspective: “the parenthesis is balanced. It makes a concession (‘potitus’ is a strong word), matched with a firm assertion. That is, power without limit, but everybody had wanted him to take it.”
55. Instinsky (1940) 267–9.
56. To Mommsen, *consensus* constitutes an unofficial opinion which only took on legal status when confirmed by official decree (see (1887) 305 n. 2). As for his opinion on RG 34, see *idem* (1883) 146–7: “Neque obscure significat Augustus in commentario potestatem illam extraordinariam non lege se obtinuisse sed rerum omnium potitum *per consensus universorum*, sive, ut recte vertit interpres, κατὰ τὰς εὐχὰς τῶν ἐμῶν πολειτῶν. Nam qui consentiunt, non decernunt, sed probant laudantque, et semper opponuntur decretum eorum apud quos rerum potestas est, et consensus eorum quorum ius continetur in plaudando aut querendo.” One can find Mommsen's compilation of the examples underlying this assertion in *CIL* 10, vol. 2, 1157.

57. The relationship between this *consensus* and voting remained very much an issue of contention, as scholars combed the sources either for possible references to legislation that placed Octavian in a position which he could describe as autocratic, or for precedents that would indicate that his position, though not established by decree, was still a legal one because of *consensus*. Adcock (1951) made Octavian's "autocracy into something decreed between 28 and 27 BC." He is followed by Grenade (1961) who tries to reconstruct the event. The sources indicate nothing of the kind, as Chilver (1950) 412 observes. Moreover, nothing suggests the legalization of Octavian's position by some other act of *consensus* alone. See *ibid.* 412–17 (arguing generally against Schönbauer (1946) and Grant (1946)).
58. The *teleology* of Roman social and political life was structured around *consensus*. The formal constitutional machinery was supposed to facilitate its expression. A real polity in the first place needed to have the ability to express *consensus* through public assemblies and constitutional procedure (see esp. Livy 26.16.9). As Instinsky (1940) noted, *consensus* is the master, not the servant of the decree, and there is clear evidence that the Romans viewed it as sufficient in the absence of constitutional mechanisms. Two situations come to mind. The first is when circumstances do not permit their operation, as when the Pisa document mentioned above ratifies *qu[ae] facta acta const[ituta] sunt per consensum omnium ordinum*, or when Livy 28.24.13.3 says that mutinous soldiers near Sucro drive out their tribunes and place two privates at their head: *ad principes seditionis, gregarios milites . . . delatum omnium consensu imperium est*. The second circumstance concerns the elevation of individuals to political authority prior to the invention of constitutional mechanisms, as in the case of Numitor (Livy 1.6.2): *Iuvenes per mediam contionem agmine ingressi cum avum regem salutassent, secuta ex omni multitudine consentiens vox ratum nomen imperiumque regi fecit*. This is nothing new. Cassius Hemina used the concept over a century earlier to describe the "election" of Romulus and Remus to equal authority. See Peter (1967) 101 no. 11.
59. For resonances between Ciceronian rhetoric and Augustus' claim to represent *tota Italia*, see Kearsley (1999) 62–3.
60. For some evidence of *consensus* and legislation, see Livy 4.24.6, 10.9.1, which describes *leges* passed *ingenti consensu*. At 24.1.8, the Locrian assembly decides to surrender to Carthage *haud dubio in speciem consensu*. Clearly the constitutional mechanisms are organs of *consensus*, which may be more or less manifest in them.
61. Published by Rich and Williams (1999).
62. Tac. *Ann.* 3.28.1–2: *exim continua per viginti annos discordia, non mos, non ius . . . sexto demum consulatu Caesar Augustus, potentiae securus, quae triumviratu iusserat abolevit deditque iura quis pace et principe uteremur*. Cf. Val. Max. 6.2.12.
63. See D.C. 53.2.5, Tac. *Ann.* 3.28.1–2 and Rich and Williams (1999) 197. For a detailed picture of the illegalities, see Millar (1973) 50–54, 59–61.
64. Millar's (1973) study of the restoration asserts that the Romans shrugged at the gesture and that the observation of republican norms became more prominent in the course of the triumvirate, but that the assumption of personal jurisdiction over the courts and provinces by the emperor soon permanently eclipsed this development. This position has become more complicated over the years. See, e.g. Orth (1984) 79 f., Bleicken (1990), who finds that the senate has more of a role after the restoration, and that the unrepublican measures only came between 23 and 19. Rich and Williams (1999) also change the picture significantly with their analysis of the new aureus.

65. See Grenade (1961) 244, the sources and literature cited in Volkmann (1957) 57f., and Woodman (1983) 268 f., and the discussion in Ramage (1987) 100–102. The most salient ancient appraisal belongs to D.C. 53.16.8. Florus (2.34.66) concurs.
66. Vell. 2.91.1: *quod cognomen illi viro Planci sententia consensus universi senatus populique Romani indidit.*
67. See Starr (1978) 102: “The name Augustus is given as the culminating tribute for all the good works detailed in the preceeding chapters (even though some of these good works were done long after 27 BC).” For other sources, see Volkmann (1957) 57ff.
68. Wallace-Hadrill (1981) and Classen (1991) show that the *consensus* reflected on the occasion of the honor finds its proper context only in the political experiences of the Roman citizenry prior to restoration.
69. *Post id tempus auctoritate omnibus praestiti, potestatis autem nihilo amplius habui quam ceteri, qui mihi quoque in magistratu conlegae fuerunt.*
70. Gagé (1935) 147–49 and Volkmann (1957) 60–61 have compiled the ancient sources. Ramage (1987) 104–10 offers a recent discussion of its significance.
71. Suet. *Aug.* 31.5. For the *summi viri* in the context of the architectural program of the forum, see Zanker (1988) 194, 210–215.
72. Suet. *Aug.* 31.5: *commentum id se, ut ad illorum vitam velut ad exemplar et ipse, dum viveret, et insequentium aetatium principes exigerentur a civibus.*
73. Vell. 2.39, Zanker (1988) 214.
74. *Ibid.* 211. Caesar had been deified and thus could not be included.
75. As Hardie (1993) 3–6 speaks of Aeneas.
76. D.C. 56.34.2. Including, notably, the *imago* of Pompey. The contrast implied in the inscription beneath the quadriga was also visualized, since representations of all of the nations Augustus had conquered followed in the procession too.
77. See Salmon (1956) 476–77, and Ramage (1987) 104, 108. For confirmation and a classic study of the context surrounding the conferral of the honor in Augustus’ thirteenth consulship (2 BC), see Syme (1974) 920: “The chapter which registers the conferment of *pater patriae* in the thirteenth consulship represents the proper end and culmination. . . .” The RG was more or less complete by this date.
78. Except for Caligula, emperors after Tiberius (who refused the honor outright), at least early on, normally deferred this title alone on succession (but only for one year). Inaccurate too is Pliny’s (*N.H.* 7.117) statement that it was officially first granted to Cicero for saving his country from the Catilinarian conspiracy. Nevertheless, Appian’s narration of the occasion (*BC* 2.1.7) evokes the phenomenology of Roman *consensu*. See further Weinstock (1971) 200–205. Alföldi (1971) also provides an excellent overview of the evolution and significance of this term.
79. D.C. 55.10.10 relates that Augustus was unofficially called “father” before the decree. Cf. Horace *Carm.* 1.2.50. The whole foundation of legitimacy rests on making symbolic exchanges—which from the outside appear as formulaic cultural necessity and a matter of course—appear *not* to be a matter of course (thus Bourdieu (1977)). Cf. D.C. 52.35.1f. Augustus clearly understood the political capital to be made from patience. He did not, for example, usurp the title Pontifex Maximus but waited until the death of Lepidus (12 BC), though it was offered to him by the people before that time (RG 10). See Bowersock (1990) 381f. and Scheid (2005) 187–92. In addition, Eder (1990) 78 emphasizes how scrupulously Augustus both shared office and paid attention to temporal limits in the periodic renewal of his extraordinary commands.

80. See n. 67, *supra*. Suetonius' account too (*Aug.* 58, see *infra*) demonstrates clearly that such a phenomenon was an act of *consensus*: *Patris Patriae cognomen universi repentino maximoque consensu detulerunt ei*. . . . See also Grenade (1961) 248. For Ovid, the manner in which the title was conferred—by each distinct social order of citizens—lent it its unique importance (*Fasti* 2.127 f.): *sancte pater patriae, tibi plebs, tibi curia nomen hoc dedit. Hoc dedimus nos tibi nomen, eques*. Appian's stipulation that the name reflected achievement is also present here: *res tamen ante dedit. Sero quoque vera tulisti nomina*. . . .
81. *Patris patriae cognomen universi repentino maximoque consensu detulerunt ei: prima plebis legatione Antium missa; dein, quia non recipiebat, ineunti Romae spectacula frequens et laureata; mox in curia senatus, neque decreto neque adclamatione, sed per Valerium Messalam. Is mandantibus cunctis: 'quod bonum, inquit faustumque sit tibi domui tuae, Caesar Auguste! Sic enim nos perpetuam felicitatem rei p. et laeta huic precari existimamus: senatus te consentiens cum populo R. consalutat patriae patrem.'* Cui larimans respondit Augustus his verbis—*ipsa enim, sicut Messalae posui: 'compos factus votorum meorum, p. c., quid habeo aliud deos immortales precari, quam ut hunc consensum vestrum ad ultimum finem vitae mihi perferre liceat?'* = Malcovati⁴ (1962) 165. Against the objection that working from attributed remarks is bad history, see Yavetz (1990) 31–32. There is no reason to think that such momentous words would have been forgotten. Suetonius explicitly states that he quotes exactly.
82. Yavetz (1984) 13–14.
83. One can clearly discern this in the beginning of the *RG*, and in Dio's report of the *laudatio funebris*. For his services rendered on private initiative (*quas ob res*), for the eradication of the tyranny of faction, the senate adlected him, and granted him propraetorian power. The people voted him the offices of consul and triumvir (*RG* 1). The *laudatio* reports the election to praetor and consul, and contends that Octavian entered the triumvirate to represent the *consensus* of the majority of the people, the flower of the people (read: "the knights") and the senate. See D.C. 56.37.1: αὐτὴ μὲν δὴ καὶ Αὐγούστῳ τοῦ πολιτικοῦ βίου ἀρχὴ καὶ ἐμοὶ τοῦ περὶ αὐτοῦ λόγου γέγονε: μετὰ δὲ δὴ τοῦτο ὁρῶν τὸ μὲν πλεῖστον καὶ κράτιστον καὶ τοῦ δήμου καὶ τῆς βουλῆς ἑαυτῶ συμφρονοῦν [= *consentientes*], στασιωτείαις δὲ τισι τὸν τε Λέπιδον καὶ τὸν Ἀντώνιον τὸν τε Σέξτον καὶ τὸν Βρούτῳ τὸν τε Κάσιον χρωμένους, καὶ [μὴ] φοβηθεὶς μὴ πολλοῖς ἅμα πολέμοις, καὶ τούτοις ἐμφυλίοις, ἢ πόλις συνεχεχθεῖσα καὶ διασπασθῆ καὶ ἐκτροχωθῆ ὥστε μηδένα ἔτι τρόπον ἀνευεγκεῖν δυνηθῆναι, φρονιμώτατα καὶ δημωφελέστατα αὐτοῦς διέθηκεν. . . . *RG* 4 details the imperial salutations received, and the number of triumphs and thanksgivings decreed by the senate.
84. Grenade (1961) 251 notes that Augustus chose to omit the fact that on one occasion, the plebs entered the senate and threatened to burn it down if the senators did not appoint him dictator. Cf. D.C. 54.1.31 and Suet. *Aug.* 52, Vell. 2.89.5. Further sources and discussion of this and the refusal of the consulship can be found in Gagé (1935) 80–1, and Volkmann (1957) 16–17. See too Béranger (1948 = 1973 170–1).
85. Much of the Latin is reconstructed from the Greek: [. . . *senatu populoq[ue] Romano consentientibus*] *ut cu[r]ator legum et morum summa potestate solus crearer, nullum magistratum contra morem maiorum delatum recipi*]. Sources and discussion in Gagé (1935) 81–2, Volkmann (1957) 17.
86. *Pr[iva]ti[m] etiam et municipatim univ[er]si cives unanimite[r] con[ti]nente[r] apud omnia pulvinaria pro vale[tu]din[e] mea s[upp]p[licaverunt]*.

87. RG 10: . . . *cuncta ex Italia [ad comitia mea] confluen[te mu]ltitudine quanta Romae nun[]uam [fertur ante i]d temp[us fuisse].*
88. Suet. *Aug.* 57.1: *Omitto senatus consulta, quia possunt videri vel necessitate expressa vel verecundia.*
89. 57.2: *veterani, decuriae, tribus, atque etiam singillatim e cetero genere hominum libentes. . . .*
90. One might also add another direct reference to *consensus*, dated to 16 BC. Two denarii types minted at Rome by L. Mescinius Rufus, bearing on the obverse either an *imago clipeata* of Augustus or an oak wreath surrounding the legend I[OVI] O[PTIMO] M[AXIMO] | S[ENATUS] P[OPULUSQUE] R[OMANUS] V[OTA] S[USCEPTA] PR[O] S[ALUTE] IMP[ERATORIS] CAE[SARIS] Q[UOD] PER E[UM] R[ES] P[UBLICA] IN AMP[LIORE] ATQ[UE] TRA[NQUILIORE] S[TATU] E[ST], have on the reverse a cippus inscribed IMP | CAES | AUG | COMM[UNI] | CONS[ENSU] with the letters S[ENATUS] C[ONSULTO] to the left and the right (RIC I, p. 68 = BMC 90).
91. Suet. *Aug.* 28.2: *“Ita mihi salvam ac sospitem rem p. sistere in sua sede liceat atque eius rei fructum percipere, quem peto, ut optimi status auctor dicar et moriens ut feram mecum spem, mansura in vestigio suo fundamenta rei p. quae iecero.”* Suetonius adds that he was successful in his desire. *Fecitque ipse se compotem voti nisus omni modo, ne quem novi status paeniteret.*
92. According to Instinsky (1941) 274, in all of this *consensus* permanently directed at one person “one can discern . . . a moment essential for the principate and distinguishable from the forms of the political life of the republic.” The examples adduced, however, do not reflect the novelty of *consensus* itself, but rather the way in which the senate uses it and the speed with which it reaches it (due to the presence of the *princeps*).
93. Koenen (1970 a) 218–22. See too Gronewald (1987).
94. PKöln VI 249 ll. 11–14: ἡ [γ]αρ δημοκρατικὴ σοὶ ἐξουσία εἰς πέντε ἔτη κατὰ δόγμα συνκλήτου . . . ἐδόθη· καὶ πάλιν αὐτῆ εἰς ἄλλην Ὀλυμπιάδα . . . προσεπεδόθη. καὶ εἰς [σ] ἃς δήποτε σε ὑπαρχείας τὰ κοινὰ τῶν Ῥωμαίων ἐφέλκοιτο, μηδενὸς ἐν ἐκείναις εἶναι ἐξουσίαν μείζω τῆς σῆς ἐν νόμῳ ἐκυρώθη ἀλλὰ σὺ εἰς πλεῖστον ὕψους καὶ ἡμετέροι [σ]πῶνδῃ καὶ ἀρεταῖς ἰδίαις [ιδίαις] κά[θ’] ὁμοφροσύνην συμπάντων ἀνθρώπων δια[ι]ράμενος. For observations on the political *consensus* described here, see Fraschetti (1990) 96–98, and Ameling (1994) 22–7. Cf. Vell. 2.128.4 on Tiberius and Sejanus.
95. See Badian (1980) 99–101. Ameling (1994) 1–22 offers the most recent discussion of the *imperium*.
96. Duly emphasized by Badian (1980) 103–4: “Agrippa’s power . . . was forced upon an unwilling man.” This certainly ties into the so-called “refuse du pouvoir.” Ameling (1994) 26 stresses that τὰ κοινὰ τῶν Ῥωμαίων designates not just the *res publica*, but the *senatus populusque Romanus*, and more specifically their constitutional organs.
97. Ameling (1994) 24–5 discusses the supposed mistake, but not that the idea reflects the easterner’s preference. Agrippa was in fact celebrated as world benefactor in the same breath as Augustus in an inscription from Mysia in Lydia (*EJ* 72): θεὸν Σεβαστὸν θεοῦ υἱὸ[ν] Καίσαρα αὐτοκράτορα γῆς καὶ θαλάσσης, τὸν εὐεργέτην καὶ σωτῆρα τοῦ σύνπαντος κόσμου, Μυρῶν ὁ δῆμος. [Μάρκ]ον Ἀγρίππαν τὸν εὐεργέτην καὶ σωτῆρα τοῦ ἔθνους, Μυρῶν ὁ δῆμος. See further the sources and discussion in Koenen (1970 a) 228–9.
98. Koenen (1970 b) 242 speaks of “die gesamte Stellung des Princeps.” Cf. Fraschetti (1990) 95 n. 26 and Ameling (1994) 22–3. On the ideological significance of the position in designating a successor, see esp. Gruen (2005).
99. Eg. Vell. 2.30.3, apropos Pompey: *Quem virum . . . per tot extraordinaria imperia in summum fastigium evectum. . . .*

100. 38.52.11: *Ad id fastigium rebus gestis, honoribus populi Romani P. Scipionem deorum hominumque consensu pervenisse ut sub rostris reum stare et praebere aures adulescentium conviciis Populo Romano magis deforme quam ipsi sit.* I adopt the scheme of Badian (1993) 18 to date this book to ca. 17 BC.
101. See V. Max. 1 *praef.*, where the author addresses Tiberius: *Te . . . penes quem hominum deorumque consensus maris ac terrae regimen esse voluit . . . Caesar invoco.* The formula is similar at Tac. *Hist.* 1.15. Cf. *Hist.* 1.90 (Otho): *Mox vocata contione . . . consensum populi ac senatus pro se attolens. . . .*
102. Eg. Vell. 2.104.3, Suet. *Aug.* 98.2. Cf. Cic. *Dom.* 75: *Constat enim nullis unquam comitiis campum Martium tanta celebritate, tanto splendore omnis generis hominum aetatum ordinum floruisse. Omitto civitatum, nationum, provinciarum, regum, orbis denique terrarum de meis in omnis mortalis meritis unum iudicium unumque consensum. . . .*
103. Cenotaph for L. Caesar (A.D. 2–3), Pisa, ILS 139 = EJ 68 ll. 9–14: *cum senatus populi Romani inter ceteros plurimos ac maximos honores L. Caesaris (sic), Augusti Caesaris patris patriae pontificis maximi tribuniciae potestatis XXV filio, auctori consuli designato, per consensum omnium ordinum studio [.] tetur.* Cenotaph for C. Caesar, AD 4, Pisa, ILS 140 = EJ 69 ll. 51–55: *Placere conscriptis quae a. d. III nonas Apriles, qu[ae Sex.] Aelio Cato C. Sentio Saturnino cos. fuerunt, facta acta const[ituta] sunt per consensum omnium ordinum, ea omnia ita fieri agi haberi observari ab L. Titio A. f. et T. Allio T. f. II viris. . . .* in ll. 14–15, Gaius is called *iam designatu[m] Iustissimum ac simillimum parentis sui virtutibus principem. . . .* For Germanicus, see RS 37, *Tabula Siarensis*, Fragment (b), Col. II, ll. 20–24: *item senatum velle atque aequom censere, quo facilius pietas omnium ordinum erga domum Augustam et consensu<s> universorum civium memoria honoranda Germanici Caesaris apparet, uti s(enatus) c(onsultum) sub edicto suo proponerent. . . .* The senate then decrees that copies should be sent to all of the *municipia* and *coloniae* of Italy, and all of the *coloniae* outside Italy, and finally posted in the most conspicuous places in each province. Nevertheless it is the *citizen consensus* which is broadcast. For a review of *consensus* in the imperial period, see Instinsky (1940) 271–76. Cf. Grenade (1961) 221–300. One will find Clifford Ando’s (2000) chapter on Roman ideology (19–70) and the first two sections of his chapter “*Consensus* in Theory and Practice” particularly illuminating.
104. RIC I, 112, no. 56. See Grenade (1961) 260–300 for an attempt to read the Augustan prototype in the successions of the Julio-Claudians and in the year of the four emperors. He observes that Caligula in particular attempted to create associations with Augustus.
105. *Consensus* expressed a strong emotional bond between ruler and ruled that evolved to culminate in the *adulatio* and *adoratio* of the emperor (Instinsky (1940) 268, 271). Eventually, one occasion for its expression, the acclamation (*acclamatio*) came to dominate (*Ibid.* 269, 276, and Ando (2000) 199–205).
106. Nero. *Iussisque nostris pareant.* Seneca. *Iusta impera—| Nero. Statuam ipse.* Seneca. *Quae consensus efficiat rata.*
107. Seneca. *Pulchrum eminere est inter illustres viros, | consulere patriae, parcere afflictis, fera | caede abstinere tempus atque irae dare, | orbi quietem, saeculo pacem suo. | haec summa virtus, petitur hac caelum via. | sic ille patriae primus Augustus parens | complexus astra est colitur et templis deus.*
108. *invidia tristis victa consensu pio | cessit; senatus equitis accensus favor; | plebisque votis atque iudicio patrum | tu pacis auctor, generis humani arbiter | electus orbem iam sacra specie regis | patriae parens; quod nomen ut serves petit | suosque cives Roma commendat tibi.*

109. Manuwald (2002) demonstrates that the vision of royal legitimacy in the *Octavia* differs vastly from the philosophical justifications in Seneca's *De Clementia*, and that this attests to the persistence of old standards of legitimacy foregrounded by the political competition of 69 AD.
110. Vanderbroeck (1987) 67–104 details the shift and its consequences, and later (161–5) explains why the government was able to reconfigure itself along traditional lines nevertheless.
111. See Wirszubski (1950) 91–99 and Yavetz (1988) 54–57. The populace had desired a monarchy since at least the anarchy of 53 BC. App. *BC*. 2.20.1, Plut. *Caes.* 28.3–5.
112. Tac. *Hist.* 1.1.1: *omnem potentiam ad unum conferri pacis interfuit*. Cf. D.C. 56.39.5.
113. Brunt (1988) 8–9: “The new regime was to be based not on the mere support of a faction of partisans whom he favored, but on the more or less universal consent of all those whose discontent might have jeopardized the settlement.”
114. Much or all of the *moderatio* of the princeps, an important aspect of his performative role, is precisely this sense of limits, as the etymology of the word suggests. See OLD “*modus*” 4, 5, and Ernout-Meillet (1979) 408: “Au sens moral e abstrait ‘mesure qu’ on ne doit dépasser, modération, juste milieu.’ Du sens de ‘mesure,’ *modus* est passé à celui de ‘limite’ (= ὅρος), et aussi à celui de ‘manier de [se] conduire ou de se diriger.’” For the derivation of *moderatio*, see *ibid.* 409. See too 45 n. 39 *infra*.
115. See 82 ff. *infra*.
116. Nicolet (1984) 89–107, who cites especially two sections of Velleius (2.89.3–4, 103.5) dealing with slogans under Augustus and Tiberius, respectively. Perhaps the greatest testament to Augustus’ devotion to private property, also indicating a wider policy that would instill a sense of profound gratitude and not just popularity, can be found in Dio’s report on his will (56.32.3): καὶ προσέτι καὶ τοῖς παισὶν ὧν μικρῶν ἔτι ὄντων τοὺς πατέρας τῶν οὐσιῶν ἐκ ἐκκληρονομήκει, προσέταξε πάντα μετὰ τῶν προσόδων, ἐπειδὴν ἀνδρωθῶσιν, ἀποδοθῆναι. ὅπερ που καὶ ζῶν ἐποίει· εἰ γάρ τινα τέκνα ἔχοντα διεδέξατο, τοῖς παισὶν αὐτοῦ πάντως, εἰ μὲν ἤδη τότε τέλειοι ἦσαν, εὐθύς, εἰ δὲ μὴ, μετὰ τοῦτο πάντα ἀπεδίδου. Cf. the virtually identical statement in Suet. *Aug.* 66.4. It is very easy to see how the roles of *pater patriae* and *paterfamilias* could coalesce in such a person.
117. The issue of Augustus’s refusals is treated extensively by Alföldy (1972).
118. For example Sulla, who shockingly made obedience to himself the law, and garishly broke his own rules. See Appian, *BC* 1.98–101. Especially informative is the anecdote of Lucretius Ofella (*BC* 101), a Sullan equestrian who desired the consulship without having held any prior magistracy, “counting on the greatness of his services, according to the traditional custom, and entreating the populace” (διὰ τὸ μέγεθος τῶν εἰργασμένων κατὰ παλαιὸν ἔθος ἀξιοῦντα καὶ τῶν πολιτῶν δεόμενον). Sulla did not brook such an appeal to popular sovereignty, and slew him in the middle of the forum. His only reason, delivered at a *contio* called for the purpose, is demonstrative: “Ἵστε μὲν, ὦ ἄνδρες, καὶ παρ’ ἐμοῦ δὲ ἀκούσατε, ὅτι Λουκρήτιον ἐγὼ κατέκτανον ἀπειθοῦντά μοι.” Cf. Plutarch’s narration of Sulla’s offensive, arbitrary arrangements at *Sulla* 33. He systematically and ostentatiously transgressed his own sumptuary ordinances (*ibid.* 35.2.3). Sallust’s Memmius says of him (*Jug.* 31.26): *Nam impune quae lubet facere, id est regem esse*. Cf. Tacitus’ judgement of Pompey at *Hist.* 2.38: *Cn. Pompeius . . . suarumque legum auctor idem et subversor. . .*
119. See Yavetz (1984), esp. 19–20, who argues that the RG itself was composed as an *exemplum* of proper civic mores, the intended audience of which was

- the youths of the upper class. His analysis is, in fact, strikingly confirmed by the *Tabula Siarensis*. See *RS I*, no. 38, Fragment (b) Col. II, l. 15–17.
120. Eck (1984) 139–40. On the other hand, Augustus could not enforce his marriage legislation partly because he could not follow his own prescripts. See Heinze (1925) 50 and D.C. 54.16.3–7. Cf. Suet. *Aug.* 71, all the more credible as he observes that Augustus *could* credibly dispose of the charges of passive homosexuality and extravagance.
 121. Eder (1990), for example, offers valid criticisms of Zanker (1988), who sees a sharp break with the republic and an unabashed acknowledgement of monarchy in the images of the period.
 122. On Caesar's arrogance towards constitutional forms and the political elite, see esp. Suet. *Caes.* 76–8. On the famous advice of Balbus, see Plut. *Caes.* 60.8.
 123. Meier (1990).
 124. See the illuminating coupling of the two entities (and the persuasive force thereof) in Tac. *Ann.* 1.40.2 where Germanicus' *consilium* urges their leader: *illos* [Caligula and Agrippina] *saltem avo* [=Tiberius] *et rei publicae redderet*. At 1.42.1 Germanicus says: *non mihi uxor aut filius patre et re publica cariores sunt*. Cf. Ovid *Tr.* 4.15: *quia res est publica Caesar*.
 125. Kuttner (1995) 35–56. At 181–2 she demonstrates that the *profectio*—*adventus* sequence of the prototype of the Boscoreale cups could only have served to secure a claim to succession for the honorand Tiberius in republican (i.e. not monarchic) terms analogous to the official justifications for Augustus' own position.
 126. For absorption, see *Ibid.* 189–90, and Zanker (1988) 177, 192, 265–95, who shows how the discursive iconographic elements became detached from the representation of the concrete to symbolically represent attitudes and *ethé* in the private sector.
 127. Eck (1984) 149–52.
 128. See Zanker (1988) 5–11, 292–5.
 129. See too Eder's (1990) 80 criticism that Zanker should “give more credit to the self-assertiveness of the citizens of Rome.”
 130. Raaflaub and Samons II (1990) review the evidence for opposition under Augustus and conclude: “Opposition to Augustus was scattered, isolated, ineffective, and, overall, minimal” (p. 454). For all that, collective opposition was possible over things that mattered: see *ibid.* 435.
 131. Rome at the time shares many aspects of the “imagined” community detailed by Anderson (1991) 1–36, eg.: though colonies lie outside its bounds, the Roman “state” as such was viewed (more or less) as coterminous with Italy; the members of that community imagine ties of vertical comradeship with those they will never meet; there is a developed notion of national destiny; there is a highly developed sense of superiority vis-à-vis the “other,” be it Greek or Barbarian, yet Rome also assimilates the other by reference to objective ideological standards; the political system does not (overtly or officially) comprise a “dynastic realm” with indistinct boundaries; national holidays and rituals were established or contrived and perpetuated, etc.
 132. See also, in general, Cornell (1995) 18–23.
 133. The manipulation of the past to justify the present is a common, cross-cultural, and even modern phenomenon. See esp. Lewis (1975) 43–69. Trevor-Roper (1983) provides an excellent modern example of the heart-felt acceptance of historical fiction with regard to the Highland tradition of Scotland, while Cannadine (1983) demonstrates the same phenomenon with respect to modern British royal ceremony.
 134. See Hellegouarc'h (1970) 113. For a summary of these tendencies and forces, see *idem* (1972) 327–361.

135. For the pedigree of the CV, see Wallace-Hadrill (1981) 305–7. When dealing with Greek translations of Roman political behavior, one can gain valuable insight into idiosyncratic cultural characteristics by observing the inaccuracies inherent in translating. According to modern translation studies, these fall into two categories (Becker and Mannheim (1995) 246, following Ortega y Gasset (1959) 17): “those things in my translation that have no counterpart in the source, *exuberances*; and those things in the source that have no counterpart in the translation, *deficiencies*.” Cf. the variety of expressions in Greek for *consensus* at RG 6 and in the *Laudatio Funeris* of Agrippa, and especially the periphrasis at RG 34. This reverses the normal linguistic relationship—the anxious *patrii sermoni egestas* vis-à-vis the Greeks. See Duff (1953) 26, Lucr. 1.832 and Plin. *Ep.* 4.18. See too Wittenburg (1990), Rochette (1995) and Botteri (2003).
136. See Hellegouarc’h (1972) 123–5.
137. *CIL* 1.2.9 = *ILS* 3. This inscription, along with the epitaph (*ILS* 2), was found outside the Porta Capena along with the *elogia* of other Scipiones. For a summary of the scholarship and a chronology, see Van Sickle (1987, 1988), who dates the present *elogium* to ca. 240–30 BC, that of L Scipio’s father L Cornelius Scipio Barbatus (cos. 298, censor 290) to ca. 200. Flowers (1996) 160–80, on the other hand, dates this *elogium*, and that of Calatinus, below, to a period of aristocratic rivalry during the Hannibalic war, that of Barbatus somewhat earlier.
138. Hellegouarc’h (1972) 123 n. 4. Livy (2.16.7) adds a similar statement to his notice of the death of P. Valerius Publicola (cos. 509, 508, 507, 504): *P. Valerius, omnium consensu princeps belli pacisque artibus anno post Agrippa Menenio P. Postumio consulibus moritur. . . .* Flowers (1996) too, finds the reference to *consensus* on the inscriptions striking, and, for the epithet *optimus bonorum*, recalls the senate’s selection of P. Cornelius Scipio (cos. 191 BC), as the ‘best man’ in Rome (Livy 29.14.8f.). Cf. August. *C.D.* 1.30. For an analysis of this incident and the notion of the *optimus bonorum* in general, see Vogt (1933).
139. See Van Sickle (1988) 145–7, 151, and Hölkeskamp (1993) 30 n. 4. Cf. Kraus (1994) 124.
140. *notum est totum carmen incisum in sepulcro.*
141. See Powell (1988) 231. Cic. *Tusc.* 1.13: *An tu egressus porta Capena, cum Calatini, Scipionum, Serviliorum, Metellorum sepulcra vides. . . .* Cf. Livy 38.56. Cic. *Fin.* 2.35.116 quotes the epitaph (*ad portam [scil. Capenam]*) in the context of another argument that incidentally confirms the self-awareness of the formula of civic primacy bestowed by *consensus* as characteristically Roman in contrast to the *elogia* for other races, especially the Greeks. See too Gowing (2005) 13.
142. Van Sickle (1988) 145.
143. This is clearly marked by phrases synonymous with *consentire*, formed by its root *sentire* and other words which lend the notion of unanimity (Hellegouarc’h (1972) 121–2). At Cic. *Mil.* 34 we read that everyone agreed that Milo was the *one* person who could oppose the excesses of Clodius: *eum Milonem unum esset cum sentiret universus populus Romanus. . . .* Cf. Cic. *Marcel.* 9.33, *Phil.* 8.3.8. Cf. *ibid.* 6.7.18, *Sest.* 50.106, *Cat.* 4.14, 19. The terms *consentire* and *consensus* already imply the notion of singularity of thought and purpose, and thus can dispense with the *unum* or *idem*. Instead, the *modality* of the unanimity comes into play, e.g. Cic. *Sest.* 109: *omnes honestates civitatis, omnes aetates, omnes ordines una mente consentiunt (codd. una: una voce Koch: una mente Mueller), Phil.* 1.9.21, 4.3.7, *Amic.* 86.

144. See the judgement of Polybius, with respect to Aemilius Paulus at 18.35.8, who is at pains to make his Greek reader believe him. Cf. his judgement of Scipio at 31.28.18, 31.29.11: ἐξεφέρετο τὴν ἐπ' ἀνδρεία δόξαν πάνδημον, and 35.4.8: (τὴν) ἐπὶ καλοκάγαθία καὶ σωφροσύνη δόξαν ὁμολογουμένην πεποιημένους, τῆς δ' ἐπ' ἀνδρεία φήμης προσδεόμενος. See too Livy's report on the universal opinion of the good character of Lucius Flaccus (27.8.6–7).
145. See Hellegouarc'h (1971) 113–14, (1972) 358, and Gelzer (1969) 27–52, who concludes: “. . . Augustus' use of the title in no way exceeded the bounds of the republican constitution, and his position was regarded by his contemporaries as no different from that of earlier *principes*.” The construct appears strikingly as early as Cic. *S. Rosc.* to describe Sulla's power: . . . *cum* [sc. Sulla] *et paci constituendae rationem et belli gerendi solus potestatem habeat, cum omnes in unum spectent, unus omnia gubernet*. . . Cf. *Cat.* 2.11 (said of Pompey): *Omnia sunt externa unius virtute terra marique pacata*, and *Cat.* 2.28: . . . *bellum intestinum . . . me uno togato duce et imperatore sedetur*.
146. For the Ennian line, see Skutsch (1985) 363: *Unus homo nobis cunctando restituit rem*.
147. *Ep.* 10.4: *ex quo intellegi potest unum hominem pluri quam civitatem fuisse*.
148. As for Livy, Syme (1959) 401 contends that he “dominated subsequent historians—at least for the period of the Republic.”
149. Santoro L'hoir (1990) 230–32. Weinstock (1971) 219–20 provides several examples of this construct in the Roman political field (outside of Livy), where the safety of a single man becomes vital for many or all.
150. See Santoro L'hoir (1990) 232–41. She adds (p. 240): “In fact, the entire gratuitous episode seems to make sense in relation to the rest of the narrative only if Livy intended it to forshadow the pivotal battle of his own century.”
151. Livy uses the word *consensus* four times to describe the support Camillus receives, five to describe that for Fabius. For all the others in the extant corpus, the word is used no more than once. Clearly such recurrences signify something Livy wished to emphasize.
152. See Cornell (1991) 56ff.
153. Feichtinger (1992) provides the essential reassessment of Livy in these terms: “Livius beschwört angesichts des Untergangs der republikanischen Freiheit noch einmal die große politische und moralische Vergangenheit Roms, um dem zerrütteten Staatsgefüge seine Identität wiederzugeben. Seine Wiederbelebung der Vergangenheit soll aber auch neue Perspektiven für die Zukunft bewirken. Er schreibt eine idealisierte Geschichte der römischen Vergangenheit, *ad maiorem gloriam Romae*, um diesen Ruhm im Bewußtsein der Römer lebendig zu halten und um sie in ihrem gegenwärtigen Handeln der glorreichen Vergangenheit zu verpflichten.” This certainly coincides with Augustus' edict explaining the purpose of his forum. She shows how Livy's fictional technique of “spontaner Emotionalisierung” was sufficient to influence the formation of new mental models (or as she calls it “der Ideologie gewünschten Code-Veränderung”).
154. See Luce (1965) 240, Miles (1995) 92–4, 108–9, 132–4, 223–4, and Feldherr (1998) 18–19, 49. Cf. Altheim (1953) 234–5. Livy's dates are disputed. Syme (1979) 414–5 corrects Jerome's dates to 64 BC to 12 AD, and is followed by Walsh (1961) 1, 19 and Ogilvie (1965) 1. Badian (1993) 10–11 argues for Jerome's dates 59 BC—17 AD, and Luce (1965) 231 n. 61 for 66 BC—17 AD. As for the dates of composition, Syme (1979) 411–12, 416–25 contends that Livy began writing around or just after Actium, and finished by 12 AD. Badian (1993) 17–18 follows Luce (1965) 210–11, who contends

- that book 1 was composed in 30 BC, but that the author had done much preparatory work before then. Badian (1993) 23–5 then contends that he kept writing until his death in 17 AD. Burton (2000) provides a good summary and argues that Livy began composing in 33 or early 32 BC.
155. 6.6.3: *Res ad Camillum tribunum militum consulari potestate rediit*. The turn of phrase is rare in Livy, and recurs again at 7.25.10 with regard to Camillus' son, and occurs only twice elsewhere, at 6.1.5 and 1.32. Kraus (1994) 118 asserts that it “implies that C. is practically an institution.” Oakley (1997) 1:444 adds that “it evokes the idea of the auspices and the well-being of the state placed in the safe-keeping of one great and religious man.”
 156. Cf. V. Max. 1. *praef.*, where the phrase turns into an imperial epithet, and the (entirely unique) epithet of *rector rei publicae* that Livy (4.14.2) grants Cincinnatus on a similar occasion.
 157. So Kraus (1994) 121 and Oakley's (1997) 1:449) understanding of the phrase *confusus animo*, contra Hellegouarc'h (1970) 123, who sees an imperial-style *recusatio*.
 158. 6.6.7–9: *Conlaudatis ab senatu tribunis et ipse Camillus confusus animo gratias egit. Ingens inde ait onus a populo Romano sibi, qui se iam quantum creasset, magnum a senatu talibus de se iudiciis maximum tam honorato collegarum obsequio iniungi; itaque si quid laboris vigiliarumque adici possit, certantem secum ipsum adniscurum ut tanto de se consensu civitatis opinionem, quae maxima sit, constantem efficiat.*
 159. See Suet. *Aug.* 58 (quoted *supra*).
 160. For the dating scheme, see Burton (2000) 443–46. Burck (1967), esp. 317–20, 26 and Hellegouarc'h (1970), esp. 115, 120–1, 123–5 point out the close similarities between this and other presentations of Camillus, and Augustus' various claims to rule by *consensus* and *auctoritas*. Cf. Momigliano (1942) 111, Ogilvie (1965) 669 f., Kraus (1994) 89, and Miles (1995) 88–95, 99–109, 119–36 *passim*.
 161. Livy 3.26.6. Cf. 4.13.12–14.
 162. See Kraus (1994) 122–3. He orders the dispositions of his colleagues for the coming campaign, and they promise their loyal obedience (6.6.12–16).
 163. 5.46.11: Camillus will not return from exile until the laws allowing his return and appointing him dictator have been passed.
 164. 6.6.16: *Se vero bene sperare patres et de bello et de pace universaque re publica erecti gaudio fremunt, nec dictatore unquam opus fore rei publicae, si tales viros in magistratu habeat, tam concordibus iunctos animis, parere atque imperare iuxta paratos laudemque conferentes potius in medium quam ex communi ad se trahentes* (clearly relevant to Livy's own day, in which the age of the dynasts had just passed: see Oakley (1997) 1:455).
 165. See esp. 10.13.12, 10.21.15 ff. and Hellegouarc'h (1972) 342: “A la fin du IV^e début du III^e siècle Q. Fabius Maximus Rullianus tient aussi ce rôle éminent [of *princeps*]; il reçoit les plus importantes magistratures sans qu'il ait à les demander: c'est une préfiguration du *consensus universorum* sur lequel se fondera plus tard le principate.”
 166. It marks the installation or confirmation of kings in the regal period, e.g. 1.6.2, 1.35.6, 1.46.1, and sometimes the election of consuls and praetors, e.g. 9.7.15, 9.40.21, 23.31.13, 27.21.4, or the awarding of triumphs, e.g. 8.13.19, c.f. 10.46.2 and 33.23.1.
 167. Eg. 10.9.10, 10.5.14, cf. 26.22.3.
 168. On *consensus* and the Twelve Tables, see 3.34.5. Magistrates under pressure are usually described as *victi consensu*: see, eg. 2.10.1, 2.57.4, 3.52.10, 5.9.7–8, 9.46.6; Senate: 31.20.6, 40.26.6, 84.4. Cf. Cic. *Fam.* 3.3.1 = SB 66.1

169. Béranger (1948), (1953) 137–69. Bourdieu (1991) 68–9 provides, apropos the linguistic field, an example of the emotional power exerted by such acts of condescension.
170. Wallace-Hadrill (1982).

NOTES TO CHAPTER 2

1. Meier (1990) 55. Cf. Eder (1990) 57–8.
2. See Vanderbroeck (1987) 33, and Meier (1990) 58: “Ancient societies could scarcely conceive of the political order as a mere instrument. Political order was what they were, not what they had.”
3. D.C. 27.94.1: καὶ ἀπ’ αὐτῶν ὁ Μάριος, καίπερ ἐν τῷ πλήθει μόνῳ πρότερον, ὅτι ἐξ αὐτοῦ γεγονῶς ἦν καὶ ὅτι ὑπ’ αὐτοῦ ἠΰξητο, εὖ φερόμενος, τότε καὶ τοὺς εὐπατρίδας ὑφ’ ὧν ἐμισοῖτο ἐξενίκησεν, ὥστε πρὸς πάντων ὁμοίως καὶ ἐπαινεῖσθαι. τὴν τε ἀρχὴν καὶ ἐς τὸ ἐπιὸν ἔτος, ὅπως καὶ τὰ λοιπὰ προσκατεργάσθαι, παρ’ ἐκόντων καὶ ὁμογνωμονούντων αὐτῶν ἔλαβεν.
4. D.C. 37.20.5: δυνηθεὶς τ’ ἂν δι’ αὐτῶν τὴν τε Ἰταλίαν κατασχεῖν καὶ τὸ τῶν Ῥωμαίων κράτος πᾶν περιποιήσασθαι, τῶν μὲν πλείστον ἐθελοντὶ ἂν αὐτὸν δεξαμένων . . . οὐκ ἠβουλήθη τοῦτο ποιῆσαι. Caesar, too, would have preferred to have the senate behind him in proposing his land laws. See D.C. 38.1.1ff.
5. App. BC 2.20.1: Καὶ πολλοὶ . . . ἐσημαίνόμενοι τὸν Πομπήιον . . . φιλόδημον εἶναι δοκοῦντα καὶ τὴν βουλὴν ἄγοντα διὰ τιμῆς. It is important, too that he is self-restrained (ἐγκρατής) and moderate (σώφρων).
6. D.C. 41.7.2: οἱ τε γὰρ ἐξιόντες (ἦσαν δὲ πάντες ὡς εἶπεῖν οἱ πρῶτοι καὶ τῆς βουλῆς καὶ τῆς ἱππάδος καὶ προσέτι καὶ τὸ τοῦ ὀμίλου) . . . ἀφωρμώντο . . .
7. *Ibid.* 41.6.3. Plut. *Pomp.* 57.1–3 offers a much fuller account of the festivals and the escort he received to Rome. The effect of such *consensus* made Pompey grossly overconfident: οὐδενὸς μέντοι τοῦτο λέγεται τῶν ἀπεργασαμένων τὸν πόλεμον αἰτίων ἔλαττον γενέσθαι.
8. D.C. 41.6.1.
9. App. BC 3.746: Δεῦρο δὲ ὄντι ἢ τε βουλὴ σχεδὸν ἅπασα καὶ τῶν ἱππέων τὸ πλείστον ἀφίκετο ἐπὶ τιμῶ καὶ ἀπὸ τοῦ δήμου τὸ ἀξιολογώτατον: οἱ καὶ . . . συνῶμνον ἐκόντες οὐκ ἐκλείπειν τὴν ἐς Ἀντώνιον εὐνοίαν τε καὶ πίστιν. . .
10. *Contra* Dumezil (1970) 401, who points out that the word itself is of Latin origin, and believes that *ὁμόνοια* is but an approximate translation that enters only in the late republic. For the Hellenic origins of *ὁμόνοια/concordia*, see Skard (1931) 67–73, who makes Polybius its first great representative at Rome. See also Fears (1981) 846, n. 76; 856, 866, who connects it to the introduction of the *virtutes* at Rome.
11. Somewhere along the line, the establishment of the cult of *Concordia* became associated with Camillus and his supposed role in the resolution of the conflict of the orders in 367. The tradition is not consistent on this point. Momigliano’s (1942) article demonstrates the weakness of viewing the association as original. Dumezil (1970) 400–6 prefers to associate the foundation of the cult with Camillus in 367, instead of viewing this as a later anachronism, but he fails to do justice to the sources. More generally, Skard (1931) is very useful. Strasburger (1931) outlines Cicero’s practical political programs of *concordia ordinum* and *consensus bonorum* as seen through his speeches and correspondence. Jal (1961) investigates *concordia* in terms of the wider theme of civil war in the late republic. Richard (1963) concentrates more on the political programs of the late republican dynasts. Nicolet (1966) 633–98 provides the most recent and

- comprehensive account of *concordia* and *consensus* in the late republican political field. Amit (1962) and Béranger (1969) provide numismatic studies for the imperial period, and Hosek provides short studies of the word as it operates within several authors (see bibliography). See also Weinstock (1971) 260–66.
12. See esp. Fears (1981) 828–69.
 13. See, e.g., Wissowa (1912) 327–9, Bailey (1932), 136–7 (who classes it among the more important abstractions connected with the life of the state), Rose (1948) 102 and Liebeschuetz (1979) 51–2.
 14. Jal (1961) 210.
 15. *Ibid.* 219.
 16. Hellegouarc’h (1972) 125. Levick (1978) provides a comprehensive survey of the manipulation of the concept by conservatives and radicals.
 17. Sal. *Hist.* 1.25.25, Jal (1961) 219.
 18. Nicolet (1966) 637.
 19. Earl (1967) 17, Edwards (1993) 4.
 20. See Nicolet (1980) 22, following Benvéniste (1973) 273–4 and 298–9, who would have the word *civis* mean at its root “fellow citizen,” though cf. Ernout-Meillet (1985) s.v. *civis*.
 21. I here follow Bourdieu (1977) 3, who defines phenomenological knowledge as that which “sets out to make explicit the truth of primary experience of the social world, i.e. all that is inscribed in the relationship of *familiarity* with the familiar environment, the unquestioning apprehension of the social world which, by definition does not reflect on itself and excludes the question of the conditions of its own necessity.” This is intimately involved in the “sense of limits,” the primary mechanism whereby “the established order tends to produce the naturalization of its own arbitrariness (*ibid.* 164). See further *ibid.* 164–171.
 22. In what follows I rely primarily on Nicolet (1980) 49–88. See too Cornell (1991), esp. 66.
 23. Nicolet (1980) 50–1, who cites Dumézil (1942) 188 (emphasis mine). The etymological dictionaries of Ernout-Meillet (1985) and Walde (1910) (s.v. “censeo”) discuss the derivations from ritual speech and appraisal, though the latter also points to the possibility that the initial meaning might lie closer to the Greek κόσμος = “order.”
 24. Especially true of the Romans, so preoccupied with discipline. See too Bourdieu (1977) 161–63: “doing one’s duty as a man means conforming to the social order, and this is fundamentally a question of respecting rhythms, keeping pace, not falling out of line . . . All the divisions of the group are projected at every moment into the spatio-temporal organization which assigns each category its place and time: it is here that the fuzzy logic of practice works wonders in enabling the group to achieve as much *social and logical* integration as compatible with the diversity imposed by the division of labor . . . Synchronization, in the case of rites or tasks, is that much more associated with spatial grouping the more there is collectively at stake.” See too Hopkins (1991) 485–88.
 25. Quotation from Nicolet (1980) 58–9. For the notion of “geometric” equality in general, see *ibid.* 57–60, Wood (1988) 148–52 and D.H. 4.19–21.
 26. Nicolet (1980) 52. A discussion of the interplay of wealth, birth and virtue in elite ideology may also be found in Edwards (1993) 12–17. For more observations on censorial scrutiny, see *ibid.* 29–32.
 27. Nicolet (1980) 74. For the *regimen morum* and censorial sanction in general, see *ibid.* 73–88.

28. See further Edwards (1993) 178, 181–2. *Eadem* 173–206 discusses Roman anxieties about wealth.
29. See Suet. *Aug.* 41, RG appendix 4. For Tiberius' policies, see Levick (1999) 94, 101. See further Suet. *Nero* 10 (explicitly in imitation of Augustan policy), *Vesp.* 17, and esp. *SHA Hadr.* 7, which makes the moral qualification explicit: *Senatoribus qui non vitio suo decoxerant, patrimonium pro liberorum modo senatoriae possessionis explevit.*
30. Bourdieu (1977) 194 writes: “The system is such that the dominant agents have a vested interest in virtue; they can accumulate political power only by paying a *personal* price, and not simply by redistributing their goods and money; they must have the “virtues” of their power because the only basis of their power is “virtue.” See further *ibid.* 183–97.
31. For an overview of the annalistic sources, see Earl (1967) 17–19. Lintott (1972) offers a complete treatment of the tradition.
32. See Skard (1931) 76–77.
33. Polyb. 6.18.2: ὅταν μὲν γὰρ τις ἔξωθεν κοινὸς φόβος ἐπιστὰς ἀναγκάσθῃ σφᾶς συμφρονεῖν καὶ συνεργεῖν ἀλλήλοις, τηλικαύτην καὶ τοιαύτην συμβαίνει γίνεσθαι τὴν δύναμιν τοῦ πολιτεύματος . . . Thus Scipio Nasica counseled the preservation of Carthage as a permanent enemy. See Earl (1967) 18 n.17, and Skard (1931) 77–9, who (1) traces it all back to Posidonius and (2) on the evidence of App. *Pun.* 65 also believes that Nasica inherited the sentiment from his uncle.
34. Cf. *Jug.* 41.1, *Hist.* Fr.11.12, Pliny *N.H.* 33.150 and Vell. 2.1.1. Florus 1.47, too, makes it evident that Livy presented the fall of Carthage as the crisis and blamed all of the troubles from that point to the succession of Augustus on wealth. See too D.S. 34.33l, August. *C.D.* 1.30.
35. Syme (1964) 128, 218: “. . . it will be reasonable to assign the monograph to the period of the Perusine War and its sequel in 40.” For Sallust as an author reflecting the concerns and issues of the second triumvirate, see *ibid.* 214–39. Cf. *idem* (1986) 12, and Wiedemann (1993). See also Osgood (2006(a)) 306–21 who provides a wider and important discussion of the issues (outside the framework of *concordia*).
36. See Wiedemann (1993). Sen. *Ep.* 94.46 relates the adage of M. Vipsanius Agrippa, who quotes Micipsa at Sall. *Jug.* 10.6): *M. Agrippa . . . dicere solebat multum se huic debere sententiae: “Nam concordia parvae res crescunt, discordia maximae dilabuntur.” Hac se aiebat et fratrem et amicum optimum factum.*
37. *Igitur domi militiaeque boni mores colebantur; concordia maxuma, minuma avaritia erat; ius bonumque apud eos non legibus magis quam natura valebat. iurgia discordias simultates cum hostibus exercebant, cives cum civibus de virtute certabant. in suppliciis deorum magnifici, domi parci, in amicos fideles erant. duabus his artibus, audacia in bello, ubi pax evenerat aequitate, seque remque publicam curabant. . . . Sed ubi labore atque iustitia res publica crevit . . . Carthago aemula imperi Romani ab stirpe interiit, cuncta maria terraeque patebant, saevire fortuna ac miscere omnia coepit. qui labores, pericula, dubias atque asperas res facile toleraverant, iis otium divitiaeque, optanda alias, oneri miseriaeque fuere. igitur primo pecuniae, deinde imperi cupido crevit: ea quasi materies omnium malorum fuere. namque avaritia fidem probitatem ceterasque artis bonas subvertit; pro his superbiam, crudelitatem, deos neglegere, omnia venalia habere edocuit. ambitio multos mortalis falsos fieri subegit.*
38. The OLD cites the passage under “*misceo*” 11c: “disturb, embroil (a system, state of affairs).”

39. See Ch. 1. Ramsay (1982) 90 writes: “these two nouns are virtually synonymous, and are paired elsewhere by S. and in other authors for the sake of alliteration. The former refers especially to moderation in conduct, while the latter denotes moderation in character. Normally *modestia* results in *modus*.” Cf. *Jug.* 41.2: *nam ante Carthaginem deletam populus et senatus Romanus placide modesteque inter se rem publicam tractabant*; 41.9.1: *ita cum potentia avaritia sine modo modestiaque invadere . . .* Cf. *Hist. Frag.* 1.11.14. See too his famous deprecation of political pretexts (*Cat.* 38.3–4): *bonum publicum simulantes pro sua quisque potentia certabant. Neque illis modestia neque modus contentionis erat: utrique victoriam crudeliter exercebant*. The *plebs* too had this sense of limits. Cicero turned the mob against Catiline by accusing him of incendiarism (48.2): [*sc.* the *plebs*] *incendium vero crudele, immoderatum ac sibi maxime calamitosum putabat . . .* See too Sallust’s description of Catiline’s character (*Cat.* 5.5): *Vastus animus immoderata incredibilia nimis alta semper cupiebat*. The sense of *modestia* which entails not stepping outside of acceptable bounds is clear too at: 51.17.1, 52.31.2, 54.5.2–6, *Jug.* 7.4.4, 44.2.1, where the undisciplined Roman army is described as *sine imperio et modestia habitus* (cf. 92.2.2). The next commander provides the solution through striking the right balance (the transitive verb *moderatum*) between two extremes (45.2.1). Cf. 82.2.5, 85.27.1.
40. As Sallust has Cato say (*Cat.* 52.22): *Laudamus divitias, sequimur inertiam. Inter bonos et malos discrimen nullum, omnia virtutis praemia ambitio possidet*. See also Osgood (2006) 263–7.
41. *avaritia pecuniae studium habet, quam nemo sapiens concupivit: ea quasi venenis malis inbuta corpus animumque virilem effeminat, semper infinita <et> insatiabilis est, . . . sed postquam L. Sulla armis recepta re publica bonis initiis malos eventus habuit, rapere omnes, trahere, domum alius, alius agros cupere, neque modum neque modestiam victores habere, foeda crudelique in civis facinora facere . . . postquam divitiae honori esse coepere et eas gloria imperium potentia sequebatur, hebescere virtus, paupertas probro haberi, innocentia pro malevolentia duci coepit. igitur ex divitiis iuventutem luxuria atque avaritia cum superbia invasere: rapere consumere, sua parvi pendere, aliena cupere, pudorem pudicitiam, divina atque humana promiscua, nihil pensi neque moderati habere.*
42. *Nam quid ea memorem quae nisi iis qui videre nemini credibilia sunt, a privatis compluribus subvorsos montis, maria constrata esse . . . viri muliebria pati, mulieres pudicitiam in propatulo habere.* “*Subvorsos montibus*” implies an inversion of elements because it alludes to Xerxes’ channeling through Mount Athos, or to the cutting of channels through mountains to create artificial fish ponds (*piscinae*). See Ramsay (1982) 94–5. The confusion of elements is perhaps also suggested in a phrase describing the effect of the fall of Carthage (10.1): *cuncta maria terraeque patebant, saevire fortuna ac miscere omnia coepit*.
43. The subversion of male-female roles is also reinforced elsewhere: *avaritia . . . animum virilem effeminat* (11.3); *loca voluptaria . . . militum animos mollivertant* (11, 5). Cf. 14.7 and the famous description of Sempronia (25). See further Edwards (1993) 44, 63–97.
44. See, e.g. Tac. *Ann.* 1.70: *et opplebantur terrae: eadem freto litori campis facies neque discerni poterant incerta ab solidis, brevia a profundis*. The confusion makes it impossible to distinguish the brave, virtuous and wise from the cowardly and foolish: *nihil strenuus ab ignavo, sapiens ab <im>prudenti, consilia a casu differre: cuncta pari violentia involvebantur*. In the moral dimension, one can find similar types of complaints in Catiline’s words in his

letter to Catulus, where he defends his championship of the oppressed (35): *Iniuriis contumeliisque concitatus, quod fructu laboris industriaeque meae privatus statum dignitatis non obtinebam, publicam miserorum causam . . . suscepi . . . quod non dignos homines honore honestatos videbam*. But the inversion of nature operates too (20.11): *Etenim quis mortalium, cui virile ingenium est, tolerare potest, illis divitias superare, quas profundat in extruendo mari et montibus coaequandis, nobis rem familiarem etiam ad necessaria deesse*. Cf. Ovid *Ars*. 3.125–6, Hor. *Carm.* 3.1.33–37. Edwards (1993) 137–172 shows how the imagery of building served as a symbolic political discourse.

45. See Koenen (1994), esp. 14–20, 23–24.
46. *Sal. Cat.* 53.5: . . . *multis tempestatibus haud quisquam Romae virtutis magnus fuit*.
47. E.g. his disparaging reference to the *potentia paucorum* at *Jug.* 3.4 “denotes three men precisely” (Syme (1964) 218).
48. See Skard (1931) 80–2, 88, 92–3, 97–99; Nicolet (1966) 635–698. *Ibid.* 658–72 provides an important treatment of the *popularis* voices, as does Levick (1978) esp. 217–23.
49. Catiline’s blatant refusal to enlist slaves (*Cat.* 44.6) was an ostentatious refusal to upset the social order. As for property rights, see the words of Lepidus (*Hist.* 1.55.18–19) and Philippus’ retort which includes Lepidus’s slogan on property rights (*Hist.* 1.77.14): *An Lepidi mandata animos movere? Qui placere ait sua cuique reddi . . .* Cf. *Hist.* 3.48.17.
50. *Jug.* 31.12 (Memmius): *Homines sceleratissimi . . . quibus fides, decus, pietas, postremo honesta atque inhonesta omnia quaestui sunt*. Cf. 31.25, *Hist.* 1.55.3–5, where Lepidus claims ironically that the great scions of the noble houses are subverting the very things their great ancestors fought to protect. See too Catiline’s letter to Catulus (*Cat.* 35.3): *publicam miserorum causam pro mea consuetudine suscepi, non quia aes alienum meis nominibus ex possessionibus solvere non possem . . . sed quod non dignos homines honore honestatos videbam*.
51. Many of the harangues complain that the people have suffered an inversion—from being the masters they have become slaves, and that many unworthy people, whose offices and honors do not reflect the *consensus* of the community, are acting in their own self-interest. E.g. *Jug.* 31.10 (Memmius), 31.16. Cf. Earl (1961) 59: “If *concordia* was already ended with the degeneration of the *virtus* of the *nobiles*, then the Gracchi were not destroyers but men who took a natural line in bringing true *virtus* back into its place in the state.” The *populus*, described as being once *in imperio nati* (*Jug.* 31.11), *imperatores omnium gentium* (31.20) and *gentium moderator* (*Hist.* 1.55.11) must properly use the traditional rights of their forefathers to remedy their self-imposed troubles E.g. *Hist.* 1.55.3–4, 27; 3.48.1, 6, 15–16, 26.
52. *Cat.* 20.9–10: *Nonne emori per virtutem praestat quam vitam miseram atque inhonestam, ubi alienae superbiae ludibrio fueris, per dedecus amittere?* Cf. *Hist.* 1.55.15. For the repudiation of greed, see *Cat.* 33 and 35.3.
53. E.g. *Jug.* 31.6, 18, *Hist.* 3.48.17. Cf. *Cat.* 33.1 and Catiline’s claimed intention to go into voluntary exile (34.2) *uti res publica quieta foret neve ex sua contentione seditio oreretur*. Cicero and Brutus made similar expedient claims on their political travels. See *Sest.* 22.49, *Fam.* 11.3.3 and Vell. 2.62.3.
54. In at least one instance, moreover, it is clear from Philippus’ retort that the *popularis* Lepidus asks for the return of full tribunician powers for the sake of *concordia*: *Hist.* 1.77.14.
55. *Hist.* 1.55.13: *Leges, iudicia, aerarium, provinciae, reges penes unum . . .*; 3.48.6: *Itaque omnes concessere iam in paucorum dominationem, qui per*

militare nomen aerarium, exercitus, regna, provincias occupavere et arcem habent ex spoliis vestris . . . Cf. Jug. 31.20, Rep. 1.3.2, and Ch. 1, supra.

56. See Nicolet (1966) 666, Earl (1961) 55–57 and RG. 1: *Annos undeviginti natus exercitum privato consilio et privata impensa comparavi, per quem rem publicam a dominatione factione oppressam in libertatem vindicavi.*
57. *Rep.* 1.4, 2.4. For discussion of the scholarship on these works and arguments against their authenticity, see Syme (1964) 314–48.
58. *Sal. Rep.* 1.2.4, 2.2.4.
59. *Sal. Rep.* 1.5.2: *qua tempestate urbi Romae fatum excidii adventarit, civis cum civibus manus conserturos, ita defessos et exsanguis regi aut nationi praedae futuros. Aliter non orbis terrarum neque cunctae gentes conglobatae movere aut contunderere queunt hoc imperium.*
60. E.g. at 1.7.3–4, the author writes of the necessity to deprive money of its position and honor, saying that throughout history, victorious nations despised riches, whereas the vanquished coveted them. Cf. *Rep.* 2.7. 3–12 and 2.8.4–7, which tersely outlines the problems caused by avarice. *Rep.* 1.5.5–7 asserts the need to fix each person’s income as the limit of expenditure. Cf. 1.8.4–5. For debt and usury, see *Rep.* 1.2.5–7, 1.5.7. See also Cic. *Pro Marcello* 23–4, addressed to Caesar himself.
61. For the emphasis on economic conditions, see Nicolet (1966) 660–3, whose claims are somewhat vitiated by the fact that he considers the letters genuinely Sallustian. On the whole, he contends that the issues raised by the Gracchi and their political descendants find their origin in the social and political situation of the Greek East. See *ibid.* 667–72.
62. See Skard (1931) 100, who notices interesting parallels between *Sal. Rep.* 2.10.6, Cic. *Rep.* 3.7, and D.H. 5.67.3–5 (the speech of the conservative Appius Claudius Sabinus), all of which compare the senate to the head and the people to the body, and assert that the latter must be subordinate to the former.
63. For Tiberius’ speech, see 56.35.1–56.41.9. For Octavian’s, see 53.4.3, 5.4. At RG 34, he claims *rem publicam ex mea potestate in senat[us populique Rom]ani [a]rbitrium transtuli.*
64. For Glaucia and Saturninus, see Nicolet (1966) 639–40. For Drusus, *ibid.* 638, 641, and App. BC 1.5.37. For the conservative point of view of the struggle between the senate and the knights, which elevated the animosity to a central historiographic motif, see Strasburger (1931) 6–12, and Nicolet (1966) 637–8. For an overview of conservative attitudes towards *concordia*, see Levick (1978) 218, 220–23.
65. For a good summary of how Cicero exploited the political situation to gain the support of the upper tiers of the people for his consular candidature, see Eagle (1949) 20–1. *Comm. Pet.* 53 recounts the wide basis of support Cicero must count on to attain the consulate. For Cicero’s “unanimous” success at the polls see Strasburger (1931) 38, and Nicolet (1966) 645, 681–2.
66. At *Agr.* 1.23.7 and 3.4.6, Cicero claims to guarantee the tranquility (*pax, otium, concordia*) of the state, thus showing himself to be “truly popularis.” He is confident that the general populace appreciates this. At *Rab. Perd.* 2.12 and 4.10, the orator asserts that his enemies (under the leadership of Caesar), by striking a blow against the senate through this trial, are attempting to render illegitimate the *consensio bonorum contra pestem ac perniciem civitatis* (practically repeated in the second citation) that there be *nullum extremis rei publicae temporibus perfugium aut praesidium salutis*. He also claims to be observing *concordia* in his relationship with his consular colleague. See Weinstock (1971) 271.
67. See Strasburger (1931) 44–57, and esp. Nicolet (1966) 641–50, 674–81.

68. See Strasburger (1931) 39–42, who contends that Cicero is truthful in describing the participation of the lower orders, and Nicolet (1966), 640 n.20, 645, 674–76, who takes a more cynical view.
69. Nicolet (1960).
70. See Cic. *Fam.* 5.2.8, where Cicero says his execution of the Catilinarians is unimpeachable precisely because of the *consensus omnium bonorum*.
71. *Aequavit, quod haud facile est, Quinctius consul togatus armati gloriā collegae, quia concordiae pacisque domesticam curam iura infimis summisque moderando ita tenuit ut eum et patres seuerum consulem et plebs satis comem crediderint. et aduersus tribunos auctoritate plura quam certamine tenuit; quinque consulatus eodem tenore gesti uitaque omnis consulariter acta uerendum paene ipsum magis quam honorem faciebant. eo tribunorum militarium nulla mentio his consulibus fuit.* For Quinctius, see further Livy 3.69.6.
72. See Nicolet (1960) 252–63.
73. Nicolet (1960) 260–3, (1966) 649–50 offers a typology of the uses of *concordia* in the Livian corpus.
74. See Ch. 1 n.80, *supra*, and the account of this and the acclamation of Cicero's oath that the city had been saved by his sole efforts (*Pis.* 6.7). See too Stockton (1971) 143–5.
75. According to Weinstock, Caesar imitated Cicero. For the coin types, see Crawford *RRC*, 1, nos. 415–17. Soon after the *Pro Sestio*, *Concordia* appears on coins for a second time, whether because the moneyer is an admirer of Cicero, or to commemorate the renewal of the first triumvirate at Luca. See Crawford *RRC* 429 and Weinstock (1971) 261.
76. Cogently set forth in Cic. *Fam.* 1.9 = SB 20, Cicero's famous letter in 54 to Lentulus Spinther, the consul of 57, who worked hard to secure his recall. See esp. 12–17. Further attempts to embellish the nature of his support may be found at *Sest.*128: *In una mea causa post Romam conditam factum est, ut litteris consularibus ex senatus consulto cuncta ex Italia omnes, qui rem publicam saluam uellent, convocaretur. Quod numquam senatus in uniuersae rei publicae periculo decreuit, id in unius mea saluta conservanda decernendum putauit. . . . Quis est Italiae locus, in quo non fixum sit in publicis monumentis studium salutis meae, testimonium dignitatis.* Cf. 129,130. For his escort from Brundisium, see 131–32. See further Cic. *Red. Pop.* 1, 18, and esp. *Dom.* 73–76, *Pis.* 34–36.
77. Plutarch *Cic.* 33.3–5. Cf. App. BC 2.3.15, D.C. 39.8.2, Liv. *Perioch.* 104.
78. For descriptions of the number and diversity of participants, see Cic. *Sest.* 25–26, 27, 32, 35, 36–38, 49, 55, 72, 128–131, 131–2 (his escort from Brundisium). Grenade (1961) 235–40 provides an account of the manifestations of *consensus* in this whole affair. See further Nicolet (1980) 358–61, and 683–5. The famous redefinition of *optimus quisque* can be found at *Sest.* 97. For *otium cum dignitate*, see Wirszubski (1950) 41f., 93f. The *loci classici* are Cic. *Sest.* 98 and 136–138. This is, of course, the program that the *populares* traduced as *otium cum seruitute*. See Nicolet (1966) 682–3.
79. At *Sest.* 104–115, Cicero contrasts the nature of the support he received in the *contiones* and assemblies with those “orchestrated” by his enemies. See, in general Noè (1988). Cicero specifically responded to a situation whereby *popularis* politicians exploited a fact pointed out by Brunt (1988) 26–7, namely that “the people who could actually attend meetings at Rome were not truly representative and were incapable of governing an empire.” Cicero's *formulae* reflect his thinking elsewhere about how the preservation of the *gradus dignitatis* permits true equality. See generally Wood (1988) 148–52, and *Rep.* 1.43–44. Moreover, instruments characterized by indiscriminate, undisciplined modes

- of *consensus*, led to the downfall of the Greeks (*Flac.* 16), while at *Rep.* 1.67, a total lack of discrimination characterizes a crisis described in terms very similar to the elements found in the proscription narratives.
80. For the rise of the theater in the late republic, see Abbot (1907), Nicolet (1980) 361–73, Edwards (1993) 98–136, Beacham (1999) 51–74 and Vanderbroeck (1987) 77–81, 143–44, who takes a more cynical approach and asserts that the composition of the theater crowd was completely liable to manipulation.
 81. See Zanker (1988) 147–53. Cf. Yavetz (1988) 18–24.
 82. *Sest.* 119: *in ea [sc. doctrina] explicanda demonstrandum est non esse populares omnes eos, qui putentur. Id facillime consequar, si universi populi iudicium verum et incorruptum et si intimos sensus civitatis expressero.* Cicero asserts the validity of public endorsements at the gladiatorial events at *Sest.* 124–125.
 83. Flaig (1995) 100–118, esp. 108–9: “Diese Binnendifferenzierung der zusehenden nichtaristokratischen Bürgerschaft machte den Zuschauerraum zu einer getreuen Ikone der sozialen Ordnung. Die Zuschauerschaft war keine “Masse,” Anonymität war weitgehend vermindert. Die soziale Transparenz gestattete keine Vorgänge, die eine unwissenschaftliche Massenpsychologie der “Masse” zurechnet; jede Reaktion war eindeutig zuschreibbar, da man wußte, welche Gruppen wo sassen.” For the charged relationship between the aristocracy and the populace at the shows, and the way these events were politicized, see *ibid.* 118–24.
 84. See Wood (1988) 83–7, 193–99.
 85. See Cic. *Red. Pop.* 1: *me fortunaque meas pro vestra incolumitate, otio, concordia devovi.* For Cicero’s claims to be necessary for the safety of the state, see *Sest.* 33, 50, 53, *Red. Sen.* 27. At *Sest.* 51, Cicero presents himself as a guarantee against civil discord since there is no longer a *metus hostilis*. See *Red. Sen.* 27, where the senate decrees measures against anyone impeding Cicero’s return. On Cicero as necessary for state prosperity in virtually every respect, see *Dom.* 15, and 17: *Itaque sive hunc di immortales fructum mei redditus populo Romano tribuunt, ut, quem ad modum discessu meo frugum inopia, fames, vastitas, caedes, incendia, rapinae scelerum impunitas, fuga, formido, discordia fuisset, sic reditu ubertas agrorum, frugum copia, spes otii, tranquillitas animorum, iudicia, leges, concordia populi, senatus auctoritas mecum simul reducta videantur . . .* Cf. *Sest.* 71, sentiments which would find echoes in the imperial period in the language of “restoration” (e.g. Vell. 69.3f.).
 86. See esp. *Sest.* 128, 129. See Further 38 (concerning the execution of the Catilinarians): *Eas res gesseram, quarum non unus auctor, sed dux omnium voluntatis fuisset, quaeque non singularem meam gloriam, sed ad communem salutem omnium civium et prope gentium pertineret; ea condicione gesseram, ut meum factum semper omnes praestare tuerique deberent.* Cf. *Dom.* 94.
 87. Clearly established in the *Pro Sestio* with respect to Milo’s “legitimate” use of extra-constitutional force. See *Sest.* 86–96, esp. 87: *adiit igitur T. Annius ad causam rei publicae sic, ut civem patriae recuperare vellet ereptum. Simplex causa, constans ratio, plena consensionis omnium, plena concordiae . . . Agebat auctoritate . . . agebat per summum ordinem, agebat exemplo bonorum ac fortium civium; quid re publica, quid se dignum esset . . . diligentissime cogitabat.*
 88. See Béranger (1956), (1958).
 89. *RG 1: annos undeviginti natus exercitum privato consilio et privata impensa comparavi, per quem rem publicam a dominatione factionis oppressam in libertatem vindicavi.* See Béranger (1956) 128, (1958) 245.
 90. See Syme (1939) 146 f. 162 ff., and esp. 160.

91. *Phil.* 11.28: *Est enim lex nihil aliud nisi recta et a numine deorum tracta ratio, imperans honesta, prohibens contraria.* Cf. *Leg.* 1.18: *lex est ratio summa insita in natura, quae iubet ea, quae facienda sunt, prohibetque contraria.* Cf. Vell. 2.62.1–4. Béranger (1956) 130 f., (1958) 256–7 cites more examples. For the sanction of *recta ratio* to justify violence in the interests of state, see Wood (1988) 185–92. Cicero provided a “bridge” to the acceptable identification of state and individual in other ways too, by identifying, for example, the traditional *Virtutes populi Romani* with the *Virtutes Imperatoris* in the *De Lege Manilia*. See Fears (1981) 882f.
92. Beginning with *Phil.* 1.21.9. The resurgence of the Ciceronian program in the *Philippics* was briefly noted by Strasburger (1931) 69–70.
93. 1.30: *Recordare quaeso, Dolabella, consensum illum theatri, cum omnes earum rerum obliti, propter quas fuerant tibi offensi, significarent se beneficio novo memoriam veteris doloris abiecisse.*
94. *Phil.* 1.36: . . . *parumne haec significat incredibiliter consentientem populi Romani universi voluntatem?*
95. *Phil.* 1.37: *Equidem is sum, qui istos plausus, cum popularibus civibus tribuerentur, semper contempserim; idemque, cum a summis, mediis, infimis, cum denique ab universis hoc idem fit . . . non plausum illum, sed iudicium puto.*
96. See App. BC 2.112, which mentions graffiti written on the statues of Brutus prompting him to the deed, and adds that Cassius told him that this represented the will of the “best of the Romans” (οἱ Ῥωμαίων ἀριστοί), specifically *not* the artisans and shopkeepers. He also explicitly associates this former group with those who formed a major component of the audience at certain entertainments. Demonstrations on behalf of the Liberators in the theatre occurred soon thereafter (Cic. *Att.* 14.4.2 = SB 356). Vanderbroeck (1987) 80–1, on the basis of Cic. *Att.* 16.2.3, downplays the significance of these demonstrations, perhaps unfairly. Cicero in the letter complains that the people were content to express themselves through applause *merely*: *mibi autem <quo> laetiora sunt eo plus stomachi et molestiae est populum Romanum manus suas non in defendenda re publica sed in plaudendo consumere.* Vanderbroeck also asserts demonstrations favorable to Octavian at the later *ludi Victoriae Caesaris* were due to a change in the composition of the audience, citing no evidence, and ignoring entirely the influence of the *sidus Iulium*. The fact that Cicero refers to the political opinions expressed in the theatre as politically important in the letters (e.g. *Att.* 2.19 = SB 39, 14.3.2 = SB 357) proves their significance—if they were not taken seriously, why would he cite them in his arguments?
97. *Phil.* 3.2: *Auctoritate senatus consensuque populi Romani facile hominis amentis fregissemus audaciam,* 3.34–37. The explicit comparison to Cati-line comes at 4.15: *Ut igitur Catilinam diligentia mea, senatus auctoritate, vestro studio et virtute fregistis, sic Antoni nefarium latrocinium vestra cum senatu concordia tanta, quanta numquam fuit, felicitate et virtute exercituum ducumque vestrorum brevi tempore oppressum audietis.*
98. *Phil.* 4.1–2: *nam est hostis a senatu nondum verbo adpellatus, sed re iam iudicatus Antonius. Nunc vero multo sum erectior, quod vos quoque illum hostem esse tanto consensu tantoque clamore adprobavistis,* 4.3.7: *Omnis mortales una mente consentiunt omnia arma eorum, qui haec salva velint, contra illam pestem capienda,* 4.5.12: *Incumbite in causam, Quirites, ut facitis. Numquam maior consensus vester in ulla causa fuit, numquam tam vehementer cum senatu consociati fuistis.* For *consensus* and divine support, see 4.4.10: *Quod ita futurum esse confido; iam enim non solum homines, sed etiam deos immortales ad rem publicam conservandam arbitror consensisse. . . . sive tantus*

consensus omnium sine impulsu deorum esse non potuit, quid est, quod de voluntate caelestium dubitare possimus.

99. 6.7.18: *Etenim quis est civis, praesertim hoc gradu, quo me vos esse voluistis, tam oblitus beneficii vestri, tam immemor patriae, tam inimicus dignitatis suae, quem non excitet, non inflammet tantus vester ille consensus?* For the idea that *consensus* should move Antonius, see 6.1.3: *Nam plures eam sententiam secuti sunt, ut, quantum senatus auctoritas vesterque consensus apud Antonium valiturus esset, per legatos experiremur.* The *consensus* of the senate is important too. See 5.11.30–12.32, and Cicero's praise of Sulpicius Rufus as someone who always took the *consensus* of the senate very seriously at 9.4.8: *eum, qui semper vestrum consensum gravissimum iudicavisset . . .*
100. 7.20 (*consensus Italiae*). Cf. 7.8.22: *Nam quid ego de universo populo Romano dicam? Qui pleno ac referto foro bis me una mente atque voce in contionem vocavit declaravitque maximam libertatis recuperandae libertatem.* 8.3.8: *Hoc bellum quintum civile geritur (atque omnia in nostrum aetatem inciderunt) primum non modo non in dissensione et discordia civium, sed in maxima consensione incredibilique concordia. Omnes idem volunt, idem defendunt, idem sentiunt. Cum omnes dico, eos excipio, quos nemo civitate dignos putat.*
101. 14.6.16 and 14.5.13: *Is enim demum est mea quidem sententia iustus triumphus ac verus, cum bene de re publica meritis testimonium a consensu civitatis datur.* Recounted too at *ad Brut.* 1.3.2 = SB 7.
102. To Plancus: *Fam.* 10.10.2.7 = SB 375, 10.12.4.9 = SB 377, 10.13.2.1 = SB 389. To Cassius: *Fam.* 12.5.3.4 = SB 365, 12.7.1.6 = SB 367. To Brutus: *Ad Brut.* 2.5.2.13 = SB 5, 1.15.4.13 = SB 23, 1.18.3.1 = SB 24, where the author implies that he cannot say that the population of Rome is unanimous, because of the presence of enemy elements—which implies that he believes that it truly could be. Finally, one might add a letter to the young Octavian himself, datable to around Feb. 43: *Ep. fr* 4.6: *bellum, ut opinio mea fert, consensu civitatis confectum iam haberemus.*
103. Béranger (1958) 118–19 demonstrates how pervasive Ciceronian expression was even into late antiquity. It should be added that this development occurred so quickly after his death that Octavian was able to capitalize on it.
104. *Cic. Prov.* 47, *Balb.* 61, *Planc.* 94: *haec de sapientissimis et clarissimis viris et in hac re publica et in aliis civitatibus monumenta nobis et litterae prodiderunt, non semper easdem sententias ab iisdem, sed, quascumque rei publicae status, inclinatio temporum, ratio concordiae postularet, esse defensas.* Cf. *Fam.* 1.9.20 = SB 20, where Cicero says he forgot the insults received from Crassus *communis concordiae causa*.
105. Weinstock (1971) 263–4. See too *Att.* 7.3.5.6 = SB 126, 7.4.2 = SB 127, 8.2.1 = SB 152, 8.11d.1 = SB 161D, 8.12.6 = *Fam.* 12.12.2 = SB 146: *Equidem, ut veni ad urbem, non destidi omnia et sentire et dicere et facere quae ad concordiam pertinerent. Sed mirus invaserat furor non solum improbis sed etiam iis qui boni habentur, ut pugnare cuperent, me clamante nihil esse bello civili miserius.* 4.2.3 = SB 151 (28/29 Feb. 49), 9.11a = SB 178A. Cf. *Phil.* 2.24.
106. *Att.* 8.15a.1 = SB 165A, 97b.1 = SB 174B
107. See *Att.* 8.12.6 = SB 162 and *Att.* 9.9.2 = SB 176.
108. See Fears (1981) 877–884, and Richard (1963), both of whom provide studies of the iconography of the period that incorporate wide-ranging symbolic associations. For Pompey, see esp. Richard (1963) 314–23. For the very real effect of national confidence associated with his appointment under the *lex Manilia*, see Helleguarch (1970) 118. For the pride a Roman would feel in identifying himself with his victories, see *Plin. Nat.* 7.95 and Richard (1963) 317.

109. Richard (1963) 322–33. For Caesar and *concordia*, see esp. Weinstock (1971) 264–5, and *ibid.* 267–9, which deals more extensively with Caesar’s program of amnesty and *pax* during and after the civil wars.
110. An anonymous pamphleteer used by D.H. 2.11.2 implied that Caesar as the new Romulus would restore the *concordia* established by the first founder and absent since the time of the Gracchi. See Weinstock (1971) 264, Skard (1931) 97 and Richard (1963) 325–33, 340–2.
111. Weinstock (1971) 265.
112. See Sumi (2005) 65ff.
113. Weinstock (1971) 266, 269.
114. See, in general, *ibid.* 266. The people demand that Pompey and Crassus come to terms in exactly the same way, reminding them of the miseries of the recent civil wars under Marius and Sulla. See *App. BC* 1.121: καὶ δεξιωσαμένων ἀλλήλους εὐφημία τε ἦσαν ἐς αὐτοὺς ποικίλοι.
115. Crawford *RRC* no. 494/41, 42c. For the issue of 39 BC, see *ibid.* 529/2c, 3, 4b. The image is fitting since these coins were issued to soldiers. According to Appian (*BC* 4.1.3) upon hearing of the agreement of the triumvirs on the first occasion, the soldiers οἱ δ’ ἀκούσαντες ἐπαιώνισάν τε καὶ ἠσπᾶσαντο ἀλλήλους ἐπὶ διαλλαγῇ (cf. *Plut. Ant.* 20.1, *Vell.* 65.2). He later reports the opinions of the bewildered “more prudent” and “upper-class” people in the midst of the proscriptions (4.3.14): οἱ δὲ ἐμφρονέστεροί τε καὶ ἐπιεικεῖς ἐτεθήπεσαν ὑπὸ ἐκπλήξεως, καὶ ἦν αὐτοῖς παραλογώτερον, ὅτε μάλιστα ἐνθυμηθεῖεν, ὅτι τὰς μὲν ἄλλας πόλεις ἐλυμήναντο στάσεις καὶ περιέσωσαν ὁμόνοιαι, τὴν δὲ καὶ αἱ στάσεις τῶν ἀρχόντων προαπώλεσαν καὶ ἡ ὁμόνοια τοιάδε ἐργάζεται. Dio (47.2.3) writes that vultures perched on the temple of *Concordia* when the triumvirs entered Rome.
116. Richard (1963) 334–6. For the rest of the numismatic program of the triumvirs with respect to *pax* and *concordia*, see *ibid.* 336–39.
117. The soldiers forced their leaders to reconcile when the Second Triumvirate was formed in 42 BC (Syme (1939) 188) and later at Brundisium in 40 (*ibid.* 217). Octavia, however, deserves much of the credit (*Plut. Ant.* 35.4). This occasion may have prompted dedications to the goddess (see *ILS* 3784 and Weinstock (1971) 263). The people alone forced Antonius and Octavian to make peace with Sextus Pompey in 39 (Syme (1939) 221. See, too Yavetz (1988) 25, 86f, and *Vell.* 2.77.1: *Tum expostulante consensu populi . . . cum Pompeio quoque circa Misenum pax inita . . .* For the significance of the *ovatio*, see Sumi (2005) 68, 196.
118. See D.C. 49.18.16 and Kellum (1990) 277–8.
119. While the dating of this oracle as a whole is problematic and incorporates material from various periods, the quotation reflects the language current in first century struggles. See esp. Momigliano (1992) 734, who raises the possibility that “the original pagan text had itself been composed in a moment of bitter struggles—the Mithridatic wars, say, in the first part of the first century B.C.—and then modified to accommodate the benefits of the Augustan peace.” Nikiprowetzky (1970) 195–225 fixes the date at 42 BC.
120. *Orac. Sib.* 3. ll.373–6. I follow the text in Geffcken (1902): εὐνομίη γὰρ πᾶσα ἀπ’ οὐρανοῦ ἀστερόεντος ἠΐξει ἐπ’ ἀνθρώπους ἢ δ’ εὐδικίη, μετὰ δ’ αὐτῆς ἢ πάντων προφέρουσα βροτοῖς ὁμόνοια σαόφρων ἢ καὶ στοργῇ πίστις φιλήξεινων . . .
121. Tarn (1932) 138.
122. Skard (1931) 84–5.
123. See Edwards (1993) 25–6: “The elite justified their privileged position by pointing to their superior morals. Their capacity for self-control legitimated the control they exercised over others who were, it was implied, unable

- to control themselves. . . . Those who could not govern themselves, whose desires were uncontrollable . . . were not fit to control the state.” For the Ciceronian expression, see Wood (1988) 83–7.
124. Skard (1931) 85–7, who cites several examples. See, e.g. Man. 1.141–2: *frigida nec calidis desint aut umida siccis, | spiritus aut solidis, sitque haec discordia concors.*
 125. Skard (1931) 86, 91 cites a passage from the *περὶ κόσμου* 396 b 1: *ὡς κἂν εἰ πόλιν τινὲς θαυμάζοιεν, συνησθηκῆναι ἐκ τῶν ἐναντίων ἔθνων. . . .* Lucan, too, clearly associates civic and cosmic *concordia* (4.189–91): *Nunc ades, aeterno complectens omnia nexu, | O rerum mixtique salus Concordia mundi | Et sacer orbis amor. . . .* See also Jal (1961) 224–6. This leitmotif lies at the root of the famous story of Menenius Agrippa who argues that the polity is made up of many distinct and separate members, all of whom bear their own particular benefit to the whole, just like the body, made up of limbs. See further Skard (1931) 88–91 and D.H. 6.83–86.4, Liv. 2.32.9–12.
 126. For examples, see Skard (1931) 94–5. For a wider treatment of Ciceronian philosophy relevant to the topic, see Nicolet (1966) 651–55, 686–88, and Wood (1988) 112–19.
 127. Nicolet (1966) 651.
 128. . . . *ut numquam a se ipso instituendo contemplandoque discedat, ut ad imitationem sui vocet alios, ut sese splendore animi et vitae suae sicut speculum praebeat civibus. ut enim in fidibus aut tibiis atque ut in cantu ipso ac vocibus concertus est quidam tenendus ex distinctis sonis, quem inmutatum aut discrepantem aures eruditae ferre non possunt, isque concertus ex dissimillarum vocum moderatione concors tamen efficitur et congruens, sic ex summis et infimis et mediis interiectis ordinibus ut sonis moderata ratione civitas consensu dissimillimorum concinit; et quae harmonia a musicis dicitur in cantu, ea est in civitate concordia, artissimum atque optimum omni in re publica vinculum incolumitatis, eaque sine iustitia nullo pacto potest esse.* See too Skard (1931) 96–7, who notes the similarities of this passage to Plut. Numa 20f.
 129. Leg. 3.28: *cum potestas in populo, auctoritas in senatu sit, teneri ille moderatus et concors civitatis status, praesertim si proximae legi parebitur . . . Is ordo vitio careto, ceteris specimen esto.*
 130. Nicolet (1966) 653–4 cites two examples from the *De Officiis*: 3.5.26 and 1.25.85–6: *Ut enim tutela, sic procuratio rei publicae ad eorum utilitatem, qui commissi sunt, non ad eorum quibus commissa est, gerenda est. Qui autem parti civium consulunt, partem neglegunt, rem perniciosissimam in civitatem inducunt, seditionem atque discordiam: ex quo evenit ut alii populares, alii studiosi optimi cuiusque videantur, pauci universorum. Hinc . . . in nostra republica non solum seditiones, sed etiam pestifera bella civilia.* This *tutela rei publicae* would become an important aspect of imperial ideology. See Béranger (1953) 257–60, and Wood (1988) 134, and *idem* 193–99 for Cicero’s version of the “mixed constitution.”
 131. Pis.3.7: *Atque ita est a me consulatus peractus, ut nihil sine consilio senatus, nihil non approbante populo Romano egerim, ut semper in rostris curiam, in senatu populum defenderim, ut multitudinem cum principibus, equestrem ordinem cum senatu coniunxerim.*

NOTES TO CHAPTER 3

1. This issue has received little attention. In his treatment of imperial oaths, for example, Gregory Rowe ((2002) 136) challenges Von Premerstein’s (1937) argument that such acts “were the sociological key to the principate,” and

- contends that it paradoxically “ . . . took the sociological dimension out of history, by making it unnecessary to ask why people behaved as they did.”
2. *Iure igitur gravis [Calatinus est] cuius de laudibus omnium esset fama consentiens. . . . Quid de Paulo aut Africano loquar, aut, ut iam ante, de Maximo? Quorum non in sententia solum sed in nutu residebat auctoritas.* Heinze (1925 = 1960) 49 cites Cic. *Font.* 24 where Cicero speaks of his contemporary M. Aemilius Scaurus who “mit seinem Wink den Erdkreis regiert’ . . . lediglich kraft seiner *auctoritas.*”
 3. This type of misrecognition lies at the base of what Bourdieu (1977) calls “symbolic violence.”
 4. See Heinze (1925 = 1960) 49 and Bourdieu (1991) 205, 192 on political fetishes: “Symbolic power is a power which the person submitting to *grants* to the person who exercises it, a credit with which he credits him, a *fides*, an *auctoritas*, with which he entrusts him by placing his trust in him. It is a power which exists because the person who submits to it believes it exists. . . . Like the divine or human champion who, according to Benveniste, ‘needs people to believe in him, to entrust their *kred* to him, on condition that he lavishes his benefits on those who have thus supported him,’ the politician derives his political power from the trust that a group places in him.”
 5. This notion forms perhaps the most important aspect of imperial ideology. See, in general, Béranger (1953) 137 ff., and especially 169–86, 186–217 (*passim*), 252–78.
 6. Heinze (1925 = 1960) 49.
 7. Béranger (1953) 114–33, 186–217, and the same is true for the *cura rei publicae*. Heinze ((1925 = 1960) 50) criticizes Mommsen for doing the same thing. It is important, moreover, to understand that being the “monarchic” head of state did not endow one with an invincible *auctoritas* commensurable to the imperial station. Béranger (1953) 118–9 goes too far: “Auguste n’est pas devenu *princeps* parce qu’il jouissait d’une *auctoritas* (du moins celle dont il parle). Il avait une *auctoritas* parce qu’il était *princeps.*” He cites Suet. *Vesp.* 7.2 (concerning Vespasian) in justification, but this evidence does not justify such cynicism.
 8. See e.g. Adcock (1951) 135, who speaks of the “unimpaired emotions of the *consensus universorum* which was crystallized in the *auctoritas* which Augustus . . . justly said he enjoyed . . . beyond any other citizen.” See too Ando (2000) 146–7, apropos the ritual of *recusatio*: “It was precisely this universal *consensus* that separated the *auctoritas* of the *princeps* from the *imperium* of the magistrate.”
 9. Heinze’s ((1925 = 1960) 50) remarks are again apropos: “Und gleich wichtig ist dies: sie [*sc. auctoritas*] wirkt nur da, wo man sich ihr *freiwillig* unterordnet, und wer die *auctoritas* eines anderen dauernd annerkennt, tut dies doch gleichsam in jedem Augenblick von neuem; so ist auch der Prinzipat des Augustus nicht durch einen einmaligen Akt freiwilliger Unterordnung geschaffen, durch den Senat und Volk ihm zugunsten auf ihre Rechte verzichtet hätten, sondern in jedem römischen Bürger bleibt dauernd das Gefühl lebendig, daß er freiwillig und zum eigenen Besten der überlegenen Persönlichkeit des *princeps* die Entscheidung überläßt.” See too *ibid.* 57.
 10. D.C. 55.13: ὁ δῆμος . . . ἐξεβιάσατο ὥστε ἐξ γούν τὴν ἡπειρον αὐτὴν ἐκ τῆς νῆσου κομισθῆναι.
 11. On the analogy between the cosmological principles of union and separation and those of social ritual (using the Empedoclean paradigm), see Bourdieu (1977) 125. Skard (1931) 87 noted the principle operative in Plut. *Ages.* 5.3: Καθάπερ γὰρ οἱ φυσικοὶ τὸ νεῖκος οἴονται καὶ τὴν ἔριν, εἰ τῶν ὄλων ἐξαιρεθείη, στήναι μὲν ἂν τὰ οὐράνια, παύσασθαι δὲ πάντων τὴν γένεσιν καὶ κίνησιν ὑπὸ

τῆς πρὸς πάντα πάντων ἁρμονίας, οὕτως ἔοικεν ὁ Λακωνικὸς νομοθέτης ὑπέκκαυμα τῆς ἀρετῆς ἐμβαλεῖν εἰς τὴν πολιτείαν τὸ φιλότιμον καὶ φιλόνεικον, αἰεὶ τινα τοῖς ἀγαθοῖς διαφορὰν καὶ ἄμιλλαν εἶναι πρὸς ἀλλήλους βουλόμενος.

12. See D.C. 52.42.1–3, and ch. I, *supra*.
13. For these voices, see Osgood (2006 (a)) 257–67. Cf. Canfora (1980) 427–8.
14. D.C. 54.14.2–3.
15. Garnsey and Saller (1987) 107.
16. For this *lex* and the issues surrounding it, see in general Rawson (1991) and Zanker (1988) 149–53.
17. Bourdieu (1991) 185–6.
18. See e.g. Rawson (1991) 533, 535.
19. Thus the famous last words at Suet. *Aug.* 99.1. Cf. D.C. 56.30.4.
20. The theatrical mentality was a product of the Hellenistic period, when it was used to some effect politically (see Pollitt (1986) 4–6), and, by the late Republican period, it became the Roman political forum par excellence. See ch. 2, *supra*, and Flaig (1995), 118ff. For the political metaphor, see Cic. *Amic.* 26.97, where Laelius so describes his forensic activities—in *scaena*, *id est in contione*. Cf. *Brutus* 2.6, and Plutarch *Pomp.* 68.2. Millar (1998) finds the parallel a useful one for describing politics in the late Republic (e.g. 47, 57, 120). For the theatrical aspects of the Augustan regime, see esp. Beacham (2005). For performative aspects in general, see esp. Sumi (2005) 220–62.
21. D.C. 52.34.2: καθάπερ γὰρ ἐν ἐνί τινι τῆς ὄλης οἰκουμένης θεάτρῳ ζῆση, καὶ οὐχ οἷόν τέ σοι ἔσται οὐδὲ βραχύτατον ἀμαρτόντι διαλαθεῖν· Augustus, fearless in his popularity, scrupulously attended spectator events and deferred to the tastes of the crowd in his tactful behavior there. In general, see Suet. *Aug.* 45, Tac. *Ann.* 1.54, Aur. Vict. *Epit.* 1.25, D.C. 53.1.6, Yavetz (1988) 22, 100. In his autobiography (derived here from Nicolaus of Damascus), Augustus emphatically states that he risked his health during his youth under Caesar to preside over such events. See Malitz (2003) IX.19–20.
22. As a virtue, πίστις only comes into prominence in the Greek philosophical tradition later, as *fides*, a Roman concept, makes inroads into the Greek sphere. See Heinze (1929 = 1960) 78–81. For remarks on the origins of such abstractions, see Fears (1981) 846, n. 76.
23. See Heinze (1929 = 1960) 79–80. My discussion of *fides* relies mainly on this essential article. See too Galinsky (1996) 60–1.
24. Heinze (1929 = 1960) 67–8 cites several examples in Plautus where *res* (“fortune”) and *fides* (“personal credit”) “zusammen fast den ganzen Menschen ausmachen können. E.g. Pl. *Truc.* 44: . . . *et ipius periit et res et fides.*”
25. *Ibid.* 78.
26. See Heinze (1925 = 1960) 70–73, and Varro *L.L.* 6.68. Cf. Cic. *Fam.* 10.32.3 (= SB 415).
27. See *ibid.* 71–2, concerning the sources from Roman comedy: “. . . ganz unabhängig von seinen griechischen Originalen legt der römische Dichter dem Thebaner oder Epidamnier Worte in den Mund, die auf den Straßen Roms zu hören waren. Die feierliche Form besagt gewiß nicht, daß die Mitbürger den gefährdeten von nun an in ein Dauerndes Schutzverhältnis aufnehmen sollen, sondern wendet sich an ihr Pflichtgefühl, das ihnen gebieten muß, den gefährdeten Mitbürger nicht im Stiche zu lassen.”
28. In Nov. 44 (*Att.* 16.14.2 = SB 425): *sed in isto iuvene, quamquam animi satis, auctoritas parum est.*
29. See Syme (1939) 4: “The conviction that it all had to happen is indeed difficult to discard. Yet that conviction ruins the living interest of history and precludes a fair judgement upon agents. They did not know the future.”

30. See Suet. *Aug.* 13.2, and cf. the fact that at App. *BC* 4.38, Messalla Corvinus, when offered command of the republican remnants, persuades them to surrender “to the side of Antony” (μεταστρατεύσασθαι τοῖς ἀμφὶ τὸν Ἀντώνιον).
31. The essential study of this event remains Hinard (1985). Bengston (1972) and Canfora (1980) provide more limited and preliminary treatments.
32. See Hinard (1985) 217 ff.
33. Cf. Plut. *Mar.* 44.5, who mentions the demise of Catulus but not of Merula. He ends with the death of Sextus Lucinus, whom Marius as consul threw from the Tarpeian Rock, and concludes the biography itself by recalling the savagery of the younger Marius, who after the death of his father continues killing the “best and most reputable citizens.”
34. The main source, Appian, provides a partial list of the Marians “outlawed” (*BC* 1.7.60) after Sulla’s first march on Rome. He then briefly mentions the death of the Marian Sulpicius, who was a tribune of the plebs at the time (and thus sacrosanct), then Marius’ flight along with the famous incident with the Gaul sent to kill him (1.7.61). Yet unprecedented atrocities occur when Marius and Cinna regain control of the city (1.8.71–74, cf. Plut. *Mar.* 43ff) and allow it to be plundered, whereas Sulla, after his first march on the city, strictly restrained his soldiers from doing likewise (1.7.59). There follows the pathetic death of the consul Octavius, a Sullan who bravely refuses to flee (cf. Plut. *Mar.* 42.2–5), and the display of his head along with those of the other senatorial victims killed. Appian stresses the unprecedented savagery vented on the Sullans (1.8.71). There follows a brief section exemplifying this with the first so-to-speak “stories” of the type that would come to characterize the extended narrative of the second proscription (1.8.72–74).
35. Namely, the anecdote of Quintus Aurelius, an apolitical man proscribed under Sulla for his estate, that of Sulla’s anonymous host at Praeneste, whom he spares but who insists that he die like the rest of his townsmen, and that of the Sullan Catiline, who kills his own brother-in-law Marius Gratidianus. Livy *Perioch.* 88 recounts his death, as does Lucan 2.174–195, cf. Orosius 5.21.8. The latter two add depictions of the mutilations he suffered. See *P-W* 28, 1825ff. Velleius’ account follows the general trend, naming 12 prominent victims at the hands of the Marian party (see 2.22.1–4, 24.1–2, 26.2–3), and devoting but one brief section (2.28.2–4) to the Sullan proscriptions proper and naming no names. Lucan, 2.70–232 provides the names of 4 Sullans (119–29), but despite his general depiction of Sullan atrocities, only recounts the death of Gratidianus (175 ff.). For a complete list of the sources, see Broughton, *MRR* II, 69.
36. E.g. Plut. *Mar.* 43.5, which recalls the lack of the bond of trust (πίστις) of hospitality and friendship (ξενία and φιλία) experienced by the Sullans at the hands of those to whom they entrusted themselves. *Sull.* 31.4ff., on the other hand, mentions that Sulla made it an offense to harbor the proscribed, making no exception for brother, son or parents, placing a reward of two talents for the *percussores*, even if (κἂν) a slave did away with his master or a son a father. This does not imply that the occurrence was characteristic. Plutarch says only that no place was unpolluted from those slaughtered and that many all over Italy died in the *presence*, not at the hands of, their wedded wives and mothers. D.C. fr. 109.1–21 also vividly recounts Sullan cruelty, adding that many died after their associates and those nearest to them betrayed them (19–20). Dio is not reliable here but so concerned with drawing contrasts and parallels with the later proscriptions that the accounts are sometimes contradictory. See further Gowing (1992 (a)) 264. Cf. V. Max. 9.2.1, Lucan 2.70–232.

37. *In illa quoque procella quam C. Marius et L. Cinna rei publicae inflixerant, abstinentia populi Romani mirifica conspecta est: nam cum a se proscrip-torum penates vulgi manibus diripiendos obiecissent, inveniri nemo potuit qui civili luctu praedam peteret: unus enim quisque se ab his perinde ac si a sacris aedibus abstinuit. quae quidem tam misericors continentia plebis tacitum crudelium victorum convicium fuit.* Cf. Vell. 2.22.5.
38. See Hinard (1985) 135ff., 162 ff. Dowling (2000) provides the essential study on the development of attitudes toward Sulla.
39. On the senate's resistance, see Hinard (1985) 115–16.
40. On Caesar's attitude as opposed to that of the Pompeians, see Dowling (2000) 309ff.
41. See Dowling (2000) 305–6: "The creation of the rhetorical *topos* of Sul-lan cruelty is the direct result of the risk felt by the upper classes during the civil wars and the emergence of Augustus' regime. Concern over the successively threatened (and real) tyrannies of Pompey, Caesar, Antony and Octavian leads to the creation of a new vocabulary in which the dan-gers of tyranny are explored." For Sallust, see *ibid.* 313–16, and 318ff. for the development of Sullan cruelty as a rhetorical *topos* after the rule of Augustus.
42. For a summary of Sulla's attempts at reconciliation, see Hinard (1985) 120–25, for Sullan propaganda in general, see *ibid.* 135–41.
43. Henderson (1998) and Osgood (2006 (a)) 62–106 provide important discus-sions on the nature and significance of this literature.
44. See esp. Henderson (1998) 22–7.
45. For the edict and comparison with the Sullan period, see Hinard (1985) 227–44.
46. See Hinard (1985) 259–61, 305 ff., who argues in addition that the measure was not designed primarily to raise funds, but to inspire terror.
47. For a discussion of these sources, see Gowing (1992) 249 ff. For the impor-tance of Appian as a source, see esp. Bengston (1972).
48. See Bengston (1972) 12–16 for convincing arguments that the measures and edict are generally Antonian.
49. ἐδεδοίκεσαν γὰρ οὐχ ἦσσαν τῶν σφαγέων οἱ μὲν γυναῖκας ἢ παῖδας οὐκ εὐμενῶς σφίσιον ἔχοντας, οἱ δὲ ἐξελευθέρους τε καὶ θεράποντας, οἱ δὲ καὶ δα-νεισμάτων χρήστας ἢ χωρίων γείτονας ἐπιθυμίᾳ τῶν χωρίων. ἐπανάστα-σις γὰρ δὴ πάντων, ὅσα τέως ὑπουλα ἦν, ἀθρόα τότε ἐγίγνετο καὶ ἀθέμι-στος μεταβολὴ βουλευτῶν ἀνδρῶν, ὑπάτων ἢ στρατηγῶν ἢ δημάρχων, ἔτι τάσδε τὰς ἀρχὰς μετιόντων ἢ ἐν αὐταῖς γεγονότων, ἐς πόδας ἰδίου θερ-άπυτος ῥιπτουμένων σὺν ὀλοφύρσει καὶ σωτῆρα καὶ κύριον τὸν οκέτην τιθεμένων. οἰκτιστον δὲ ἦν, ὅτε καὶ ταῦτα ὑποστάντες οὐκ ἔλεθηθίεν. For the notion of social inversion in the narratives, see too Canfora (1980) 435–6.
50. 4.3.16: ταῦτα δὲ ἀξιῶσει τε τῶν τριῶν ἀνδρῶν καὶ τοῦ ἐνὸς αὐτῶν μάλιστα ἀρετῆ καὶ τύχη, τὴν ἀρχὴν συστησάμενου τε ἐς ἔδραν ἀσφαλῆ καὶ γένος καὶ ὄνομα τὸ νῦν ἄρχον ἀφ' ἑαυτοῦ καταλιπόντος, ἐπιφανέστερα. ὦν τὰ λαμ-πρὰ καὶ τὰ χεῖρα γινόμενα ἐν μνήμη τε μᾶλλον ὄντα, ὅτι καὶ τελευταῖα γέ-γονεν. ἐπελεύσομαι νῦν . . .
51. See Gowing (1992) 259 ff.
52. 4.4.17–18 (Salvius, Annalis), 4.4.27 (Icelius), 4.6.40 (Rheginus), 4.6.44 (Menenius), 4.6.46 (Apuleius, Aruntius, Ventidius), 4.6.47 (anonymous per-son concealed in a tomb who later masquerades as a schoolteacher, Volusius (cf. V. Max. 7.3.8)), 4.6.49 (M. Lollius, Barbulas).
53. 7.3.8: *o nimis aut hi suae vitae aut illi alienae mortis cupidi, qui talia vel ipsi sustinuerunt vel alios perpeti coegerunt!*

54. See 4.4.26, 4.4.29 (loyal slave tries to masquerade as his master), 4.6.43–44 (for Restio, cf. V. Max. 6.8.7, for Lucretius, cf. *idem* 6.7.2). Cf., in general, D.C. 47.10.2–7, V. Max. 6.8.6 and Sen. *Ben.* 3.25.
55. 4.4.25 (Stattius, Vetulinus and the 18 “marked” cities of Italy), 4.4.29 (cf. D.C. 47.8.2), 4.5.30 (children killed for their wealth), 4.5.23–4 (taxes on rich women, cf. V. Max. 8.4.3), 4.5.35 (soldiers kill the unproscribed and loot houses without distinction).
56. 4.5.32: εἰ δὲ καὶ τὰ χρήματα προσαφέλοισθε, περιστήσετε ἐς ἀπρέπειαν ἀναξίαν γένους καὶ τρόπων καὶ φύσεως γυναικείας.
57. 4.4.29. 126–7. Cf. 4.10.81 and V. Max. 2.6.6.
58. The obverse clearly recalls an earlier type from the late second or earlier first century normally identified as depicting one of the Catanian brothers rescuing his father from the overflow of Mt. Aetna (*RRC* 308/1), though Evans (1992) 37–8 convincingly argues from the similarity with the later type that this is actually Aeneas and Anchises. For the dating of the triumviral coin, see Buttrey (1956) 38–40.
59. 709–10 *quo res cumque cadent, unum et commune periculum, / una salus ambobus erit.*
60. 731–3: . . . *subito cum creber ad auris / visus adesse pedum sonitus, genitorque per umbram / prospiciens ‘nate,’ exclamat, ‘fuge nate; propinquant.’*
61. For a discussion of Aeneas’ flight as an element of propaganda, see Evans (1992) 35–57. The notion of voluntary respect paid to Aeneas’ demonstration of filial *pietas* was present in the second book of Varro’s *Annales*. See Peter *HRR* II.6, who places the fragment in the related first fragment of Atticus, but inexplicably fails to put it among the fragments of Varro himself. Ovid provides a similar account, where the flames recede in respect (*ex Pont.* 1.1.33–4) cf. Stat. *S.* 3.3.188.
62. *nullius enim aut gratia aut auctoritate compelli potuit ut de aliqua earum rerum quas triumviri <dono> dederant formulam componeret, hoc animi iudicio universa victoriae eorum beneficia extra omnem ordinem legum ponens. idem cum multa de temporibus liberius loqueretur, amicisque ne id faceret monerent, duas res, quae hominibus amarissimae viderentur, magnam sibi licentiam praeberere respondit, senectutem et orbitatem.*
63. Cf. Osgood (2006 (b)) 542–43.
64. ἦν δὲ καὶ Θωράνιος ἐν τοῖς προγεγραμμένοις, λεγόμενος ὑπό τινων ἐπιτροπεῦσαι Καίσαρος.
65. Gowing (1992) 259 n. 37, though he should not suggest for this reason “that Antonius was indeed the prime mover in the proscription.” For examples of Antonian atrocities, see *BC* 4.4.18 (Thoranius proscribed at the request of his own son, cf. V. Max. 9.11.5), 4.4.19–20 (death of Cicero and his kin, cf. *Nep. Att.* 10.4, D.C. 47.8.3–5, *Plut. Ant.* 20, *Cic.* 49.1–2), 4.4.23 (a wife has her husband proscribed through the influence her lover has with Antony), 4.4.29 (Largus proscribed on account of Fulvia), 4.5.32 (the women complaining of taxation successfully beseech Octavia and Antony’s mother, but Fulvia rejects them), 4.6.40 (a wife sells her chastity to Antony to save her husband), 4.6.51 (L. Sestius proscribed by Antony for refusing to betray Brutus).
66. E.g. 4.5.32 (Octavia favorably receives the women complaining of taxation), 4.6.42 (Metellus successfully appeals to Octavian to save his father, who fought for Antonius at Actium), 4.6.49 (Octavian grants amnesty to M. Lollius and Barbula), 4.6.50–51 (Balbinus, M. Cicero fils, Publius (=L. Sestius (Hinard (1985) 523)) all reintegrated and fostered by Octavian).
67. 4.4.19–20. Cf. *Nep. Att.* 10.4, D.C. 47.1.1–2, 47.8.3–5, *Plut.*, *Cic.* 48.1ff., *Ant.* 20. For further discussion, see ch. 5 below.

68. Hinard (1985) 263. See too McDermott (1972) 495.
69. For the ancient debate on Octavian's culpability in his early years, see the well-known passages in Tac. *Ann.* 1.9–10, and the discussion in Gowing (1992) 247. Bengston (1972) 12–16 makes a strong case that the proscriptions mainly served Antonius. This view finds support in Canfora (1980) 432. For a summary of propaganda mitigating or highlighting Octavian's role, see Blumenthal (1913) 278–80.
70. See esp. 47.8.1: 'Εκεῖνος [*sc.* Octavian] μὲν οὖν πολλούς, ὅσους γε καὶ ἡδυνήθη, διεσώσατο . . .
71. 47.7.3: καὶ τότε δὲ οὐχ ὅσον πολλούς οὐκ ἔφθειρεν, ἀλλὰ καὶ ἔσωσε πλείστους, τοῖς τε προδοῦσι τοὺς δεσπότης ἢ τοὺς φίλους χαλεπώτατα καὶ τοῖς συναρ αμένοις τιῶν ἐπιεικέστατα ἐχρήσατο.
72. See Suet. *Aug.* 27.2 and Gowing (1992) 257.
73. 47.8.1: ὁ δὲ Ἀντώνιος ὠμῶς καὶ ἀνηλεῶς οὐχ ὅτι τοὺς ἐκτεθέντας ἀλλὰ καὶ τοὺς ἐπικουρήσαι τιμὴ αὐτῶν ἐπιχειρήσαντας ἔκτεινε. Plutarch (*Ant.* 21) likewise places the blame on Antonius, because he was older than Octavian and more powerful than Lepidus.
74. 47.8.5.
75. Antonius pardoned several who took refuge at the temple of Artemis after Philippi. See App. *BC* 5.4.15 and Hinard (1985) 250 f. Hinard's catalogue (275 ff.) shows that a preponderance of pardoning or erasure from the lists was done by Antonius.
76. V. Max. 5.1.11, Plut. *Ant.* 22, *Brut.* 53, which adds that his ashes were sent to his mother Servilia. Cf. Suet. *Aug.* 13, who, in describing Octavian's acts of cruelty adds that he sent Brutus' head to Rome to be thrown at the foot of Caesar's statue.
77. Suet. *Aug.* 27.1: *Triumviratum . . . administravit; in quo restitit quidem aliquamdiu collegis ne qua fieret proscriptionis, sed inceptam utroque acerbius exercuit. Namque illis in multorum saepe personam per gratiam et preces exorabilibus solus magno opere contendit ne cui parceretur. . .*
78. . . . *cum peracta proscriptione M. Lepidus in senatu excusasset praeterita et spem clementiae in posterum fecisset, quoniam satis poenarum exactum esset, hunc e diverso professum, ita modum se proscribendi statuisset, ut omnia sibi reliqueret libera.* See, too, Hinard (1985) 310.
79. 28.1: *Sed reputans et se privatum non sine periculo fore et illam plurium arbitrio temere committi, in retinenda perseveravit, dubium eventu meliore an voluntate.*
80. Octavian did not accept the *restitutio* of some victims until the treaty of Brundisium in 40 BC, and added Ti. Claudius Nero, the father of the future emperor Tiberius, to the list after Perusia, at the beginning of the year. Suet. *Aug.* 15.1 recounts his inexorable cruelty on this occasion too. Domitius Ahenobarbus was perhaps the only person condemned under the *lex Pedia* to be fully reintegrated into the state (Suet. *Nero* 3.2). See Hinard (1985) 252–3, 309–10, 451f.
81. See Osgood (2006 (a)) 203–4.
82. Hinard (1985) 253, 267.
83. *Ibid.* 320. More generally, see Appian 4.3.15, D.C. 47.12. and especially Henderson (1998) 23ff.
84. See Syme (1939) 229.
85. See Sumi (2004) for aspects of female protest during the proscriptions.
86. καὶ ὁ μὲν δῆμος ἐπεσημήνατο, καὶ ὁ Καῖσαρ τὸν στρατιώτην ἀνέστησεν, ὁ δὲ στρατὸς ἠγανάκτησε καὶ περιστάντες αὐτὸν ἀποχωροῦντα τοῦ θεάτρου τὸν στρατιώτην ἀπήτουν, οὐχ ὀρώμενον ἠγούμενοι διεφθάρθαι. ἐπελθόντα δὲ ἐνόμιζον ἐκ τοῦ δεσμοτηρίου νῦν προαχθῆναι ἀρνούμενόν τε καὶ

- τὰ γεγονότα διηγούμενον ψεύδεσθαι διδασχθέντα ἔλεγον καὶ ἐλοιδόρου
ὡς τὰ κοινὰ προδιδόντα. For indignation expressed at the theatre and else-
where over former slaves who became equestrians, see Osgood (2006 (a))
263–66.
87. . . . *minimum afuit quin periret concursu et indignatione turbae militaris.*
 88. Hinard (1985) 534 ff.
 89. McDermott (1972) 498.
 90. *Ibid.*
 91. *ILS 47 = CIL 1² 199 elog. 39. cf. CIL 6.1311.*
 92. McDermott (1972) 499.
 93. Ἀρριανοῦ δὲ καὶ ἐν τῇ στήλῃ κεκόλαπτο ἐκ διαθηκῶν: “τὸν ἐνθάδε κείμενον υἱὸς οὐ προγραφεῖς προγραφέντα ἔκρυσέ τε καὶ συνέφυγε καὶ περιέσωσε.”
 94. 6.8.6: *Panapio autem quantum servo deberet amplum ei faciendo monu-
mentum ac testimonium pietatis grato titulo reddendo confessus est.*
 95. Wistrand (1976) 32. Flach (1991) 75 disagrees.
 96. Possibly what the author refers to at I.3, and taken by both Durry (1950), LX
ff. and Wistrand (1976) 41 as the context for II.2a–9a. Cf. Flach (1991), 75 and
92ff., who simply asserts that the husband, as a Pompeian, went into hiding
and that the wife simultaneously sent relief and petitioned for clemency.
 97. Wistrand (1976) 46.
 98. *Ibid.* 45–9. Though it is possible, too, that he received a pardon in person
from Octavian after Philippi, but upon returning to Rome or its environs
found Lepidus unwilling to honor it (Flach (1991) 98ff.). See too Gowing
(1992(b)) 284–88.
 99. Hinard (1985) 249.
 100. For an explication of the so-called *Laudatio Turiae* as panegyric, see Ram-
age (1994). Gowing (1992(b)) argues that the cruel treatment Lepidus alleg-
edly meted out to the wife was completely fabricated by the author.
 101. καὶ ὅτι γε ταῦτ’ οὐχ ὑπ’ ὀργῆς ἀλλ’ ὡς καὶ συμφέροντα τῷ δημοσίῳ διέταξε-
ν, ἰσχυρῶς διέδειξε· τοῦ γοῦν πατρὸς τοῦ Καιπίωνος τὸν μὲν ἕτερον τῶν
δούλων τῶν συμφυγόντων τῷ υἱεῖ ἐλευθερώσαντος, ὅτι ἀμύναί οἱ θνήσκ-
οντι ἠθέλησε, τὸν δὲ ἕτερον τὸν προδόντα αὐτὸν διὰ τε τῆς ἀγορᾶς μέσης
μετὰ γραμμάτων τὴν αἰτίαν τῆς θανατώσεως αὐτοῦ δηλοῦντων διαγαγ-
όντος καὶ μετὰ ταῦτα ἀνασταυρώσαντος, οὐκ ἠγανάκτησε. κὰν ἐξηκέαστο
πᾶσαν τὴν τῶν οὐκ ἀρεσκομένων τοῖς πραχθεῖσι μέμψιν, εἰ μὴ καὶ θυσίας ὡς
καὶ ἐπὶ νίκη τινὶ καὶ ψηφισθείσας περιεῖδε καὶ γενομένης.
 102. *Iam L. Sulla non se tam incolumem quam Sulpicium Rufum perditum voluit
tribunicio furore eius sine ullo fine vexatus. ceterum cum eium proscriptum
et in villa latentem a servo proditum comperisset, manumissum parrici-
dam, ut fides edicti sui exstaret, praecipitari protinus saxo Tarpeio cum illo
scelere parto pilleo iussit, victor alioquin insolens, hoc imperio iustissimus.*
Cf. Plut. *Sulla* 10.2.
 103. Macrobius (Sat. 2.4.27) provides a third episode, which occurs at some
undisclosed time after Actium, and illustrates the force of a public appeal
against a perceived unfairness. Roller (2001) 207–8 treats the passage in the
wider study of gift-exchange as a mechanism for understanding the early
principate, which usefully explores the real underpinnings of power as per-
formance and neatly complements the present study.
 104. Millar (1988) 185. Perlwitz (1992) provides a fundamental study of Atticus
(see 27–29 for Nepos as a source). Osgood (2006 (a)) also furnishes scattered
insights with regard to both Nepos and Atticus. For the structure and con-
tent of the biography, and Nepos’ relation to Atticus, see Lindsay (1998). For
an important reappraisal of the notion that Nepos published Atticus’ biogra-
phy in his own lifetime, but revised it after his death, see Toher (2002).

105. *Ibid.* 185–6. For the indications of status, see Horsfall (1983) 92.
106. Millar (1998) 183 writes of “. . . values exhibited in this particular text and the way in which these were taken up, distorted, and deployed in the propaganda of the Augustan regime.” See also the important work of Dionisotti (1988).
107. 2.2: *Itaque interfecto Sulpicio, posteaquam vidit Cinnano tumultu civitatem esse perturbatam neque sibi dari facultatem pro dignitate vivendi quin alterutram partem offenderet, dissociatis animis civium cum alli Sullanis, alii Cinnanis faverent partibus . . . Athenas se contulit.* Perlwitz (1992) 35–39 squarely puts his finger on a much less noble motive for Atticus’ emigration—lucrative prospects as a creditor during a financial crisis. In general, Perlwitz often finds a profit motive in Atticus’ neutrality (e.g. 53–56, 79–80). My interpretation, however, only emphasizes the importance of Nepos’ narrative as an ideological construct. Perlwitz, moreover, does not reduce everything to financial motives—Atticus forgoes a political career mainly because he understands how flawed and unstable this field has become (*ibid.* 86–97). For Atticus’ relation to politics, see also Welch (1996). Stem (2005) provides the essential study of Nepos’ characterization of Atticus’ neutrality.
108. On Atticus’ lifelong activities succoring fellow citizens through his means and political contacts, see esp. Perlwitz (1992) 106–24.
109. 8.4: *At ille [sc. Atticus], qui officia amicis praestanda sine factione existimaret semperque a talibus se consiliis removisset respondit: si quid Brutus de suis facultatibus uti voluisset, usurum quantum eae paterentur, sed neque cum quoquam de ea re collocuturum neque coiturum.*
110. 9.5: . . . *aperiens se non fortunae, sed hominibus solere esse amicum.*
111. 9.6: *Quae cum faciebat, nemo eum temporis causa facere poterat existimare; nemini enim in opinionem veniebat Antonium rerum potiturum.*
112. 10.6. See too 12.3–5.
113. 11.1: *Quibus ex malis ut se emeris, nihil aliud egit quam ut quam plurimis, quibus rebus posset, esset auxilio. Cum proscriptos praemiis imperatorum vulgus conquireret, nemo in Epirum venit cui res ulla defuerit, nemini non ibi perpetuo manendi potestas facta est.*
114. P-W 19.680.
115. 11.3–4: *Illud unum intellegi volumus, illius liberalitatem neque temporariam neque callidam fuisse. Id ex ipsis rebus ac temporibus iudicari potest, quod non florentibus se venditavit, sed afflictis semper succurrit.*
116. 12.5: *Quod in praesenti utrum ei laboriosius an gloriosius fuerit, difficile est iudicare, quod in eorum periculis non secus absentes quam praesentes amicos Attico esse curae cognitum est.* cf. 12.2: *Cuius [sc. Antonius] gratia cum augere possessiones posset suas, tantum afuit a cupiditate pecuniae, ut nulla in re usus sit ea, nisi in deprecandis amicorum aut periculis aut incommodis.* There follows several more examples from the proscriptions (12.3–5).
117. For the date of Augustus’ composition, see Blumenthal (1913–14) 113. Toher (2002) argues against Nepos’ second edition after the death of Atticus in 32 (implied at 19.1), by arguing that drafts could have been circulating for some time before the final edition.
118. The declaration, too, that his estate was squandered by his guardians (II.3) places himself in sympathy with those who themselves had suffered losses.
119. (Following Malitz (2003)): ἐπεὶ δὲ κάκεῖνον τὸν πόλεμον κατεργασάμενος Καῖσαρ ἐπανήλθεν εἰς Ῥώμην, σφόδρα ὀλίγοις τῶν ὑποπεσόντων αἰχμαλώτων συγγνοῦς διὰ τὸ τοῖς προτέροις αὐτοῦς μὴ σεσωφρονίσθαι πολέμοις, συννήχθη τοιούδε. ἦν εἰς τὰ μάλιστα Καίσαρι τῶ νέῳ συνήθης καὶ φίλος Ἀγρίππας, ἐν ταύτῳ τε παιδευθεὶς καὶ τινα ἔχων ὑπερβολὴν ἑταιρείας. τοῦτου ἀδελφός

- Κάτωνι συνῆν, κατά τε φιλίαν σπουδαζόμενος καὶ τοῦ Λυβυκοῦ πολέμου κεκοινωνηκώς, τότε δ' αἰχμαλώτος ἤρημένος. τοῦτον οὐδέν πω πρότερον αἰτήσας Καίσαρα ἐβούλετο μὲν ἐξαιτεῖσθαι, ὑπὸ αἰδοῦς ὠκνεῖ καὶ ἅμα ὄρων αὐτὸν ὡς διέκειτο πρὸς τοὺς ἐν ἐκείνῳ τῷ πολέμῳ ἐαλωκότας, θαρρήσας δ' οὖν ποτε ἦτησε καὶ ἔτυχεν. ἐφ' οἷς περιχαρῆς ἦν τῷ αὐτοῦ φίλου τὸν ἀδελφὸν ἀνασεσωκώς· ἐπηρεῖτο δὲ καὶ ὑπὸ τῶν ἄλλων, ἐς οὐδὲν πρότερον καταθέμενος τὴν αὐτοῦ σπουδὴν καὶ ἐντεύξιν ἄῃ) εἰς φίλου σωτηρίαν.
120. Bellemore (1984) *ad loc.* shows, however, that Caesar generally pardoned those captured in Cato's entourage.
121. (Following Malitz (2003)): συνῶν δὲ ὁ παῖς αὐτῶ καὶ . . . ὄρων τε φιλαρνηρώπως ἑαυτῷ διαλεγόμενον οἷα τέκνῳ καὶ μικρὸν ὅσον ἤδη τεθαρρηκώς, πολλῶν αὐτοῦ δεομένων καὶ φίλων καὶ πολιτῶν αἰτεῖσθαι σφίσι παρὰ Καίσαρα πρὸς ὧν ἕκαστοι ἐν χρεῖαι ἦσαν, ἐπιτηρῶν εὐκαιρίας μετὰ πάσης αἰδοῦς ἠπειτό τε καὶ κατώρου πλείστου τε ἄξιος πολλοῖς τῶν ἀνακαίων ἐγένετο, φυλλατόμενος τὸ μήτε ἀκαίρως παρακαλεῖν μήτ' ἐκείνῳ προσάντως. Again, Bellemore's (1984) observations *ad loc.* generate scepticism as to Octavian's role.
122. 6.1: *In re publica ita est versatus, ut semper optimarum partium et esset et existimaretur. . . .*
123. 6.2: *Honores non petiit, cum ei paterent propter vel gratiam vel dignitatem, quod neque peti more maiorum neque capi possent, conservatis legibus, in tam effusi ambitus largitionibus neque geri e re publica sine periculo corruptis civitatis moribus.* Cf. Sall. *Jug.* 3.1–2, 4.7–8.
124. 2.3–6: *Hic ita uixit, ut uniuersis Atheniensibus merito esset carissimus. nam praeter gratiam, quae iam in adulescentulo magna erat, saepe suis opibus inopiam eorum publicam leuauit. cum enim uersuram facere publice necesse esset neque eius condicionem aequam haberent, semper se interposuit, atque ita ut neque usuram umquam ab iis acceperit neque longius, quam dictum esset, debere passus sit. quod utrumque erat iis salutare: nam neque indulgendo inueterascere eorum aes alienum patiebatur neque multiplicandis usuris crescere. auxit hoc officium alia quoque liberalitate: nam uniuersos frumento donauit. . . .* For Atticus' business activity in Athens, see Perlwitz (1992) 39–42.
125. Sall. *Cat.* 11.3–12.3 (Ch. 2, *supra*). Moreover, it is worth noting that Atticus shows respect for property by trying to save that of others during the proscriptions (Nepos *Att.* 12.3).
126. See *Att.* 6.4–5. See too Millar (1988) 188.
127. This conservative sentiment finds its place in the *Laudatio* above. See I.37–39: *Omne tuom patrimonium acceptum ab parentibus communi diligentia cons(er)uauimus;] neque enim erat acquirendi tibi cura, quod totum mihi tradidisti. Officia [ita par]titi sumus ut ego tu[t]elam tuae fortunae gererem, tu meae custodiam sust[iner]es.*
128. 4.3: . . . *cum et rei familiari tantum operae daret quantum non indiligens deberet pater familias. . . .*
129. 13. 1: *Neque vero ille vir minus bonus pater familias habitus est quam civis; nam cum esset pecuniosus, nemo illo minus fuit emax, minus aedificator.* See Horsfall (1989) *ad loc.* and 14.3.
130. 13.2: *ipsum enim tectum antiquitus constitutum plus salis quam sumptus habebat.*
131. 13.4: *Nam et non intemperanter concupiscere quod a plurimis videas contentis debet duci, et potius industria quam pretio parare non mediocris est diligentiae.* See Horsfall (1989) *ad loc.*
132. 14.2: *tantaque usus est moderatione ut. . . .*
133. 3.2: *Hic [sc. Athens] autem sic se gerebat, ut communis infimis, par principibus videretur. Quo factum est ut huic omnes honores, quos possent, publice*

- habere civemque facere studerent.* Cf. the feelings of the Athenians upon his departure from their city at 4.5: *quem [sc. Atticus] discedentem sic universa civitas Atheniensium prosecuta est, ut lacrimis desiderii futuri dolorem indicaret.* For Atticus' political activity and honors received from Athens, see Perlwitz (1992) 125–7.
134. 13.6: . . . *et non parum liberaliter domum suam omnium ordinum homines invitaret.* . . .
 135. 11.5: . . . *nullas inimicitias gessit, quod neque laedebat quemquam, neque, si quam iniuriam acceperat, non malebat oblivisci quam ulcisci.*
 136. 9.7: *Ille autem, sui iudicii, potius quid se facere par esset intuebatur quam quid alii laudaturi forent.*
 137. See Millar (1998) 186ff.
 138. *Ibid.* 189.
 139. See Nepos, *Att.* 1.3, 4.1–2.
 140. In general, see Millar (1988) 191–96.
 141. A point stressed by Welch (1996) 468–71, who claims that Atticus received compensation through financial exemption.
 142. *Ibid.* 18.5–6: *namque uersibus, qui honore rerumque gestarum amplitudine ceteros populi Romani praestiterunt, exposuit ita, ut sub singulorum imaginibus facta magistratusque eorum non amplius quaternis quinisque uersibus describeret.* . . .
 143. See Plin. *NH* 35.11, Gell. 3.10.
 144. Nepos, *Att.* 19.2–3: . . . *in adfinitatem pervenit imperatoris, Divi filii, cum iam ante familiaritatem eius esset consecutus nulla alia re quam elegantia vitae, qua ceteros ceperat principes civitatis dignitate pari, fortuna humiliores.*
 145. See Millar (1998) 186, 196–99.
 146. 20.4: *neque vero a M. Antonio minus absens litteris colebatur, adeo ut accurate ille ex ultimis terris quid ageret curae sibi haberet certiore facere Atticum.*
 147. 20.5: *Hoc quale sit, facilius existimabit is qui iudicare poterit quantae sit sapientiae eorum retinere usum benevolentiamque, inter quos maximarum rerum non solum aemulatio, sed obtretractio tanta intercedebat, quantum fuit intercedere necesse inter Caesarem atque Antonium, cum se uterque principem non solum urbis Romae, sed orbis terrarum esse cuperet.*
 148. Millar (1988) 198 asserts that the passage could have been written no earlier than 32 (since Atticus died in March of that year), and assumes that this would have been at the time “when according to the *Res Gestae* (25) all of Italy was spontaneously swearing loyalty to Octavian. . . .”
 149. The story occurs in Macr. 2.4.29. See too Millar (1984 b) 39.
 150. 4.4: *Sicut Ciceroni in omnibus eius periculis singularem fidem praebuit.* . . .
 151. 16.3–4: *volumina epistolarum . . . quae qui legat non multum desideret historiam contextam eorum temporum. Sic enim omnia de studiis principum, vitii ducum, mutationibus rei publicae perscripta sunt, ut nihil in iis non appareat et facile existimari possit prudentiam quodam modo esse divinationem. Non enim Cicero ea solum quae vivo se acciderunt futura praedixit, sed etiam quae nunc usu veniunt cecinit ut vates.*
 152. 22.4: *Elatus est in lecticula . . . comitantibus omnibus bonis, maxima vulgi frequentia.*
 153. Béranger (1969) 371.
 154. Liv. *Perioch.* 134: *rebus compositis et omnibus provinciis in certam formam redactis.* See too Gagé (1935) 143–4 and Vell. 2.89.
 155. See Galinsky (1996), 58–79, esp. 58–60.
 156. Suet. *Aug.* 31.2, Macr. 1.12.35 provides the wording of the *senatus consultum* which became a *plebiscita*. See the sources and discussion in Gagé (1935) 144–5, 157–8.

157. Lydus, *de Mensibus*, p. 150 ed. Wünsch: τούτω τῷ ὀγδῶν τὸ ὄνομα τοῦ τῆς ὁμονοίας αὐτοῖς αἰτίου ἀνέθετο. For further discussion and argument, see Jal (1961) 227.
158. Ov. *Fast.* 3.881, D.C. 54.35.2.
159. Fears (1981) 885, who adds that “the side reliefs portraying the procession of senators and the imperial family caught in photographic sharpness the contemporary event which was at the same time a *miraculum*, the living attestation of Concordia in action: Concordia between *princeps* and Senate and *Concordia* within the imperial family.” Two quadrans types, issued in 9 and 8 BC, have on their obverses the symbols of clasped hands holding a caduceus, both being symbols of *concordia*. See RIC pp. 74–5, nos. 420, 423.
160. On the dedication of the Porticus, see D.C. 55.8.2, for the dedication of the shrine in or near the this structure, see Ov. *Fast.* 6.637 ff.
161. See Flory (1984), the essential article on the shrine.
162. See *ibid.* 527, Flory (1984) 324–30 and Ov. *Fast.* 6.639–48: . . . *ubi Livia nunc est | porticus, immensae tecta fuere domus; | urbis opus domus una fuit . . . haec aequata solo est, nullo sub crimine regni, | sed quia luxuria visa nocere sua. | sic agitur censura et sic exempla parantur, | cum vindex, alios quod monet, ipse facit.* The standard work on the identity of Vedius is Syme (1961). Augustus also razed the villa of his granddaughter Julia, because it was too lavish (Suet. *Aug.* 72).
163. I. I. 13.2, no. 17: *non(ae), np. Concordiae in Arce. Feriae ex s(enatus) c(onsulto), quod eo die Imperator Caesar Augustus, pontifex maximus, trib(unicia) potest(ate) XXI, co(n)s(ul) XIII, a senatu populoque Romano pater patriae appellatus.* This temple was dedicated in 216 BC (Livy 22.33.7).
164. Sumi (2005) 241.
165. RG 20: *Duo et octaginta templa deum in urbe consul sextum ex auctoritate senatus refici, nullo praetermisso, quod eo tempore refici debebat.*
166. D.C. 55.8.1; Suet. *Tib.* 20.
167. For the temple to the Dioscuri (a singularly apt temple for a pair of princes), purposefully associated with the later temple of *Concordia* through architectural motif, see Suet. *Tib.* 20, D.C. 55.27.4, Ov., *Fast.* 1.707–8 and Kellum (1990) 277.
168. *nunc bene prospicies Latiam, Concordia, turbam, | ut te sacratae constituere manus. | Furius antiquam populi superator Etrusci | voverat et voti solverat ille fidem. | causa, quod a patribus sumptis secesserat armis | volgus, et ipsa suas, Roma timebat opes. | causa recens melior: passos Germania crines | porrigit auspiciis, dux venerande tuis; | inde triumphatae libasti munera gentis | templaque fecisti, quam colis ipse, deae. | hanc tua constituit genetrix et rebus et ara, | sola toro magni digna reperta Iovis.* See also D.C. 56.25.1 who adds that Tiberius dedicated it also in the name of his deceased brother Drusus.
169. Levick (1978).
170. Whether she had anything to do with the dedication of the temple proper is a point of dispute. For opposing views, see Flory (1984) 323–4 and Simpson (1991).
171. See the evidence from the different *Fasti* provided by Gagé (1935) 164–5, and esp. the *Fasti Praenestini*
172. See I. I. 13.2 no. 22.: *np. Feriae ex senatus) c(onsulto), quod eo die Augusta nupsit divo Aug[us]t(o)*, and Posco-Pranger (2002) 269–70.
173. For the visual program of the temple, see Kellum (1990).
174. See esp. Hosek (1966 b). Brown (1995) also examines the concept as it operates in the famous episode of the “Sabine Women,” a sequence which elevates the women as promoters of social and political concord.

175. 9.19.17: *mille acies graviore quam Macedonum atque Alexandri avertit avertetque* [sc. miles Romanus], *modo sit perpetuus huius, qua vivimus, pacis amor et civilis cura concordiae!*
176. Perhaps most famously extolled by Vergil (*Aen.* 1.291–96): *aspera tum positae mitescent saecula bellis; | cana Fides et Vesta, Remo cum fratre Quirinus | iura dabunt; dirae ferro et compagibus artis | claudentur Belli portae; Furor impius intus | saeva sedens super arma et centum vinctus aënis | post tergum nodis fremet horridus ore cruento.* For a more direct association of peace with the restoration of the government, see (aside from RG 34.1) *EJ* 357. 35–6, *SCPP* 13–15, and Potter (1999 (b)) 74–80. See too the sources compiled by Skard (1931) 101–2.
177. *sed satis hoc fatis fuerit: iam bella quiescant | atque adamanteis discordia vincita catenis | aeternos habeat frenos in carcere clausa; | sit pater invictus patriae, sit Roma sub illo, | cumque deum caelo dederit non quaerat in orbe.*
178. Sen. *Ep.* 94.46 relates an adage of M. Vipsanius Agrippa (who quotes Micipsa at Sall. *Jug.* 10.6): *M. Agrippa . . . dicere solebat multum se huic debere sententiae: “Nam concordia parvae res crescunt, discordia maximae dilabuntur.” Hac se aiebat et fratrem et amicum optimum factum.*
179. For studies (mainly numismatic) of *concordia* in the imperial period, see Amit (1962) and Béranger (1969). For a brief account of the evolution of *concordia* in the literary sources from Livy to Augustine, see Hosek (1966 (a)).
180. For the use of *concordia* in the cult and propaganda of the post-Augustan principate, along with a sensible account of its role in religious life, see Fears (1981) 891–2, 894–5, 897–903, 907, 909, 914, 920, 933–35

NOTES TO CHAPTER 4

1. This is made quite clear in the *SCPP* of 20 A.D., which states as the first reason for the thanksgiving proposed (l.10): *quod nefaris consiliis C. Pisonis patris tranquillitatem praesentis status r(ei) p(ublicae), quo melior optari non pote [e]t quo beneficio principis nostri frui contigit, turbari passi non sunt. . .* Later on, Piso is accused of having tried to foment civil war (l.45): *bellum etiam civile excitare conatus sit, iam pridem numine divi Augusti virtutibus(que) Ti. Caesaris Aug(usti) omnibus civilis belli sepultis malis repetendo provinciam Syriam. . .* See further Suet. *Vit.* 15.4 and Levick (1978) 226–7. See too Koenen’s (1964) emendation of Lucan 7.387–9, which shows how this author blames the carnage of civil war for necessitating the end of republican *libertas*.
2. Wallace-Hadrill (1997) and (2005) provides the essential account of the cultural context of the early principate. See further Conte (1994) 209–24 on the first-century antiquarians. For the incident with Varro, see App. *BC.* 4.6.47 and Cic. *Acad. Post.* 1.3.9, which relates how Varro’s research restored to the Romans their political, cultural and religious sense of self. Octavian and Antony were both very eager to cultivate a close relationship with Atticus (*Nep. Att.* 20.2) and tapped his learned expertise.
3. On the importance of morality, authority and exemplary leadership, see Wallace-Hadrill (1997) 8–12. The *SCPP* emphasizes the moral emulation that the *domus Augusta* inspires. See *SCPP* 1.155 ff. (and Cooley (1998)), where the Senate praises the people for following the *exemplum* of the equestrian order’s restraint. Livy 26.36.12 describes a similar act in which each order follows the *consensus* of the one above it in a chain reaction. Potter (1999 (b)) 75–8 cites as well the *Tabula Siarensis* (Ilb.11–17), which describes the publication of Tiberius’ *laudatio* of Germanicus for the edification of future generations. André (1965) 294–9 reviews the moral program of the early principate.

4. As Fergus Millar (1977) 8–9, 60, 83ff. has shown, erudite display was essential to gaining access to circles of imperial power.
5. Scholarship on Velleius often focuses on the deprecation or rehabilitation of his work, or on assigning it to a narrow genre. Woodman (1975 (a), (b)) has done much to redeem Velleius from the charge of flattery, contending that he reflects the budding genre of panegyric (see too Ramage (1982)), and provides a good account of the controversy. He also (1977) 28–56 places Velleius within the mainstream of Roman historiographical developments in an effort to rehabilitate his status as a historian. Syme (1984 (b)), however, points out several deliberate falsifications which all but condemn the historian of mendacity (and close the book on the topic). Nevertheless he confirms his value as illustrating “the language and attitudes now in normal usage towards ruler and government.” Following this tack, Kuntze (1985) demonstrates Velleius’ reflection of Tiberian ideology. Schmitzer (2000) treats the opus as a historico-literary document to be appreciated for its artifice, while Christ (2001) reappraises Velleius as evidence (and corrective) for the *Zeitgeist* of the Tiberian age. Most recently, Gowing (2005) 34–48 has placed the work in the context of imperial manipulations of the memory of the Republic. See also the recent works of Newbold (1988), De Monte (1999) and Sanchez-Manzano (2003).
6. Sumner (1970) 275 n. 111. Syme (1986) 423 asserts that Velleius “was born about 23 BC.”
7. Velleius summarizes his grandfather’s career at 2.76.1. For the ancestry of Velleius, see esp. Sumner (1970) 257–65, who also (261–2) conjectures a close maternal relative who held the procuratorship of Hispania Citerior and later the Prefecture of Egypt under Augustus.
8. 2.75.3. Cf. Suet. *Tib.* 6.1–3.
9. To be exact, Velleius describes Pompey’s provision of refuge in unflattering terms (2.72.5): *quippe nullum habentibus statum quilibet dux erat ideoneus, cum fortuna electionem non daret*. His proviso at Misenum, on the other hand, is his only good act (2.77.1).
10. As Sumner (1970) 264. Cf. Syme (1939) 64.
11. This topic forms much of the subject of Kuntze’s (1985) excellent study of Velleius’ presentation of Tiberius and his age: see esp. 85–136.
12. At 2.111.3, Velleius relates with pride the fact that he was made quaestor designate and placed on a par with senators and tribunes-elect, though not even a senator himself. He may here be alluding to the early careers of Pompey and Octavian. He reports, too, the public praise bestowed by Tiberius and Augustus on his brother Magius Celer Velleianus for his service in Dalmatia on the occasion of Tiberius’ triumph (2.115.1), in which he and his brother participated (2.121.3). Cf. *EJ* 43b.
13. See Gabba (1984) 80–1, who asserts that Velleius “speaks readily of himself, because he is aware of his meteoric rise. It is perhaps for this reason that he turned to the writing of history, to provide a cultural context for his own person.”
14. See Lobur (2007), which provides essential context for this chapter, and further elaborates the ideological aspects of Velleius’ narrative. For the notion of erudition as cultural capital, see in general Bourdieu (1991) 51–7, 66–7.
15. Velleius often makes statements on historiography and literature that imply that he has actually read the works in question (the extent to which he really has is impossible to know), and is not simply repeating statements from another authority. See 1.3.2, 1.3.3, 1.5. Cf. 1.7.1 (Hesiod), 1.18.3 (Alcman). We find, too, a comparison of historical accounts at 1.4.1–2 (*alii . . . ferunt . . . alii*). Cf. 1.6.4, 1.7.2–4, 1.8.5, 2.4.6–7, 9.6, 23.4, 48.5, 53.4, 119.1.

16. Velleius engages in a high-level literary activity essential to (but not overtly geared towards) the survival of the framework of early imperial culture. See Bourdieu (1991) 57–61. Dionysius of Halicarnassus, *Orat. Vet.* 3 illustrates a buzz of literary activity among imperial elites, and demonstrates an intimate connection between erudition and political power.
17. Suet. *Tib.* 21.4 reports a letter of Augustus in which he writes to Tiberius *Vale, iucundissime Tiberi, et feliciter rem gere*, ἔμοι καὶ ταῖς μούσαις στρατηγῶν. It is possible that Tiberius' distaste for Horace led Velleius to exclude him from the list of literary luminaries at 2.36. See Goar (1976) and Syme (1984 (b)) 1098, (1986) 346–66.
18. The activity of *recitatio* was started by Pollio; see Kennedy (1972) 306–7. For the influence of the imperial system on traditional political oratory and the importance of finding a substitute, see Bonner (1949) 43, Kennedy (1972) 302–4, 336–7, 387, 427, Sussman (1978) 14–17 and Dupont (1997).
19. See Dupont (1997) 47: “The audience is seated in hierarchical fashion . . . [and] makes the *recitatio* look like a political gathering, such as the Senate . . . an appeal will be made to their judgement, or *iudicium*, as happens in a political assembly or a *consilium*.”
20. Dupont (1997) 45–6, 51, and Kennedy (1972) 316, 333, 337, 343–77, *passim*, 386. Woodman (1966) provides an example of the artifice that went into the creation of a single sentence.
21. Dupont (1997) 48–9, 57. For the three stages of publication, see Potter (1999 (a)) 29–35.
22. See Woodman (1975 (b)) 6–8, 10–15. For a good treatment of the tendency towards dramatic effects and *sententiae*, see Sussman (1978) 35–43. See also Fairweather (1981) 319. An illustrative catalogue of rhetorical constructions and *sententiae* in Velleius can be found in Bonner (1949) 158–60.
23. For applause (and derision) in declamation, see Bonner (1949) 41–2, 49–50.
24. For a summary of scholarly opinion on Velleius' sources, see Elefante (1997) 29–32.
25. *Codrum cum morte aeterna gloria, Atheniensis secuta victoria est. Quis eum non miretur, qui iis artibus mortem quaesierit, quibus ab ignavis vita quaeri solet?* Valerius Maximus also relates the tale (5.6.ext.1).
26. See Newbold's (1988) illuminating article on the “achievement motive,” which “involves competition with or respect for a standard of excellence,” and appears to a greater extent in Velleius than in any other ancient historian. Cf. Marincola (1997) 36.
27. See esp. Woodman (1977) 28–29, and Goodyear (1982) 639. Cf. Kuntze (1985) 16–17, 157 and Elefante (1997) 32–4.
28. Noted indirectly by Woodman (1977) 38–9, but generally not emphasized by scholars. Velleius supplies a virtual miniature of this program in his excursus on Roman conquests at 2.38–39, even citing the *tituli* of the provinces subjugated by Augustus in the forum. As a climax, he places Tiberius at the end, enhancing his stature by providing the names of all his conquests, giving him more than any other general in the excursus (the same effect Augustus had achieved for himself in the forum).
29. See Hellegouarc'h (1964) 678–9. For *fortuna* and *felicitas* and its relationship to *virtus* in Velleius, see further Kuntze (1985) 65–70. For more on *fatum*/*fortuna* and the depiction of divine attributes and favor, see *ibid.*, 226–43 and Schmitzer (2000) 190–230, esp. 206–9, 216–20, 280–86, who suggests that Velleius' failure to connect Sejanus with *fortuna* was deliberate.
30. Potter (1999 (a)) 81 observes: “For Velleius, Augustus and Tiberius are the last in a line of figures who have dominated Roman affairs ever since the time of Marius. They are superior to their predecessors because they are simply

- better people; their virtues enable them to succeed where a Sulla, Caesar or Pompey had failed.”
31. The *consensus* towards Augustus (as well as his divine favor) is evident from the moment he enters into political life (2.60.1). It expresses itself again after Actium (2.89.1), and shortly thereafter Velleius mentions that he was reluctant to take the consulship, and stubbornly refused the dictatorship (2.89.4–6).
 32. 2.88.3: *Hic speculatus est per summam quietem ac dissimulationem praecipitis consilia iuvenis et mira celeritate nullaque cum perturbatione aut rerum aut hominum oppresso Lepido, immane novi ac resurrecturi belli civilis restinxit initium.*
 33. *Finita vicesimo anno bella civilia, sepulta externa, revocata pax, sopitus ubique armorum furor; restituta vis legibus, iudiciis auctoritas, senatui maiestas; imperium magistratuum ad pristinum redactum modum; tantummodo octo praetoribus adlecti duo. Prisca illa et antiqua rei publicae forma revocata. Rediit cultus agris, sacris honos, securitas hominibus, certa cuique rerum suarum possessio. . . .*
 34. See Hellegouarc’h and Jordy (1980). Cf. Woodman (1983) 250–59, *passim*.
 35. 2.90.1: *Sepultis, ut praediximus, bellis civilibus coalescentibusque rei publicae membris † et coram aliero † quae tam longa armorum series laceraverat. Delmatia. . . .* The text is hopelessly corrupt, but it is clear that the last relative clause must modify a concept corresponding to the provinces. See Woodman (1977) and Elefante (1997) *ad loc.*
 36. 2.91.2: *Erant tamen qui hunc felicissimum statum odissent.*
 37. 2.92.1: *Aberat in ordinandis Asiae Orientisque rebus Caesar, circumferens terrarum orbi praesentia sua pacis suae bona.*
 38. 2.92.2: *Tum Sentius, forte et solus et absente Caesare consul, cum alia prisca severitate summaque constantia, vetere consulum more ac severitate, gessisset, protraxisset publicanorum fraudes, punisset avaritiam, regisset in aerarium pecunias publicas, tum in comitiis habendis praecipuum egit consulem. . . .*
 39. 92.5: *Quod ego factum cuilibet veterum consulum gloriae comparandum reor. . . .*
 40. See Kuntze (1985) 85–6. Cf. Kuttner (1995) 181–2 and Gruen (2005).
 41. 2.94.2: . . . [sc. Tiberius] *innutritus caelestium praeceptorum disciplinis, iuvenis genere, forma, celsitudine corporis, optimis studiis maximoque ingenio instructissimus, qui protinus quantus est, sperari potuerat visuque praetulerat principem. . . .* See Kuntze (1985) 36–45.
 42. 2.94.4: *Nec multo post, missus ab eodem vitrico cum exercitu ad visendas ordinandasque, quae sub Oriente sunt, provincias praecipuis omnium virtutum experimentis in eo tractu editis. . . .*
 43. His praise for his commander’s logistical and tactical skills and his leadership need not be doubted, and reminds the modern historian that conduct and competence still mattered. See, in general, Christ (2001), esp. 192. For the historian’s career, see Sumner (1970) 265–79, and Syme (1984 (b)) 1093–4, who deprecates the conjecture of a legateship in Moesia/Thrace from 19–21 BC. Elefante (1997) 19–23 also summarizes the author’s background and career.
 44. 95.1: *Reversum inde Neronem Caesar haud mediocris belli mole experiri statuit. . . .*
 45. 95.2: *Quippe uterque divisus partibus Raetos Vindelicosque adgressi, multis urbium et castellorum oppugnationibus nec non directa quoque acie feliciter functi, gentes locis tutissimas, aditu difficillimas, numero frequentes, feritate truces, maiore cum periculo quam damno Romani exercitus, plurimo cum earum sanguine perdomuerunt.*

46. The actual significance of this campaign may confirm Velleius' intent. See Woodman (1983) 108–9.
47. 4.14.29–32: *Claudius . . . stravit humum sine clade victor.*
48. 2.97.3: . . . *illum magna ex parte domitorem Germaniae, plurimo eius gentis variis in locis profuso sanguine. . . .*
49. 97.4: *Moles deinde eius belli translata in Neronem est: quod is sua et virtute et fortuna administravit peragratusque victor omnes partes Germaniae sine ullo detrimento commissi exercitus, quod praecipue huic duci semper curae fuit, sic perdomuit eam ut in formam paene stipendiariae redigeret provinciae. Tum alter triumphus cum altero consulatu ei oblatu est.*
50. *Victor omnium gentium locorumque quos adierat, Caesar cum incolumi inviolatoque et semel tantummodo magna cum clade hostium fraude eorum temptato exercitu, in hiberna legiones reduxit. . . .*
51. 115.5: *Nihil in hoc tanto bello, nihil in Germania aut videre maius aut mirari magis potui quam quod imperatori numquam adeo ulla opportuna visa est victoriae occasio quam damno amissi pensaret militis, semperque visum est gloriosum quod esset tutissimum, et ante conscientiae quam famae consultum nec umquam consilia ducis iudicio exercitus sed exercitus providentia ducis rectus est.*
52. . . . *caelestissimorum eius operum per annos continuos IX praefectus aut legatus spectator, tum pro captu mediocritatis meae adiutor fui.*
53. *Neque illi spectaculo quo fructus sum simile condicio mortalis recipere videtur mihi, cum per celeberrimam Italiae partem et tractum omnem Galliae provinciarum veterem imperatorum et ante meritis ac virtutibus quam nomine Caesarem revisentes sibi quisque quam illi gratularentur plenius.*
54. *At vero militum conspectu eius elicita gaudio lacrimae alacritasque et salutationis nova quaedam exultatio et contingendi manum cupiditas non continentium, protinus quin adicerent, "Videmus te Imperator? salvum recipimus?" Ac deinde "Ego tecum, imperator, in Armenia, ego in Raetia fui, ego a te in Vindelicis, ego in Pannonia, ego in Armenia donatus sum," neque verbis exprimi et fortasse vix mereri fidem potest.*
55. Kuntze (1985), again, provides a good summary of these elements and their pedigree in the Greco-Roman tradition.
56. As, for example, in the surrender of the Chauci (1.106.1, cf. 101.2, 114.4).
57. 2.113.1: *Accipe nunc, M. Vinici, tantum in bello ducem, quantum in pace vides principem.*
58. 2.113. 2: *At imperator, optimus eorum quae agebat iudex et utilia speciosis praeferens, quodque semper eum facientem vidi in omnibus bellis, quae probanda esset, non quae utique probarentur sequens. . . .* Important, too, is Tiberius' restraint in commanding and leading by example (114.3–4).
59. *O rem dictu non eminentem sed solida veraque virtute atque utilitate maximam, experientia suavissimam, humanitate singularem! Per omne belli Germanici Pannonicique tempus nemo e nobis gradumve nostrum aut praecedentibus aut sequentibus imbecillus fuit cuius salus ac valetudo non ita sustentaretur Caesaris cura, tamquam distractissimus ille tantorum onerum mole huic uni negotio vacaret animus.*
60. 2.99. 1: *civium, post unum, et hoc, quia volebat, eminentissimus, ducum maximus, fama fortunaque celeberrimus et vere alterum rei publicae lumen et caput. . . .*
61. 2.100.1: *Sensit terrarum orbis digressum a custodia Neronem urbis: nam et Parthus desciscens a societate Romana adiecit Armeniae manum et Germania adversis domitoris sui oculis rebellavit.*
62. 103.1: *Sed fortuna, quae subduxerat spem magni nominis, iam tum rei publicae sua praesidia reddiderat.*

63. 103.2: *non est diu cunctatus Caesar Augustus: neque enim quaerendus erat quem legeret, sed legendus qui eminebat.*
64. 103.4–5: *Laetitiā illius diei concursūque civitatis et vota paene inserentium caelo manus spēque conceptam perpetuae securitatis aeternitatisque Romani imperii vix in illo iusto opere abunde persequi poterimus, nedum hic implere temptemus, contenti id unum dixisse quam ille omnibus faverit. Tum refulsit certa spes liberorum parentibus, viris matrimoniorum, dominis patrimonii, omnibus hominibus salutis, quietis, pacis, tranquillitatis, adeo ut nec plus sperari potuerit nec spei responderi felicius.*
65. 104.1: . . . *sed in Neronis adoptione illud adiectum his ipsis Caesaris verbis: “hoc, inquit, rei publicae causa facio.”*
66. 96.2. *bellum Pannonicum . . . magnum atroxque et perquam vicinum imminabat Italiae.* This threat is enhanced by the fact that one-third of the rebel forces, under capable leadership and Roman-style military discipline, invade Italy (110.4). Velleius emphasizes the danger to the peninsula again in his depiction of the scene of capitulation at the river Bathinus (114.4): those surrendering were “shortly before threatening Italy with servitude.”
67. 109.4: *Nec securam incrementi sui patiebatur [sc. Maroboduus] esse Italiam quippe cum a summis Alpium iugis, quae finem Italiae terminant, initium eius finium haud multo plus CC milibus passuum abesset.*
68. 110.3: *Tum necessaria gloriosis praeposita, neque tutum visum abdito in interiora exercitu vacuam tam vicino hosti relinquere Italiam.*
69. 110.6: *Oppressi cives Romani, trucidati negotiatores, magnus vexillarium numerus ad interneconem ea in regione, quae plurimum ab imperatore aberat, caesus, occupata armis Macedonia, omnia in omnibus locis igni ferroque vastata. Quin etiam tantus huius belli metus fuit ut stabilem illum et formatum tantorum bellorum experientia Caesaris Augusti animum quateret atque terreret.*
70. 111.2: *Omnia haec frustra praeparessemus, nisi qui illa regeret fuisset; itaque ut praesidium militum res publica ab Augusto ducem in bellum poposcit Tiberium.* Elefante’s reading *praesidium militum* (attested in a manuscript) is perhaps erroneous, and one might prefer something closer to the sense, such as *praesidium ultimum* (Lipsius, Watt). Regardless, the phrase *ducem in bellum poposcit* may recall to RG 25, where *tota Italia* of its own accord demanded (*depoposcit*) Augustus as *dux* for the war at Actium.
71. 120.1: *perpetuus patronus Romani imperii adsuetam sibi causam suscipit. Mittitur ad Germaniam . . . et se magnitudine sua non fiducia hostium metiens, qui Cimbricam Teutonicamque militiam Italiae minabantur, ultro Rhenum cum exercitu transgreditur . . .*
72. 121.1: *Eadem et virtus et fortuna subsequenti tempore ingressi Germaniam imperatoris Tiberii fuit quae initio fuerat.*
73. . . . *senatus populusque Romanus postulante patre eius, ut aequum ei ius in omnibus provinciis exercitibusque esset, quam erat ipsi, decreto complexus esset—etenim absurdum erat non esse sub illo quae ab illo vindicabantur et qui ad opem ferendam primus erat, ad vindicandum honorem non iudicari parem.*
74. Two orichalcum dupondius types from Rome, dated from 16–22 AD bear on their obverses busts of Tiberius, *imagines clipeatae*, and the legend *moderationi* or *moderationis*. See further Kuntze (1985) 130–6, Woodman (1977) *ad loc.* and RIC 88, 97, nos. 39, 40.
75. See Kuntze (1985) 131–5.
76. 122.1: *Quis non inter reliqua, quibus singularis moderatio Ti. Caesaris elucet atque eminet, hoc quoque miretur quod, cum sine ulla dubitatione septem triumphos meruerit, tribus contentus fuerit?*

77. 122.2: *Sed in hoc viro nescias utrum magis mireris, quod laborum periculorumque semper excessit modum, an quod honorum temperavit.*
78. 123.1: *Venitur ad tempus, in quo fuit plurimum metus.*
79. *Ibid.*: . . . *et ingravescente in dies valetudine, cum sciret quis volenti omnia post se salva remanere accersendus foret, festinanter revocavit filium.*
80. 124.1: *Quid tunc homines timuerint, quae senatus trepidatio, quae populi confusio, quis urbis metus, in quam arto salutis exitiique fuerimus confinio, neque mihi tam festinanti exprimere vacat neque cui vacat potest. Id solum voce publica dixisse satis habeo: cuius orbis ruinam timueramus, eum ne commotum quidem sensimus, tantaque unius viri maiestas fuit, ut nec bonis neque contra malos opus armis foret. Una tamen veluti luctatio civitatis fuit, pugnantis cum Caesare senatus populique Romani ut stationi paternae succederet, illius ut potius aequalem civem quam eminentem liceret agere principem. Tandem, magis ratione quam honore victus est, cum quicquid tuendum non suscepisset, periturum videret, solique huic contigit paene diutius recusare principatum, quam, ut occuparent eum, alii armis pugnaverant.*
81. Elefante (1997) 515.
82. Suet. Tib. 15.2: *Nihil ex eo tempore praetermissum est ad maiestatem eius augendam ac multo magis, postquam Agrippa abdicato atque seposito certum erat, uni spem successionis incumbere.*
83. Suet. Tib. 21.3–6.
84. Suet. Tib. 21.5: *Ordinem aestivorum tuorum ego vero [laudo], mi Tiberi, et inter tot rerum difficultates καὶ τοσαύτην ἀποθυμίαν τῶν στρατευομένων non potuisse quemquam prudentius gerere se quam tu gesseris, existimo. Ii quoque qui tecum fuerunt omnes confitentur, versum illum in te posse dici: “Unus homo nobis vigilando restituit rem.”*
85. Suet. Tib. 21.6: *Sive quid incidit de quo sit cogitandum diligentius, sive quid stomachor, valde medius Fidius Tiberium meum desidero succurratque versus ille Homericus: τούτου γ’ ἔσπομένοιο καὶ ἐκ πυρὸς αἰθομένοιο | Ἄμφω νοστήσαμεν, ἐπεὶ περίοιδε νοῆσαι.*
86. *Tulit protinus et voti et consilii sui pretium res publica, neque diu latuit quid non impetrando passuri fuisset aut quid impetrando profecisset. Quippe exercitus qui in Germania militabat praesentisque Germanici imperio regebatur, simul legiones quae in Illyricao erant rabie quadam et profunda confundendi omnia cupiditate novum ducem, novum statum, novam quaerebant rem publicam; quin etiam ausi sunt minari daturos senatui, daturos principi leges; modum stipendii, finem militiae sibi ipsi constituere conati sunt: processum etiam in arma ferrumque strictum est et paene in ultima gladiatorum erupit impunitas, defuitque qui contram rem publicam duceret, non qui sequerentur. Sed haec omnia veteris imperatoris maturitas, multa inhibentis, aliqua cum gravitate pollicentis, inter severam praecipue noxiorum ultionem mitis aliorum castigatio brevi sopiit ac sustulit.*
87. *Horum sedecim annorum opera quis cum inhaereant oculis animisque omnium, in partibus eloquatur? . . . Revocata in forum fides, summota e foro seditio, ambitio campo, discordia curia, sepultaeque ac situ obsitae iustitia, aequitas, industria civitati redditae; accessit magistratibus auctoritas, senatui maiestas, iudicii gravitas; compressa theatralis seditio. . . .*
88. *Superatur aequitate gratia, ambitio virtute; nam facere recte cives suos princeps optimus faciendo docet, cumque sit imperio maximus, exemplo maior est.*
89. 129.1: *Sed proposita quasi universa principatus Ti. Caesaris imagine, singula recenseamus.*
90. See further Woodman (1977) *ad loc.*

91. See Ramage (1982) and Woodman (1975 (a)) 290–96.
92. This is surely the unspoken sentiment behind the phenomenon observed by André (1965), who shows that the dangers of Augustan *otium* must be counteracted by the promotion of *labor* and *industria*. The sentiment resonates in the authors of the Augustan period and has a forceful presence in Velleius and Valerius Maximus.
93. Noted by Woodman (1977) *ad loc.*: *Nostra quoque civitas, donec erravit, donec se partibus et dissensionibus et discordiis confecit, donec nulla fuit in foro pax, nulla in senatu concordia, nulla in iudiciis moderatio, nulla superiorum reverentia, nullus magistratuum modus, tulit sine dubio valentiorum orationem.*
94. See Ch. 2, *supra*. Velleius noted such ease of relations between Tiberius and the soldiers in his army, and in the military draft, a matter that could compromise public order and tranquility (130.2).
95. 129.3: *Quotiens populi congiariis honoravit senatorumque censum, cum id senatu auctore facere potuit, quam libenter explevit, ut neque luxuriam invitaret neque honestam paupertatem pateretur dignitate destitui.*
96. 130.2: *Qua liberalitate cum alias tum proxime incenso monte Caelio omnis ordinis iacturae patrimonio succurrit suo!*
97. Woodman (1977) 46 ff.
98. Cf. 112.2 (Messalinus), 115.3 (Lepidus), 116.2 (Vibius Postumus), 116.3 (Aelius Lamia), 125.5 (Iunius Blaesus).
99. At 125.5, Velleius describes Iunius Blaesus so: *viro nescias utiliore in castris an meliore in toga*, and at 113.1, he says of Tiberius himself: *Accipe nunc, M. Vinici, tantum in bello ducem, quantum in pace vides principem*. Cf. 29.3 (Pompey): *dux bello peritissimus, civis in toga . . . modestissimus*, and 97.2, 116.4.
100. They follow Livy and Sallust here. See André (1965), and Velleius' depiction of the beginning of Roman decline with the end of the *metus hostilis* (2.1.1): *vetus disciplina deserta, nova inducta; in somnum a vigiliis, ab armis ad voluptates, a negotiis in otium conversa civitas*.
101. . . . *castigatis etiam quibusdam gravi poena quia Romanis et armis et animis usi fuissent*. . . . Velleius exonerates the soldiers again at 120.5. For the fault of over-restraining troops, cf. V. Max. 7.2.2. At 2.112.5, the author criticizes the consulars Aulus Caecina and Silvius Plautius for endangering a Roman army through the deviation from the manner (*mos*) of the *princeps* in gathering proper reconnaissance. He defends, however, the *virtus* of the soldiers themselves, who save the day.
102. *Ex quo apparet Varum, sane gravem et bonae voluntatis virum, magis imperatoris defectum consilio quam virtute destitutum militum se magnificentissimumque perdidisse exercitum.*
103. 117.2: *Varus Quintilius, inlustri magis quam nobili ortus familia, vir ingenio mitis, moribus quietus ut corpore et animo immobilior, otio magis castrorum quam bellicae adsuetus militiae*. . . .
104. 105. 1: . . . *cum omnem partem asperrimi et periculosissimi belli Caesar vindicaret sibi*. Cf. 112.3, 113.3, 114.3, 115.4, and Kuntze (1985) 56–61.
105. 118.2: *Tum iuvenis genere nobili manu fortis, sensu celer, ultra barbarum promptus ingenio, nomine Arminius . . . adsiduus militiae nostrae prioris comes . . . segnitia ducis in occasione sceleris usus est*. . . . Cf. the description of Maroboduus, Tiberius' intended opponent at 108.2.
106. 97.1 (Lollius): *accepta in Germania clades sub M. Lollio, homine in omnia pecuniae quam recte faciendi cupidior*. . . . Cf. 117.2 (Varus).
107. 97.3 (Drusus): *Sed illum magna ex parte domitorem Germaniae, plurimo eius gentis variis in locis profuso sanguine . . . fatorum iniquitas . . . rapuit*,

- 115.2 (Lepidus), 116.1 (Germanicus), 116.2–3 (Passienus, Cossus, L. Apronius, Aelius Lamia).
108. 98.1–2: (L. Piso): . . . *atrox in Thracia bellum ortum, omnibus eius gentis nationibus in arma accensis, L. Pisonis . . . virtus compressit—quippe legatus Caesaris triennio cum iis bellavit gentesque ferocissimas plurimo cum earum excidio nunc acie, nunc expugnationibus in pristinum pacis redigit modum—eiusque patratione Asiae securitatem, Macedoniae pacem reddidit*. Cf. 125.5 (M. Lepidus and Dolabella): *At Hispanias exercitumque in iis cum M. Lepidus . . . cum imperio obtineret, in summa pace et quiete continuit, cum ei pietas rectissima sentiendi et auctoritas quae sentiebat obtinendi superesset. Cuius curam ac fidem Dolabella quoque, vir simplicitatis generosissimae, in maritima parte Illyrici per omnia imitatus est*.
109. 88.2: . . . *C. Maecenas equestri sed splendido genere natus, vir, ubi res vigiliam exigeret, sane exsomnia, providens atque agendi sciens, simul vero aliquid ex negotio remitti posset, otio ac mollitiis paene ultra feminam fluens*. . . . Not entirely flattering.
110. 98.3 (L. Piso): . . . *vix quemquam reperiri posse, qui aut otium validius diligeret aut facilius sufficiat negotio* . . . rightly said (Sen. *Ep.* 83.14). Cf. 105.1–2 (Sentius Saturninus). For *otium* as a sign of loyalty, see Woodman (1977) and Elefante (1997) *ad* 98.3 and esp. Woodman (1983) *ad* 88.2.
111. Woodman (1983) 244 raises serious objections to this point made by André (1965), stating that devotion to leisure by itself is legitimate. The evidence of Seneca the Elder, neglected by both scholars, decisively proves André's point, as there is a difference between the decadent *luxuria* indicative of the youths of his time (1. *pr.* 8–10) and Porcius Latro, who enhances his toil through periodic leisurely abandon (1. *pr.* 4–15).
112. 97.3: . . . *morum certe dulcedo ac suavitas et adversus amicos aequa ac par sui aestimatione inimitabilis fuisse dicitur*. . . .
113. 98.3 (Piso) . . . *De quo viro hoc omnibus sentiendum ac praedicandum est, esse mores eius vigore ac lenitate mixtissimos . . . et magis quae agenda sunt curet sine ulla ostentatione agendi; . . . 129.1: Singularem in eo negotio [sc. Tiberius] usus opera Flacci Pomponii consularis, viri nati ad omnia quae recte facienda sunt, simplicique virtute merentis semper quam captantis gloriam*.
114. 116.3: *Aelius Lamia, vir antiquissimi moris et priscam gravitatem semper humanitate temperans*.
115. 102.1: *Censorinum . . . virum demerendis hominibus genitum*.
116. 127.3–4: . . . *Ti. Caesar Seianum Aelium . . . ipsum vero laboris ac fidei capacissimum, sufficiente etiam vigori animi compage corporis, singularem principalium onerum adiutorem in omnia habuit atque habet, virum severitatis laetissimae, hilaritatis priscae, actu otiosis simillimum, nihil sibi vindicantem eoque adsequentem omnia, semperque infra aliorum aestimationes se metientem, vultu vitaeque tranquillum, animo exsomnia*.
117. *In huius virtutum aestimatione iam pridem iudicia civitatis cum iudicii principis certant*.
118. *Haec naturalis exempli imitatio ad experiendum Sejanum propulit, senatumque et populum Romanum eo perduxit ut, quod usu optimum intelligit, id in tutelam securitatis suae libenter advocet*.
119. Apart from the emperor and Sejanus, only one other person in the Tiberian period provides for the security of the city: Piso, a close friend of Tiberius and the Prefect of the City (98.1).
120. See the text of Elefante (1997) *ad loc.* I fill out the final lacuna with the supplement of Voss, for the sake of ease: *vos [sc. numina] publica voce obtestor*

atque precor: custodite servate protegite hunc statum, hanc pacem, <hunc principem>, eique functo longissima statione mortali destinate successorum quam serissimos, sed eos quorum cervices tam fortiter sustinendo terrarum orbis imperio sufficientiam quam huius suffecisse sensimus, consiliaque omnium civium aut pia <fovete aut impia opprimate>.

121. . . . *quis enim amicitiae fide exstincta genus humanum cruentis in tenebris sepelire conatum profundo debitationis satis efficacibus verbis adegerit? . . . aut te compote furoris mundus in suo statu mansisset? urbem a Gallis captam, e trecentorum inclitae gentis virorum strage foedatum <annem Cremeram et> Alliensem diem, et oppressos in Hispania Scipiones et Trasumennum lacum et Cannas, bellorumque civilium domestico sanguine manantibus mucronibus propositis furoris tui repraesentare et vincere voluisti. Sed vigilarunt oculi deorum . . . et in primis auctor ac tutela nostrae incolumitatis ne excellentissima merita sua totius orbis ruina collaberentur divino consilio providit. itaque stat pax, valent leges, sincerus privati ac publici officii tenor servatur. qui autem haec violatis amicitiae foederibus temptavit subvertere, omni cum stirpe sua populi Romani viribus obritus etiam apud inferos, si tamen illuc receptus est, quae meretur supplicia pendit.*
122. . . . *Planci et Pauli acta inter discordiam neque ipsis honori neque rei publicae usui fuerat, cum alteri vis censoria, alteri vita deesset, Paulus vix posset implere censorem, Plancus timere deberet.* Wright (2002) plausibly derives Velleius' consistently hostile attitude to Plancus from Pollio's *Orationes*.
123. *Quippe filia eius Iulia, per omnia tanti parentis ac viri immemor, nihil quod facere aut pati posset femina, luxuria, libidine infectum reliquit, magnitudinemque fortunae suae peccandi licentia metiebatur, quicquid liberet pro licito vindicans.*
124. 125.4: *Drusus . . . prisca antiquaque severitate usus ancipitia sibi maluit tenere quam exemplo perniciose. . . .*
125. Syme (1986) 436. See also *ibid.* 421–38, and esp. 426–34 for the political nature of Velleius' judgments. *Ibid.* (1984 (b)) extensively details his mendacity.
126. Following Elefante (1997): *Insequenti tempore imperium Asiaticum ab Assyriis . . . translatum est ad Medos . . . Quippe Sardanapalum eorum regem mollitibus fluentem et nimium felicem malo suo . . . Arbaces Medus imperio vitaque privavit. Ea aetate, clarissimus Graei nominis Lycurgus Lacedaemonius, vir generis regii, fuit severissimarum iustissimarumque legum auctor et disciplinae convenientissimae viris, cuius quam diu Sparta diligens fuit, excelsissime floruit.*
127. 1.10.6, 1.11.5, 1.13.5, 1.15.3, 2.5.3, 2.8.1, 2.10.1, 46.2, 48.3–4, 60.3, cf. 33.1–2, 51.3, 83.2. In the military sector, see esp. the reasoning given for Octavian's Illyrian wars (2.78.2): *Interim Caesar per haec tempora, ne res disciplinae inimicissima, otium, corrumpet militem, crebris in Illyricum Delmatiaque expeditionibus patientia periculorum bellique experientia durabat exercitum.* The following act of severity (a *fustuarium*) under Domitius Calvinus in Spain should be seen in the same light. Calvinus was an important member of Octavian's faction (see Syme (1939) 234–5, 368). This conduct demonstrates the *princeps* and his partisans working for social and moral renewal before the actual restoration of the republic. For early republican examples of military *severitas*, see 2.5.2–3.
128. Clearly dependent on Sallust. See Elefante (1997) *ad loc.*, and Woodman (1969) 787, in an article devoted to the pervasive influence of Sallust on Velleius.
129. *Id unum nefarie ab Opimio proditum, quod capitis non dicam Gracchi, sed civis Romani pretium se daturum idque auro repensurum proposuit.* V. Max.

- provides a more colorful account in his chapter *De Avaritia* (9.4.3)—alleging that the perpetrator Septumeleius, Gracchus' close friend, filled his head with molten lead to make it heavier—and adds that it represented the quintessential act of greed: *Ceterum avaritia ante omnes L. Septumeleii praecordia possedit* . . .
130. 2.2.1–2 (Tiberius), 2.6.1 (Caius), 2.7.1.
 131. 2.2.3: (Tiberius): *summa imis miscuit et in praeruptum atque anceps periculum adduxit rem publicam*. 2.6.3 (Caius) *nihil immotum, nihil tranquillum, nihil quietum, [nihil] denique in eodem statu relinquebat*. . . .
 132. 2.7.1: *Hunc Ti. Gracchi liberi . . . viri optimis ingenis male usi, vitae mortisque habuere exitum: qui si civilem dignitatis concupissent modum, quicquid tumultuando adipisci gestierunt, quietis obtulisset res publica*. Cf. 2.3.2.
 133. 2.23.1: *vir in bello hostibus, in otio civibus infestissimus quietisque impatientissimus*.
 134. . . . *quantum bello optimus, tantum pace pessimus; immodicus gloriae, insatiabilis impotens semperque inquietus*.
 135. 2.25.1: *Putares Sullam venisse in Italiam non belli vindicem sed pacis auctorem: tanta cum quiete exercitum per Calabriam Apuliamque cum singulari cura frugum, agrorum, hominum, urbium perduxit in Campaniam temptavitque iustis legibus et aequis condicionibus bellum componere*.
 136. 25.3: *Adeo enim Sulla dissimilis fuit bellator ac victor ut, dum vincit, [ac] iustissimo lenior, post victoriam audito fuerit crudelior*. Cf. 2.17.2, 28.2.
 137. 28.2: [*sc. Sulla*]. . . *imperio, quo priores ad vindicandam maximis periculis rem publicam olim usi erant, eo in immodicae crudelitatis licentiam usus est*.
 138. To cite the entire relevant sequence from the quotes above: . . . [*sc. Pompeius*] *potentiae, quae honoris causa ad eum deferretur, non vi ab eo occuparetur, cupidissimus, dux bello peritissimus, civis in toga, nisi vereretur ne quem haberet parem, modestissimus . . . potentia sua numquam aut raro ad impotentiam usus, paene omnium vitiorum expers, nisi numeraretur inter maxima in civitate libera dominaque gentium indignari, cum omnes cives iure haberet pares, quemquam aequalem dignitate conspiceret*.
 139. *Quo senatus consulto paene totius terrarum orbis imperium uni viro deferebatur . . . in iis homines extraordinaria reformidant qui ea suo arbitrio aut deposituri aut retenturi videntur et modum in voluntate habent*.
 140. . . . *Pompeius . . . in quibus rebus primus esse debebat, solus esse cupiebat . . . in adpetendis honoribus immodicus, in gerendis verecundissimus, ut qui eos libentissime iniret ita finiret aequo animo, et quod cupisset arbitrio suo sumere, alieno deponeret*.
 141. *Cuius [sc. Pompeius] reditum favorabilem opinio fecerat; quippe plerique non sine exercitu venturum in urbem adfirmarant et libertati publicae statuturum arbitrio suo modum*.
 142. 47.3: *Tum in gladios caedesque civium furente ambitu, cuius neque finis reperiebatur nec modus, tertius consulatus soli Cn. Pompeio etiam adversantium antea dignitati eius iudicio delatus est*. . . .
 143. As does V. Max. (8.15.8): *Iam quae in Cn. Pompeium et ampla et nova congesta sunt, hinc adensione favoris, illinc fremitu invidiae litterarum monumentis obstrepuntur*.
 144. 124.2: *Una tamen veluti luctatio civitatis fuit, pugnantis cum Caesare senatus populique Romani, ut stationi paternae succederet, illius, ut potius aequalem civem quam eminentem liceret agere principem*.
 145. 45.1 (Clodius): *P. Clodius . . . quique neque dicendi neque faciendi ullum nisi quem vellet nosset modum* . . . 47.5 [*sc. Clodius*] *quo nemo perniciosior*

- rei publicae neque bonis inimicior vixerat.* 46.2 (Crassus): . . . *vir, cetera sanctissimus immunisque voluptatibus, neque in pecunia neque in gloria concupiscenda aut modum norat aut capiebat terminum.*
146. For the compositional curiosities of the misplacement, see Woodman (1977) *ad loc.*
147. 68.3: [sc. Milo] . . . *tum P. Clodio, tum patriae, quam armis petebat, poenas dedit, vir iniquus et ultra fortem temerarius.* The “kind of political violence which V., the product of a later generation, abhorred” (Woodman (1977) *ad loc.*).
148. . . . *notetur immodica et intempestiva libertate usos adversus C. Caesarem . . . tribunos pl. dum arguunt in eo regni voluntatem, paene vim dominationis expertos.*
149. See Gabba (1962), Elefante (1997) and especially Kuntze (1985) 254–74.
150. Conservatively worded nevertheless. See Kuntze (1985) 273.
151. 1.14.1: *Huic rei per idem tempus civitates propagatas auctumque Romanum nomen communione iuris haud intempestive subtexturi videmur.* Gabba (1962) shows how Velleius’ perspective retrojects present Italian sentiments to a historical process that had nothing to do with the reasons he provides.
152. See 2.2.2–3, 20.2, and Kuntze (1985) 261–2.
153. See 2.128, and Kuntze (1985) 262–7. Velleius is not, as Lana (1952) once suggested, a spokesperson for a Tiberian policy to advance the newcomer at the expense of the *nobiles*. See Hellegouarc’h (1964), Sumner (1970) 281–2, Woodman (1975 (b)) 4 n.16, Kuntze (1985) 267–75 and Elefante (1997) 35.
154. 2.16.4: *Tum varia atque atrox fortuna Italici belli fuit per biennium continuo duo Romani consules . . . ab hostibus occiderentur, exercitus populi Romani multis in locis funderentur. . . . Paulatimque deinde recipiendo in civitatem qui arma aut non ceperant aut deposuerant maturius, vires refectae sunt, Pompeio Sullaque et Mario fluentem procumbentem rem populi Romani restituentibus.*
155. 2.15.3: *Id bellum amplius trecenta milia iuventutis Italicae abstulit.* Cf. 2.21.1 (Asculum): . . . *circa quam urbem, cum in multis aliis regionibus exercitus dispersi forent, quinque et septuaginta milia civium Romanorum, amplius sexaginta Italicorum una die conflixerant.*
156. 2.17.1: *Finitimo ex maxima parte . . . Italico bello, quo quidem Romani victis adflictis ipsi exarmati quam integris universis civitatem dare maluerunt. . . .*
157. *Sed ad ultimum magno atroci proelio cum Cinna conflixit: cuius commissi patratique sub ipsis moenibus focusque urbis Romanae pugnantis spectantibusque quam fuerit eventus exitiabilis vix verbis exprimi potest. Post hoc . . . Cn. Pompeius decessit. Cuius interitus voluptas amissorum aut gladio aut morbo civium paene damno repensata est, populusque Romanus, quam vivo iracundiam debuerat in corpus mortui contulit. . . . Cinna et Marius haud incruentis utrimque certaminibus editis urbem occupaverunt. . . .*
158. *Mox C. Marius pestifero civibus suis reditu intravit moenia. Nihil illa victoria esset crudelius, nisi mox Sullana esset secuta; neque licentia gladiatorum in mediocres saevitum, sed excelsissimi quoque atque eminentissimi civitatis viri variis suppliciorum generibus adfecti.*
159. 52.6: *Nihil illa victoria mirabilis, magnificentius, clarius fuit, quando neminem nisi acie consumptum civem patria desideravit: sed munus misericordiae corrumpit pertinacia, cum libentius vitam victor iam daret, quam victi acciperent.* Cf. 55.2, 56.1, 56.3.
160. 71.1: *non aliud bellum cruentius caede clarissimorum virorum fuit.*

161. At 68.5, Octavian “deviates” from his normal procedure in harshly banishing two tribunes. At 76.2, he allows Fulvia and Plancus to depart to Italy, and later (80.4) spares Lepidus.
162. 82.2–3: . . . *primoque duas legiones cum omnibus impedimentis tormentisque et Statiano legato amisit, mox saepius ipse cum summo totius exercitus discrimine ea adiit pericula, a quibus servari se posse desperaverat. amissaque non minus quarta parte militum, captivi cuiusdam, sed Romani, consilio ac fide servatus. . . . Hoc M. Antonio ac tot illis legionibus salutis fuit: de quibus tamen totoque exercitu haud minus pars quarta, ut praediximus, militum, calonumque servitiiue desiderata tertia est; impedimento- rum vix ulla superfuit.*
163. 85: . . . *Caesar Antoniusque productis classibus pro salute alter, in ruinam alter terrarum orbis dimicavere. . . . Ubi initum certamen est, omnia in altera parte fuere, dux, remiges, milites, in altera nihil praeter milites. . . . Antonius fugientis reginae quam pugnantis militis sui comes esse maluit et imperator . . . desertor exercitus sui factus est. Illis . . . in longum fortissime pugnandi duravit constantia et desperata victoria in mortem dimicabatur. Caesar . . . ostendens fugisse Antonium, quaerebat pro quo et cum quo pugnant. At illi, cum diu pro absente dimicassent duce, aegre summissis armis cessere victoriam, citiusque vitam veniamque Caesar promisit, quam illis ut ea precarentur persuasum est. . . .*
164. The victory changes the *fortuna publica* (86.1) because it allows the clemency of Octavian, present from the start, to operate unconditionally (86.2): *Victoria vero fuit clementissima, nec quisquam interemptus est, nisi paucissimi et hi qui ne deprecari quidem pro se non sustinerent; ex qua lenitate ducis colligi potuit, quem modum aut initio triumviratus sui aut in campis Philippis, si sic licuisset, victoriae suae facturum fuerit.* Cf. 87.2: *Fuitque et fortuna et clementia Caesaris dignum quod nemo ex his qui contra eum arma tulerant, ab eo iussu eius interemptus.*
165. Roller (2001) 1–63 provides a useful point of comparison for issues surrounding the ethical discourse of civil war in Lucan’s epic. Velleius’ perspective both complicates and complements this perspective. See also Hor. *Ep.* 1.18.58–66.
166. *Cn. quoque Carbo magnae verecundiae est Latinis annalibus . . . ipsa verba tale flagitium narrantis secum luctantur, nec silentio amica, quia occultari non merentur, necque relationi familiaria, quia dictu fastidienda sunt.*
167. *Quid? D. Brutus exiguum et infelix momentum vitae quanto dedecore emit! . . . o cunctationem fati aerumnosam . . . !*
168. Schmitzer (2000) 130–59.
169. E.g. 2.22.2–5, cf. 71.2.
170. Schmitzer (2000) 135–8. For example, he lauds the *fides* of C. Gracchus’ follower Pomponius (2.6.6.), or the courage of the Italian Pontius Telesinus (2.27.3). For C. Gracchus, cf. V. Max. 8.10.1. In the first book, examples of self-sacrificing fortitude also occur at 9.3 and 10.4–5.
171. *Non perdat nobilissimi facti gloriam Calpurnia, Bestiae filia, uxor Antistii, quae iugulato, ut praediximus, viro gladio se ipsa transfixit. Quantum huius gloriae famaеque accessit! Nunc virtute eminent, patria fama latet.* The last two sentences are textually problematic. I adopt Elefante (1997) *ad loc.*
172. 87.1: *Antonius se ipse non segniter interemit, adeo ut multa desidia crimina morte redimeret. At Cleopatra frustratis custodibus inlata aspide . . . expers muliebris metus spiritum reddidit.*
173. 119.3: *duci plus ad moriendum quam ad pugnandum animi fuit: quippe paterni avitique successor exempli se ipse transfixit.*

174. *Sub Antonii ingressum in castra Iuuentius Laterensis, vir vita ac morte consentaneus . . . irritus consilii gladio se ipsa transfixit. Plancus deinde dubita—id est sua—fide, diu quarum esset partium secum luctatus ac sibi difficile consentiens, et nunc adiutor D. Bruti designati consulis, collegae sui, senatuique se litteris venditans, mox eiusdem proditor, Asinius autem Pollio firmus proposito et Iulianis partibus fidus, Pompeianis adversus, uterque exercitus tradidere Antonio.*
175. 87.2: *Fuit et fortuna et clementia Caesaris dignum quod nemo ex his qui contra eum arma tulerant, ab eo iussuue eius interemptus.*
176. 87.3: *Brutus et Cassius antequam victorum experirentur animum, voluntaria morte obierunt.*
177. *Canidius timidus decessit quam professioni eius, qua semper usus erat, congruebat.*
178. 66.1–2: *Furente deinde Antonio simulque Lepido, quorum uterque, ut praediximus, hostes iudicati erant . . . repugnante Caesare sed frustra adversus duos, instauratum Sullani exempli malum, proscripito.*
179. *Huius totius temporis fortunam ne deflere quidem quisquam satis digne potuit, adeo nemo exprimere verbis potest. Id tamen notandum est: fuisse in proscriptos uxorum fidem summam, libertorum mediam, servorum aliquam, filiorum nullam; adeo difficillis est hominibus utcumque conceptae spei mora. Ne quid ulli sanctum relinqueretur, † vel in dotem † invitamentumque sceleris Antonius L. Caesarem avunculum, Lepidus Paulum fratrem proscripserant; nec Planco gratia defuit ad impetrandum ut frater eius Plancus Plotius proscriberetur.*
180. *Inter hunc apparatus belli, Plancus, non iudicio recta legendi neque amore rei publicae aut Caesaris, quippe haec semper impugnabat, sed morbo proditor, cum . . . [sc. fuisset] in omnia et in omnibus venalis . . . refrigeratus ab Antonio ob manifestarum rapinarum indicia transfugit ad Caesarem.*
181. Messala Corvinus, at any rate, refers to him mockingly as a *desultor bellorum civilium* (Sen. Suas. 1.7).
182. *Sextum Pompeium. . . Antonius, cum dignitatis quoque servandae dedisset fidem, etiam spiritu privaret.*
183. *Non ab Scipionibus aliisque veteribus Romanorum ducum quicquam ausum patrumque fortius quam tunc a Caesare. Quippe cum inermis et lacernatus esset, praeter nomen nihil trahens, ingressus castra Lepidi, evitatis quae iussu hominis pravissimi tela in eum iacta erant, cum lacerna eius perforata esset lancea, aquilam legionis rapere ausus est. Scires quid interesset inter duces: armati inermem secuti sunt . . . Lepidus et a militibus et a fortuna desertus pulloque velatus amiculo inter ultimam confluentium ad Caesarem turbam latens genibus eius advolutus est. Vita rerumque suarum dominium concessa ei sunt, spoliata, quam tueri non poterat, dignitas.*
184. Cf. Appian BC 5.124 and Syme (1939) 232. Nothing in Appian's account, however, implies that the maneuver was not highly dangerous.
185. See Flaig (1995) 109–18.
186. Flaig (1995) n. 102 cites Cic. *Tusc.* 2.41: *Gladiatores, aut perditii homines aut barbari, quas plagas perferunt! Quo modo illi, qui bene instituti sunt, accipere plagam malunt quam turpiter vitare! Quam saepe apparet nihil eos malle quam vel domino satis facere vel populo! Mittunt etiam vulneribus confecti ad dominos, qui quaerant, quid velint; si satis iis factum sit, se velle decumbere. Quis mediocris gladiator ingemuit, quis voltum mutavit unquam? Quis non modo stetit, verum etiam decubuit turpiter? Quis, cum decubuisset, ferrum recipere iussus collum contraxit?* Cicero reuses the metaphor to incite the senate to resist Antonius (*Phil.* 3.14.35): *Fatum extremum rei publicae venit, quod gladiatores nobiles faciunt, ut honeste decumbant,*

faciamus nos principes orbis terrarum gentiumque omnium, ut cum dignitate potius cadamus quam cum ignominia serviamus.

187. Flaig (1995) 115.
188. See Potter (1999 (a)) 82.
189. 66.2: *Nihil tam indignum illo tempore fuit quam quod aut Caesar aliquem proscribere coactus est aut ab ullo Cicero proscriptus est.*
190. 66.3: . . . *cogit enim excedere propositi formam operis erumpens animo ac pectore indignatio. . . .*
191. 36.1: *Consulatus Ciceronis non modio adiecit decus natus eo anno divus Augustus. . . .* The association was viewed as significant. Cf. Plut. *Cic.* 44.5.
192. Schmitzer (2000) 148.
193. Syme (1986) 433.
194. *Ibid.* 238.
195. See Van Dijk (1998) on the phenomenon called the “ideological square.”

NOTES TO CHAPTER 5

1. Kaster (1998) provides essential background on the heroization of Cicero as a cultural icon in the early empire. I will be exploring the implications of this with regard to *consensus* and the cultural context of imperial power.
2. For a discussion of Seneca’s dates and the time of composition of his work, see Sussman (1978) 20–24, 91–3. Cf. Griffin (1972) 5: “all we can fairly conclude is that the Elder Seneca was born about 50 BC and died about AD 39.”
3. Sejanus: 9.11. *ext.* 4. Cicero: 1.4.6 and esp. 5.3.4.
4. Gunderson (2003) explores declamation, from a psychoanalytic standpoint, as a tool the Romans used to interact with and engage the “rules’ of Roman-ness.” He concentrates, however, primarily on paternalistic aspects of social authority and sexuality.
5. Kennedy (1972) 336.
6. For the history, development, and nomenclature of the practice up to the time of the Elder Seneca, see Bonner (1949) 1–50, Kennedy (1972) 91–6, 105–6, 122–3, 115, 213, 297, 303–4, 306–7, 310–37, 381, 386, 403–4, 424, 455, 460–2, Sussman (1978) 1–11, and Fairweather (1981) 3–4, 104–31. For adaptations reflecting Roman legal practice, see Bonner (1949) 131–2.
7. Bonner (1949) 20–1.
8. *Ibid.* 28–30, and *de Orat.* 1.16.73. Cf. *Q. f.* 3.3.4 = *SB* 23, dated to 54 BC, in which Cicero refers to the type of education of Quintus’ son as *illo declamatorio genere*, and to that extent somewhat defective because it is less abstract. He says, however, that both he and Quintus were trained in this manner (though not exclusively): *in quo quoniam ipsi quoque fuimus, patiamur illum ire nostris itineribus.*
9. *Sen. Contr.* 1.pr.12. Cicero disparages the declaimer, too, at *Orat.* 14.47.
10. See Bonner (1949) 30, and *Brut.* 90.310, where Cicero describes his rhetorical exercises in the early 80’s BC: *Commentabar declamitans sic enim nunc loquuntur—saepe cum M. Pisone et cum Q. Pompeio aut cum aliquo cotidie. . . .* Cf. *Tusc.* 1.4.7: *Ut enim antea declamitabam causas, quod nemo me diutius fecit. . . .*
11. *Modo nomen hoc prodiit; nam et studium ipsum nuper celebrari coepit: ideo facile est mihi ab incunabulis nosse rem post me natam.*
12. Bonner (1949) 26.
13. *Paulatim et ipsa utilis honestaque apparuit multique eam et praesidii causa et gloriae appetiverunt: Cicero ad praeturam usque etiam Graece declamavit,*

*Latine vero senior quoque et quidem cum consulibus Hirtio et Pansa, quos discipulos et grandis praetextatos vocabat; Cn. Pompeium quidam historici tradiderunt sub ipsum civile bellum, quo facilius C. Curioni promptissimo iuveni causam Caesaris defendenti contradiceret, repetisse declamandi consuetudinem, M. Antonium, item Augustum ne Mutinensi quidem bello omis-
sisse. Nero Caesar primo imperii anno publice, bis quoque antea, declamavit. Plerique autem oratorum etiam declamationes ediderunt. quare magno studio hominibus iniecto magna etiam professorum ac doctorum profluxit copia adeoque floruit ut nonnulli ex infima fortuna in ordinem senatorium atque ad summos honores processerint.*

14. *Att.* 14.12.2 = SB 366: *haud amo vel hos designatos, qui etiam declamare me coegerunt, ut ne apud aquas quidem acquiescere liceret.* Cf. *Sen. Contr.* 1.pr.11. Octavian is present too, along with Balbus. Cf. *Att.* 14.11.2 = SB 365, *De Fato* 1.2. Already in an earlier letter from mid-July of 46, the elder statesman claims to be instructing Hirtius and Dolabella in oratory (*Fam.* 9.16.7 = SB 190. Cf. *Tusc.* 1.4.7, 2.3.9, 2.12. 26, and see too *Fam.* 9.18 = SB 190, 7.33.1 = SB 192, Quint. *Inst.* 12.11.6, *Sen. Contr.* 1.4.7. Kaster (1995) 275–6 argues that Cicero’s mention of Hirtius as a *discipulus* at 14.22.1 = SB 376, cf. 14.20.4 = SB 374 refers to politics, not rhetorical studies. Is it not possible that Cicero refers to both, using rhetorical language to reflect political allegiance? E.g. at 14.20.4, a mere two and a half weeks later than 14.12, he writes that on the instigation of Brutus and Cassius: *do equidem operam et ille [sc. Hirtius] optime loquitur, sed vivit habitatque cum Balbo, qui item bene loquitur.* He drops the metaphor in the case of Pansa, who no longer lives next door: *cum Pansa vixi in Pompeiano, is plane mihi probabat se bene sentire et cupere pacem.* Thus, three days later (14.22), Hirtius could still be Cicero’s *discipulus* though he does not share Brutus’ attitude towards Caesar, and in a footnote to the Loeb edition Shackleton Bailey asserts that the word refers to Hirtius’ lessons in declamation. Later letters drop the metaphor altogether (15.5.1, 15.6.1 = SB 383, 386). Finally, Kaster himself notes such a double meaning of *discipulus* at *Suet. Gram. et Rhet.* 28.1 (*ad loc.*).
15. 2.17.42–43, cf. 2.7.18, 8.20, 3.9.22, 5.7.19 and *Suet. Gram. et Rhet.* 29.
16. *Suet. Gram. et Rhet.* 26–28. Octavian killed Cannutius after Perusia, so *Dio* 48.14.4, *Appian BC* 5.49.207. See also the observations by Kaster (1995) 304–5.
17. Cf. *Cic. Brut.* 99–100, 169, 205–7, *Suet. Gram. et Rhet.* 3.2 with Kaster (1995) *ad loc.* Kaster, too, asserts that when Suetonius mentions Pitholaus’ instruction of Pompey at 27.2 he means the *adult* Pompey. See *Ibid.* 298.
18. *Suet. Aug.* 8.2, 89.1, cf. *FGrHist* 90 fr. 130 (XVII).
19. *Eloquentiam studiaque liberalia ab aetate prima et cupide et laboriosissime exercuit. Mutinensi bello in tanta mole rerum et legisse et scripsisse et declamasse cotidie traditur. Nam deinceps neque in senatu neque apud populum neque apud milites locutus est umquam nisi meditata et composita oratione, quamvis non deficeretur ad subita extemporalis facultate. . . . Pronuntiabat dulci et proprio quodam oris sono dabatque assidue phonasco operam.*
20. Osgood (2006 (b)) provides an essential review of the public speeches made during the triumphal period in his assessment of the underestimated life of rhetoric during that period, but seems to miss that these venues, which undoubtedly became more rare, did not exhaust the crucial need for political agents of the time to demonstrate rhetorical proficiency. See also Sumi (2005) 221–8.
21. Bourdieu (1991) 35–102. For the *princeps* and political culture, see Syme (1986) 346–66.

22. Cicero (*Att.* 16.4.1 = *SB* 411) remarks that Sextus committed solecisms in his correspondence to the consuls in 44. Such slips offered an easy target for propaganda, as Velleius demonstrates at 2.73.1: *Hic adulescens erat studiis rudis, sermone barbarus.* . . . Woodman (1977) *ad loc.* incorrectly cites Strabo 14.1.48 to assert that “he was taught by the *grammaticus* Aristodemus.” Rather, Strabo says that Aristodemus, his own teacher, taught rhetoric in the morning and grammar in the afternoon at Rhodes, but that when he had charge of the sons of Pompey, he only held a *grammar* school. It is thus possible that Pompey’s sons only learned grammar from him, not rhetoric, though it is impossible to tell from the Greek. Cicero’s remarks on Sextus’ errors may refer to the fact that everyone knew his education was incomplete. According to Velleius (2.112.7), the case with Agrippa is more a matter of moral depravity and mental insanity. Suet. *Aug.* 65.4 corresponds (cf. Tac. *Ann.* 1.6). Dio proves more informative. At 55.32.1 he asserts that he had a slavish nature (δουλοπρεπής . . . ἦν), liked to spend all his time fishing and was given to fits of rage. Having a slavish nature betokens someone who lacks cultivation in the *studia liberalia*.
23. Sen. *Ep.* 114.1. The entire letter is about this subject.
24. Vergil lampoons one of Antonius’ models, Cimber, for his antiquarianism in a fragment preserved by Quintilian (*Inst.* 8.3.28), presumably sometime during the “propaganda” war of the triumviral period. Plutarch (*Ant.* 2.5), on the other hand, blasts Antony for his pompous Asianism. The tag is more a matter of slander than a fair observation of style. See Kennedy (1972) 299 and Pelling (1988) *ad loc.*
25. Witness the preferences of Maecenas and Tiberius in the passage from Suetonius, *supra*, and the fact that Augustus showed great favor to the Asiatic declaimer Craton (*Contr.* 10.5.21).
26. See Billerbeck (1990) for an excellent discussion both of the necessity for a leader to demonstrate erudition in the liberal studies, and of the particular philological activities of the emperors up to the reign of Claudius. See also Lobur (2007) 219ff.
27. See Kennedy (1972) 314: “One of the reasons for the popularity of declamation may be that the future emperor first came to power and began to influence fashion at a time when he was hardly beyond the status of a student. In any event, the example of distinguished practitioners from every political camp was almost certain to encourage imitation.”
28. *Tusc.* 1.4.7. For the *theses* on tyranny, see *Att.* 9.4 = *SB* 173.
29. So Pollio (*Contr.* 4.pr.2) and Labienus (*Contr.* 10.pr.4). Haterius did admit the public to listen to him declaim *extempore* (*Contr.* 4.pr.7). The process of admission itself was gradual, as Seneca says it was not yet customary in Labienus’ time (*Contr.* 10.pr.4). Bonner (1949) 39–43 details the development.
30. Bonner (1949) 40 n.1, following Bornecque (1967), places the beginning of general public admission to the schools at about AD 10.
31. On the presence of parents, see Persius 3.45, Quint. *Inst.* 2.7.1, 10.5.21.
32. *Aug.* 85: *Multa varii generis prosa oratione composuit, ex quibus nonnulla in coetu familiarum velut in auditorio recitavit, sicut “Rescripta Bruto de Catone,” quae volumina cum iam senior ex magna parte legisset, fatigatus Tiberio tradidit perlegenda; item “Hortationes ad Philosophiam,” et aliqua “De Vita Sua. . . .”*
33. *Aug.* 89.3: *Ingenia saeculi sui omnibus modis fovit. Recitantis benigne et patienter audiit, nec tantum carmina et historias, sed et orationes et dialogos. Componi tamen aliquid de se nisi et serio et a praestantissimis offendeatur, admonebatque praetores ne paterentur nomen suum commisionibus obsolefieri.*

34. Seneca claims to recall significant snippets of declamation *verbatim*, by memory alone (*Contr.* 1.*pr.*1–5, 22; and 9.*pr.*1). Fairweather (1981) 37–49 poses the hypothesis that Seneca’s collection is based on private written records. Though she denies it can be proven that Seneca records the actual words of his subjects, she assumes nevertheless “that Seneca recorded the words of the declaimers faithfully, though textual corruption has diminished the reliability of his record.”
35. Syme (1986) 200, 425.
36. Griffin (1972) 5–6 gives various possibilities.
37. For the dates of Seneca’s travels to Rome and back to Spain, see *ibid.* 7–8.
38. The relationship arose from Pollio’s sojourn in Corduba in the spring of 43: see *ibid.* 5–6.
39. *Cum multa dixisset, novissime adiecit rem quam omnes improbavimus: “ista neglegentia pater tuus exercitum perdidit.”*
40. *Contr.* 7.5.11–12. See also *Contr.* 1.4.11, 1.2.3, 7.6.11. Cf. Sen. *Ep.* 40.9.
41. *Contr.* 2.5.20. Cf. Quint. 6.3.11, who uses the same phrase to describe Pollio’s abilities.
42. I omit Maecenas. See *Contr.* 9.3.14, *Suas.* 1.12, 2.20. At *Suas.* 3.5, the declaimer Fuscus adds Vergilian elements to his declamation in order to please him. Syme (1986) 362–3 also offers evidence to the effect that some declaimers received political office for their talents.
43. *Contr.* 4.*pr.*7: *Haterius noster sufflaminandus est.*
44. Pompey had first had Timagenes’ school, to which Pollio succeeded to. Later the two fell out for unknown reasons. Pollio resurrected the friendship when Augustus expelled the historian from his home. On the life of Timagenes see *FrGrHist* 88 T 1–8, and P-W *s.v.* “Timagenes” col. 1063–4.
45. On the relationship between declamation and political authority, see also the discussion in Gunderson (2003) 90–114.
46. *Latro . . . declamabat . . . Caesare Augusto audiente et M. Agrippa, cuius filios, nepotes suos, adoptatus diebus illis videbatur.* The date is 17 BC because Augustus had not yet adopted Agrippa’s sons, whereas he adopted Lucius soon after his birth in 17.
47. *Tanta autem sub divo Augusto libertas fuit ut praepotenti tunc M. Agrippae non defuerint qui ignobilitatem exprobrarent. . . . Mihi videtur admiratione dignus divus Augustus, sub quo tantum licuit. . . .*
48. See Bonner (1949) 21–2, and Flaig (1995) 118–24.
49. *fuit qui diceret: “concurrere! Agrippa malum habebit.”*
50. Preserved in an excerpt at the end of *Contr.* 6: *Extra. Varius Geminus apud Caesarem dixit: Caesar, qui apud te audent dicere magnitudinem tuam ignorant, qui non audent humanitatem.* Jerome *adv. Iovin.* 1.28 considers Geminus a *sublimis orator*.
51. A literary convention, pure and simple. See Sussman (1971), (1978) 51–58, and Fairweather (1981) 27–9, who points out that Seneca’s sons are grown men, some of whom have started political careers already. See also the essential discussion in Gunderson (2003) 29–58.
52. *Calvum . . . qui declamationem <a dictione> distinguit; bene alterum putat domesticae exercitationis esse, alterum verae actionis.*
53. See further Bonner (1949) 77–83.
54. See Osgood (2006 (b)) 544–5, who notes that Tiberius took Messalla as his model (Suet. *Tib.* 70). Kennedy (1972) 100–1 fingers a very Roman characteristic of oratory of which Pollio and Messala perhaps represent the best examples that can be found: “Even when [in Greece] the orator has a well-known Olympian character, as had Pericles or Demosthenes, the position

- that something should be done or believed because the great speaker says so is very rare. It is common in Rome. The orator brings to play all of his ancestry, his services to the state, his Roman virtues.”
55. Messala criticizes an epigram (*Contr.* 2.4.8), Pollio (7.pr.2) praises them in general.
 56. As Cassius Severus, a highly respected orator but poor declaimer, asserts at 3.pr.14: *diligentius me tibi excusarem, tamquam huic rei [sc. declamationi] non essem natus, nisi scirem et Pollionem Asinium et Messalam Corvinum et Passienum, qui nunc primo loco stat, minus bene videri dicere quam Cestium aut Latronem.* For Passienus, cf. *Contr.* 2.5.17.
 57. Both men offer advice: Messala at *Contr.* 2.4.10, Pollio at *Contr.* 2.5.10, 4.3, 4.5, 4.6, 7.4.3, 9.2.25. At 4.pr.3, Seneca does fault Pollio’s advice, but only because the master does not judge his own declamations as harshly as those of others. Seneca also lets rhetors like Cestius criticize other schoolmen, e.g. *Contr.* 1.5.3, 2.3.22, 3.7, 7.pr.8–9, 7.7.19. Two of the people he criticizes, Fuscus and Albus, belong in Seneca’s first “quartet.” Latro, too, attacks the schoolmen at 7.4.10. However, criticisms are never, as far as the evidence exists, passed by rhetors on the likes of Pollio, Messala, Passienus, Vinicius, Cassius Severus or Labienus.
 58. . . . *sua lingua dissertus est.* . . . Elsewhere Messala wishes to improve one of Vergil’s lines (*Suas.* 2.20), shares critical discussions of declaimers with Gallio, another declaimer of Seneca’s top four (*Contr.* 10.pr.13), and finally hosts the Spanish poet Sextilius Ena, who sings the praises of Cicero, irritating Pollio (*Contr.* 6.27).
 59. Excerpts of his declamations survive at 7.1.4, 22, and 7.6.12.
 60. Labienus . . . *dixit: ‘ille triumphalis senex ἀκροάσεις suas numquam populo commissit,’ sive quia parum in illis habuit fiduciam sive—quod magis crediderim—tantus orator inferius id opus ingenio suo duxit et exerceri quidem illo volebat, gloriari fastidiebat.*
 61. Pollio Asinius aiebat hoc Latronem videri tamquam forensem facere, ut ineptas quaestiones circumcideret; in nulla magis illum re scholasticum deprehendi. Cf. *Suas.* 2.10, *Contr.* 2.9.10 and 7.6.24.
 62. 3.pr. 1: *Quosdam disertissimos cognovi viros non respondententes famae suae cum declamarent, in foro maxima omnium admiratione dicentes, simul ad has domesticas exercitationes secesserant desertos ab ingenio suo.*
 63. To get the joke concerning this charge and the next one (of ingratitude), one has to understand that, though they might not be fictitious, they belonged more to the world of declamation than that of the law courts. See Bonner (1949) 86–88.
 64. *“hi [sc. pueri] non tantum disertissimis viris, quos paulo ante rettuli, Cestium suum praeferunt, <sed etiam Ciceroni praeferrent>, nisi lapides timerent. quo tamen uno modo possunt, praeferunt; huius enim declamationes ediscunt, illius orationes non legunt nisi eas, quibus Cestius rescripsit. memini me intrare scholam eius, cum recitaturus esset in Milonem. Cestius ex consuetudine sua miratus dicebat: “si Thraex essem, Fusius essem; si pantomimus essem, Bathyllus essem; si equus, Melissio.” non continui bilem et exclamavi: ‘si cloaca esses, maxima esses!’ risus omnium ingens: scholastici intueri me, quis essem, qui tam crassas cervices haberem. Cestius Ciceroni responsurus mihi quod responderet non inveniit . . . deinde libuit Ciceroni de Cestio in foro satisfacere. subinde nactus eum in ius ad praetorem voco et, cum quantum volebam iocorum conviciorumque effudissem, postulavi, ut praetor nomen eius reciperet lege inscripti maleficii. tanta illius perturbatio fuit, ut advocacionem peteret . . .”hanc* inquit, *“tibi fabellam rettuli, ut scires in declamationibus tantum non aliud genus <rerum, sed aliud genus>*

hominum esse. si comparari illis volo, non ingenio mihi maiore opus est sed sensu minore.

65. On Cestius's relationship to Cicero and its implications in Seneca's text, see also Kaster (1998) 257–9, Gunderson (2003) 84–7.
66. See, e.g. Cestius at *Contr.* 9.6.12. Cf. Petr. *Sat.* 1.3–2.3, 3.3, 4.4. See too Sussman (1977) 314–5, and Bonner (1949) 49–50, 72, 76, and 71–83 on general decline in declamation.
67. For the centrality of Cicero in Roman rhetorical activities and his posthumous influence and reputation, see esp. Winterbottom (1981), who points out that while it is true that criticism of this figure occurred (as the anecdote with Cestius attests), this usually happens in a dialectical context, and nevertheless “was nothing compared with the torrent of encomium.” See also the essential study of Richter (1968).
68. *Deinde, ut possitis aestimare, in quantum cotidie ingenia decrescant et nescio qua iniquitate naturae eloquentia se retro tulerit. Quidquid Romana facundia habet, quod insolenti Graeciae aut opponat aut praeferat, circa Ciceronem effloruit; omnia ingenia, quae lucem studiis nostris attulerunt, tunc nata sunt.* See, too, Kaster (1998) 259–60.
69. *In hoc primum excogitata est nova poena: effectum est enim per inimicos, ut omnes eius libri comburerentur. res nova et inusitata, supplicium de studiis sumi. bono hercules publico ista in poenas ingeniorum versa crudelitas post Ciceronem inventa est. quid enim futurum fuit, si triumviris libuisset et ingenium Ciceronis proscribere?* Seneca also implies the primacy of Cicero in his remarks on Calvus at *Contr.* 7.4.6.
70. *Suas.* 7.10: <nihil humiliter> esse quam monumenta ingenii sui ipsum exurere. iniuriam illum facturum populo Romano, cuius linguam †incipem† extulisset, ut insolentis Graeciae studia tanto antecederet eloquentia quanto fortuna. iniuriam facturum generi humano.
71. 1.17.3: *At oratio ac vis forensis perfectumque prosae eloquentiae decus, ut idem separetur Cato . . . ita universa sub principe operis sui erupit Tullio, ut delectari ante eum paucissimis, mirari vero neminem possis nisi aut ab illo visum aut qui illum viderit.*
72. 2.34.3: *M. Cicero . . . ut vita clarus, ita ingenio maximus, qui effecit ne, quorum arma viceramus, eorum ingenio vinceremur.* This is a reference to Horace's line in *Ep.* 2.1.156: *Graecia capta ferum victorem cepit et artes | Intulit agresti Latio. . . .*
73. Velleius provides surprisingly numerous “echoes” of Cicero from a diverse field of his works. See Woodman's (1977, 1983) general indices under “Cicero” for a compilation of the instances.
74. Bonner (1949) 136 cites the evidence. Cf. *Contr.* 7.3.9, *Suas.* 1.5 and *Contr.* 4.pr.9, and Kaster (1998) 253–4. For the limited use of Ciceronian tags in the *Minor Declamations* of pseudo-Quintilian, see Winterbottom (1981) 253.
75. Bloomer (1992) 5, 39, 48, 81–98, 105, 131–4, 144–51, 198–204, 221, esp. 98: “his [sc. Valerius'] repeated recourse to Cicero demonstrates both the canonicity of that orator and Valerius' use of a source,” and 198: “for Valerius the published works of Cicero had, in the search for anecdote and illustration, the attraction of accessibility and orthodoxy.” Moreover, Livy's debt to Cicero is stated most forcefully by McDonald (1957) 160: “although Greek rhetoric had come to Rome by the Gracchan period, and the Sullan Annalists could apply the principles of systematic elaboration, yet in Cicero's opinion the earlier writers lacked style. The task of presenting Roman history called for greater rhetorical skill and a finer literary style. Cicero defined the programme, Livy carried it out.” See too Habinek (1998) 67.

76. See Béranger (1973) 118–19.
77. See Sussman (1977) 307–17, and Bloomer (1992).
78. *Suas.* 5.8: *hoc loco disertissimam sententiam [sc. Gallio] dixit, quae vel in oratione vel in historia ponatur. . . .*
79. See also the important discussion in Wright (2001).
80. Wright (2001) 445 for example, finds it “extremely unlikely that the reference to Popilius’ parricide trial in Plutarch can have arisen from Tiro, or from any other early historical source for that matter.”
81. Homeyer (1964) 42–3.
82. See Seneca’s remarks at *Contr.* 7.4.6–7: *Calvus, qui diu cum Cicerone iniquissimam litem de principatu eloquentiae habuit. . . .* Cf. Kennedy’s appraisal (1972) 275: “Cicero’s position as the greatest Roman orator can hardly be questioned. It is assured by the quality and quantity of his speeches and by his own rhetorical criticism and theory.” Cf. *ibid.* 280, 282: “Cicero was the greatest rhetorical figure of his age, indeed of Roman history. But to some of his contemporaries and successors this was not self-evident. . . .”
83. See esp. Roller (1997) 118–19.
84. Homeyer (1964) 13. Cf. *ibid.* 15.
85. *Ibid.* 13. Cf. Wright (2001) 447–9.
86. *Contr.* 7.2.8: *Popillium pauci ex historicis tradiderunt interfectorem Ciceronis et hi quoque non parricidi reum a Cicerone defensum, sed in privato iudicio.* Roller (1997) 124–5 convincingly argues that the detail that Cicero defended Popilius on any charge derives from a declamatory *color*.
87. οὐτώ γὰρ ἔνιοι τῶν συγγραφέων ἱστορήκασιν· ὁ δ’ αὐτοῦ τοῦ Κικέρωνος ἀπελεύθερος Τίρων τὸ παράπαν οὐδὲ μέμνηται τῆς τοῦ Φιλολόγου προδοσίας.
88. Homeyer (1964) 14. On the killing and death of Cicero, cf. Wright (2001) 449–52.
89. So Homeyer (1964) 25, following Gelzer. Nepos (*Frag.* 3) clearly shows a balancing of faults with virtues. Cf. Richter (1968) 178–81.
90. See esp. Kaster (1998).
91. Nepos (*Frag.* 3) was able to depict his death as a loss: . . . *dubito, interitu eius utrum res publica an historia magis doleat.*
92. Homeyer (1964) 25, 33, 41, 43.
93. *Suas.* 6.14: *nam quin Cicero nec tam timidus fuerit, ut rogaret Antonium, nec tam stultus, ut exorari posse <eum> speraret, nemo dubitat excepto Asinio Pollione, qui infestissimus famae Ciceronis permansit.* Cf. Pollio’s behavior at *Suas.* 6.27.
94. *Suas.* 6.15: *Haec inepte ficta cuilibet videri potest. Pollio vult illam veram videri. . . .*
95. <Ad>*ieceratque his alia sordidiora multo, ut tibi facile liqueret hoc totum adeo falsum esse, ut ne ipse quidem Pollio in historiis suis ponere ausus sit.*
96. *huic certe actioni eius pro Lamia qui interfuerunt, negant eum haec dixisse—nec enim mentiri sub triumvirorum conscientia sustinebat—sed postea composuisse.*
97. *Suas.* 6.24: *Pollio quoque Asinius, qui . . . Ciceronis mortem solus ex omnibus maligne narrat.* *Contra* Homeyer (1964) 25, who despite this explicit statement from a contemporary, thought that detraction of Cicero would have been found in more sources.
98. *Inst.* 12.10.13: *postea vero quam triumvirali proscriptione [sc. Cicero] consumptus est, passim qui oderant, qui inuidebant, qui aemulabantur, adulatorum etiam praesentis potentiae non responsurum invaserunt.* See also Throop (1913) 22, 24, 30–2.
99. There is confusion as to the date and place, since Appian *BC* 4.51.221 records that Cicero obtained Syria, not Asia. See further Syme (1939) 303 n.1.

100. *Alteram partem pauci declamaverunt; <fere> nemo ausus est Ciceronem ad deprecandum Antonium hortari; bene de Ciceronis animo iudicaverunt.*
101. *nam quod ad servitutem pertinet, non recusabit; iam collum tritum habet. et Pompeius illum et Caesar subegerunt. veteranum mancipium videtis. et complura alia dixit scurrilia, ut illi mos erat.*
102. The entire passage (Contr. 7.2.13) runs: *Hispo Romanus vehementi colore usus est et duro . . . pro Antonio dicturum: occidi Ciceronem oportuit; et dixit locum, aliter non potuisse pacari rem publicam, quam si ille turbator oti e re publica sublatus esset. Solus ex declamatoribus in Ciceronem invectus est: quid? ille, inquit, cum Antonium hostem iudicaret <et> omnis Antoni milites, non intellegebat se et Popillium proscriptis? hic color prima specie asperior est, sed ab illo egregie tractatus est. At Suas. 6.13, Varius Geminus urges Cicero to beg Antonius' pardon, saying *ne iniquum quidem esse Ciceronem satisfacere, qui prior illum [sc. Antonium] proscriptisset.**
103. *Contr. 9.3.11: Hispo Romanus erat natura qui asperiores dicendi viam sequeretur. . . .*
104. See Throop (1913) 36–7.
105. Throop (1913) compiles all of the literary detraction of Cicero from his own lifetime down to 400 AD.
106. Tacitus *Dial.* 26.8 reminds us of the conceits of the *scholastici*, who *se ante Ciceronem numeret, sed plane post Gabinianum.*
107. *Huius ergo viri tot tantisque operibus mansuris in omne aevum praedicare de ingenio atque industria supervacuum est>. natura autem atque fortuna pariter obsecuta est ei, <si> quidem facies decora ad senectutem prosperaque permansit valetudo. tunc pax diutina, cuius instructus erat artibus, contigit. namque [a] prisca severitate iudiciis exactis maxima noxiorum multitudo provenit, quos obstrictos patrocinio incolumes plerosque habebat. iam felicissima consulatus ei sors petendi et gerendi magno munere deum, consilio <suo> industriaque. utinam moderatius secundas res et fortius adversa ferre potuisset! namque utraque cum <e>venerant ei, mutari eas non posse rebatur . . . sed quando mortalium nulli virtus perfecta contigit, qua maior pars vitae atque ingenii stetit, ea iudicandum de homine est. atque ego ne miserandi quidem exitus eum fuisse iudicarem, nisi ipse tamen tam miseram mortem putasset.*
108. Seneca the Younger also criticizes Cicero from a philosophical standpoint for his irresolution, but this “historical” strand all but disappears from the Latin tradition thereafter. See Richter (1968) 183–5.
109. *Parum fortis videtur quibusdam, quibus optime respondit ipse non se timidum in suspiciendis sed in providendis periculis: quod probavit morte quoque ipsa, quam praestantissimo suscepit animo.*
110. Homeyer (1964) 32.
111. Cf. Valerius Maximus' depiction of the demises of Carbo and Decimus Brutus, 9.13.2–3.
112. *ita relatam caput ad Antonium iussuque eius inter duas manus in rostris positum, ubi ille consul, ubi saepe consularis, ubi eo ipso anno adversus Antonium quanta nulla umquam humana vox cum admiratione eloquentiae auditus fuerat.*
113. *vix attolentes <madentes> lacrimis oculos homines intueri trucidati membra civis poterant.*
114. Cf. the comparison of the two accounts in Richter (1968) 174–82.
115. . . . *vir magnus ac memorabilis fuit et in cuius laudes exequendas Cicerone laudatore opus fuerit.*
116. Sussman (1977) 318.

117. *Suas.* 6.16: *Nolo autem vos, iuvenes mei, contristari, quod a declamatoribus ad historicos transeo. satisfaciam vobis, et fortasse efficiam, ut his sententiis lectis solida et verum habentia recipiatis. et quia hoc statim recta via consequi non potero, decipere vos cogar. . . .*
118. Edward (1927) 147. The internal evidence comes from the poets. See *Suas.* 6.26 (Cornelius Severus): *abstulit una dies aevi decus, ictaque luctu | conticuit Latiae tristis facundia linguae . . . publica vox saevis aeternum obmutuit armis*; 27 (Sextilius Ena): *deflendus Cicero est Latiaeque silentia linguae*. Cf. Vell. 2.66.2 (below), Val. Max. 5.3.4: [sc. Popillius] *protinus caput Romanae eloquentiae . . . amputavit*.
119. *Adfirmare vobis possum nihil esse in historiis eius hoc, quem rettuli, loco disertius, ut mihi tunc non laudasse Ciceronem sed certasse cum Cicerone videatur*.
120. 5.3.4: *invalidae ad hoc monstrum [sc. Popillius] suggillandum litterae, quoniam qui talem Ciceronis casum satis digne deplorare possit alius Cicero non exstat*.
121. Woodman (1977) 144–5.
122. Richter (1968) 169. Cf., too, Pliny's remarkable *laudatio* at N.H. 7.116.
123. *Abscisaque scelere Antonii vox publica est. . . .*
124. *Vivit vivetque per omnem saeculorum memoriam, dumque hoc vel forte vel providentia vel utcumque constitutum rerum naturae corpus—quod ille paene solus Romanorum animo vidit, ingenio complexus est, eloquentia illuminavit—manebit incolume, comitem aevi sui laudem Ciceronis trahet . . . citiusque e mundo genus hominum quam Ciceronis nomen cedit*. See, too, the observations of Gowing (2005) 44–8.
125. See HRR II.cxxv–cxxvi.
126. *Suas.* 6.18: *Bassus Aufidius et ipse nihil de animo Ciceronis dubitavit, quin fortiter se morti non praeberit tantum sed obtulerit. . . . Cicero paulum remoto velo postquam armatos vidit, 'ego vero consisto' ait; 'accede, veterane, et, si hoc saltem potes recte facere, incide cervicem.' trementi deinde dubitantique 'quid, si ad me' inquit 'primum venissetis?'*
127. [sc. Cicero]. . . *vir natus ad rei publicae salutem, quae diu defensa et administrata in senectute demum e manibus eius elabatur, uno ipsius vitio laesa, quod nihil in salutem eius aliud illi quam si caruisset Antonio placuit*.
128. Not implausible (why else *wouldn't* he blast Antonius?), and useful for dating the time of composition. Velleius, writing under Tiberius and publishing around 30, has no problem reviling Antonius in general and for this misdeed in particular, nor does Brutteditius (*Suas.* 6.21) and Seneca would most likely have been dead before the death of Caligula and the succession of Claudius, who also promoted Antonius (his maternal grandfather), in 41. Cf. Barrett (1989) 218–9. Valerius' account (Val. Max. 5.3.4), late-Tiberian, is indifferent to Antonius. All of the other anecdotes involving Antonius are either neutral or positive, except for 9.5.4.
129. *Suas.* 6.19. See HRR II.cxiii–cxv.
130. . . . *omnia illi [sc. Cicero] displicuisse praeter mortem*.
131. *Quibus visis laetus Antonius, cum peractam proscriptionem suam dixisset esse (quippe non satiatus modo caedendis civibus sed differtus quoque), super rostra exponit*.
132. . . . *brevi ante princeps senatus Romanique nominis titulus, tum pretium interfectoris sui*.
133. . . . *dextera, divinae eloquentiae ministra. ceterorumque caedes privatos luctus excitaverunt, illa una communem*.
134. *Proprias enim simultates deponendas interdum putabat, publicas numquam avide exercendas*.

135. *civis non solum magnitudine virtutum sed multitudine quoque conspiciendus.*
136. HRR II.cvi.
137. Cf. the declaimer Cornelius Hispanus at *Contr.* 7.2.4, and the assortment at 7.2.14.
138. *Suas.* 6.20: [sc. Ciceronis] *nihil in ultimo fine vitae facientis quod alteram in partem posset notari.* . . . Edward (1927) 143 (*ad loc.*) glosses thus: “Cicero had been accused of vainglory and timidity. . . . In his death he showed neither, he neither swaggered nor trembled.”
139. *ut vero iussu Antonii inter duas manus positum in rostris caput conspectum est, quo totiens auditum erat loco, datae gemitu et fletu maximo viro inferioriae, nec, ut solet, vitam depositi in rostris corporis contio audivit sed ipsa narravit: nulla non pars fori aliquo actionis inclutae signata vestigio erat, nemo non aliquod eius in se meritum fatebatur. hoc certe publicum beneficium palam erat, illam miserrimi temporis servitute a Catilina dilatam in Antonium.*
140. Numerous times: see esp. *Phil.* 4.6.15.
141. *Suas.* 6.25: *Nemo tamen ex tot disertissimis viris melius Ciceronis mortem deploravit quam Severus Cornelius.* See P-W s.v. “Cornelius,” coll. 1509–1510.
142. See Richlin (1999), esp. 193–8, 203–5.
143. *Suas.* 6.26: *tunc redeunt animis ingentia consulis acta.*
144. *quid favor aut coetus, pleni quid honoribus anni | profuerant, sacris exulta quid artibus aetas? | abstulit una dies aevi decus, ictaque luctu | conticuit Latiae tristis facundia linguae.*
145. *sacrasque manus operumque ministras tantorum.*
146. *nullo luet hoc Antonius aevo.*
147. 2.66.2: *Abscisaque scelere Antonii vox publica est, cum eius salutem nemo defendisset, qui per tot annos et publicam civitatis et privatum civium defenderat.*
148. *Suas.* 7.10: *Huius suasoriae alteram partem neminem scio declamasse. omnes pro libris Ciceronis solliciti fuerunt, nemo pro ipso.* . . . For a few examples from many, see *Suas.* 7.1 (Haterius): *Ne propter hoc quidem ingenium tuum amas, quod illud Antonius plus odit quam te? . . . crudelior est pactio Antonii quam proscripio . . . commentus est Antonius quemadmodum, quod non poterat cum Cicerone <proscribi a Cicerone> proscriberetur; 2 (Cestius): Intellexit Antonius salvis eloquentiae monumentis non posse Ciceronem mori.*
149. Most closely reflecting the words of Arellius Fuscus Senior (7.9) and Pompeius Silo (7.10).
150. 2.66.5: *omnisque posteritas illius in te [sc. Antonius] scripta mirabitur, tuum in eum factum execrabitur.* Cf. *Suas.* 7.3 (Cestius): *fac moriendo Antonium nocentiorum, 8 (Argentarius): sine durare post te ingenium tuum, perpetuam Antonii proscriptionem.*
151. Cf. Wright (2001) 441–2, 446–7.
152. Kaster (1998) 261f. overlooks this in reducing everything to Cicero’s “verbal *ingenium.*”
153. See Plut. *Cic.* 49.4 and Dio 51.19.4.
154. See the famous anecdote at Plut. *Cic.* 49.3.
155. *Suas.* 6.27: *Sextilius Ena fuit homo ingeniosus magis quam eruditus.* . . . For Seneca himself, see Fairweather (1984) 535: “Seneca the Elder seems to have more in common with the critics of the century after his death than he has with the literary circles of Cicero’s time.” Soon after Cicero’s death, his freedman Tullius Laurea composed an epigram saying that his writings were read all over the earth. See Plin. *N.H.* 31.8 and Osgood (2006 (b)) 546–7.

156. *Is hanc ipsam proscriptionem recitaturus in domo Messalae Corvini Polionem Asinium advocaverat et in principio hunc versum non sine assensu recitavit: Deplendus Cicero est Latiaeque silentia linguae.*
157. Edward (1927) 130.
158. . . . *posuit turpe esse cuilibet Romano, nedum Ciceroni, vitam rogare.* Cf. Seneca's dismissal of some lines of the poet Cornelius Severus, about Roman soldiers in a situation analogous to the 300 Spartans at Thermopylae at *Suas.* 2.12: *Occurrit mihi sensus in eiusmodi materia a Severo Cornelio dictus tamquam de Romanis nescio an parum fortiter . . . parum Romani animi servata est magnitudo.*
159. See Bonner (1949) 136. See also the reference to the *Verrines* in [Quint.] *Decl.* 6.9, and to the *pro Cluentio* in Quint. *Decl.* 388.32.
160. Cf. Cornelius Hispanus at *Suas.* 6.7, Cestius Pius at 7.2–3, Triarius at 7.6, Arellius Fuscus Senior at 6.6 and 7.9.
161. *Sciant posteri potuisse Antonio servire rem publicam, non potuisse Ciceronem.*
162. *Suas.* 6.2: *M. Cato, solus maximum vivendi moriendique exemplum, mori maluit quam rogare (nec erat Antonium rogaturus), et illas usque ad ultimam diem puras a civili sanguine manus in pectus sacerrimum armavit.* Cf. 6.4, 10.
163. *** *P. Scipionem a maioribus suis desciscentem generosa mors in numerum Scipionum reposuit.* Cf. Cestius Pius at *Suas.* 7.3.
164. *Civilis sanguinis Sulla<na> sitis in civitatem redit, et ad triumviralem hastam pro vectigalibus civium Romanorum mortes locantur. unius tabellae albo Pharsalica ac Mundaensis Mutinensisque ruina vincitur. consularia capita auro rependuntur. tuis verbis, Cicero, utendum est: 'o tempora, o mores!' videbis arduos crudelitate simul ac superbia oculos; videbis illum non hominis sed belli civilis vultum . . . supplex accadens genibus deprecaberis et ore, cui se debet salus publica, humilia in adulationem verba summittes? pudeat; Verres quoque proscriptus fortius perit.*
165. *Tacebis ergo proscribente Antonio et rem publicam laniente, et ne gemitus quidem tuus liber erit?*
166. *Antonius hostis a re publica iudicatus nunc hostem rem publicam iudicat.*
167. *Proscriptus <senatus> est ille, qui tuam sententiam secutus est. tota tabula tuae morti proluditur. alter fratrem proscribi, alter avunculum patitur. quid habes spei? ut Cicero periret, tot parricidia facta sunt.*
168. The fact that the audience most admires the most outspoken republican sentiments complicates Osgood's (2006 (b)) 545 thesis that outspokenness (*libertas*) took a back seat to *doctrina* and *diligentia*.
169. . . . *maximam causam proscriptionis ipsum esse Ciceronem. et solus <ex> declamatoribus temptavit dicere non unum illi esse Antonium infestum. hoc loco dixit illam sententiam: "si cui ex triumviris non es invisus, gravis es." et illam sententiam, quae valde excepta est: "roga, Cicero, exora unum, ut tuis servias."*
170. See Kaster (1995) *ad loc.*
171. [Sc. Albucius] . . . *M. insuper Brutum, cuius statua in conspectu erat, invocaret legum ac libertatis auctorem et vindicem, paene poenas luit.*
172. Kaster (1995) *ad loc.* For Augustus' praise of the Milanese, see Plut. *Comp. Dion. et Brut.* 5.
173. *adhortatus est illum ad fugam: illic esse M. Brutum, illic C. Cassium, illic Sex. Pompeium. et adiecit illam sententiam, quam Cassius Severus unice mirabatur: quid deficiamus? Et res publica suos triumviros habet. deinde etiam, quas petere posset regiones, percurrit. . . . sed maxime illum in Asiam et in Macedoniam hortatus est, in Cassi et in Bruti castra. itaque*

- Cassius Severus aiebat alios declamasse, Varium Geminum vivum consilium dedisse.*
174. *Suas. 6.14: quocumque pervenisset, serviendum illi esse: ferendam esse aut Cassii violentiam aut Bruti superbiam aut Pompei stultitiam.*
 175. . . . *declamatoribus placuit parricidi reum fuisse. sic autem eum accusant, tamquam defendi non possit, cum adeo possit absolvi, ut ne accusari quidem potuerit.*
 176. *nam in reliquis adeo bonam causam habet Popillius, ut detracto eo, quod patronum occidit, nihil negoti habiturus sit. patrociniū eius est civilis belli necessitas . . . licuit enim in bello et civem et senatorem et consularem occidere; ne in hoc quidem crimen est, quod Ciceronem, sed quod patronum. naturale est autem, ut, quod in nullo patrono fieri oportuit, indignius sit factum in Cicerone patrono.*
 177. *an in bello civili acta obici non possint. honeste dixit, cum hunc locum tractaret, Varius Geminus: "si illa," inquit, "tempora in crimen vocas, dicis non de hominibus sed de rei publicae moribus."*
 178. *"miraris, si eo tempore necesse fuit Popillio occidere, quo Ciceroni mori?"*
 179. [Sc. Latro] *hanc quaestionem in illa divisit: an, etiamsi necesse ei fuit facere, non sit tamen ignoscendum. ad quaedam enim nulla nos debet necessitas compellere. hoc loco Latro dixit summis clamoribus: "ita tu, Popilli, si Antonius iussisset, et patrem tuum occideres?"*
 180. 7.2.11: *"iussit," inquit, "imperator, iussit victor," iussit qui proscribat. "ego illi negare quicquam possem, cui nihil poterat negare res publica?"*
 181. Quintilian (*Inst. 3.8.44–47*) writing in the late first century AD, discusses the use of *color* in the two *suasoriae* discussed above. However, except for Quint. *Decl. 268*, Cicero's death—as well as any reference to proscription at all—is completely absent from the remaining extant corpus of Roman declamation, i.e. the *Major and Minor Declamations*, as well as those of Calpurnius Flaccus.
 182. *Q. Haterius a parte patris pulcherrimam imaginem movit: coepit enim subito, quo solebat, cursu orationis <de>scribere, quasi exaudiret aliquem tumultum, vastari omnia ac rapi, corruere incendiis villas, fugas agrestium; et cum omnia implexset terrore, adiecit: quid exhorruisti, adulescens? socer tuus venit.*
 183. *Vive; mutantur vices felicitatis humanae: proscriptus aliquando proscripsit. Victi fugiunt, proscripti latent, naufragi natant.*
 184. *Profer tabellas illa proscriptionis tabula crudeliores: persequeretur illa quos vicerat, hae persecutae sunt quos receperant; in illa ultio fuit, in his perfidia; denique illa iam desiit, hae perseverant.*
 185. *Omnes invecti sunt in libertum.* For this and the following declamations, see too Migliario (1989).
 186. *Contr. 6.2: Accusator civium me fecit exulem, filius etiam meorum. Filiam honestiorem inveni, quod accusata est, servum frugaliorem, quod caesus est. Male meruisti de patre.*
 187. *Contr. 6.4: Fugit, ne occideretur, qui dicit se mori cupere. Unus proscriptione locupletior factus est. . . . Occidendi finem prius victores fecere quam victi. . . . Ubi est uxor? ecquid te pudet? iam etiam proscripti redeunt.*
 188. *virum in pace dilexit, in bello secuta est, in consilio ultimo non reliquit. o dignam, quam innocens sequar! Bellum civile egi, proscriptus sum, exulavi; quid his malis adici potest, nisi ut venenum bibam et vivam?*
 189. Clear from the *color* Latro uses to allow the father to defend himself from madness (7): *dicam: in senatu non stulte sententiam dixi.*
 190. *Sic sibi satisfieri ne victor quidem voluit; excusavit victos, quin restituit. . . . Nullum fuit in proscriptione mulierculae caput.*

191. *Hoc quod ignovisti, victor, ad viros pertinet, illi tibi gratias agunt; nam feminas ne si irascereris quidem proscripsisses.*
192. *O novum monstrum! irato victore vivendum est, exorato patre moriendum est.*
193. *Color a parte accusatoris simplex est. <Latro> ait patrem durum fuisse, crudelem; bono publico hunc non fuisse partium ducem.*
194. *Hoc loco dixit Turrinus Clodius: hoc post bellum, immo post edictum? et adiecit: nunc intellegit res publica, imperator, quantum tibi debeat, cui sine sanguine satisfactum est.*
195. *Pervagata est illa crudelis belli fortuna omnem ordinem; usque <in> infimae plebis supplicia descendit. nihil in civitate nostra immune a victoris ira praeter feminas fuit. hanc laudem miserae urbi servare licuit. Aut pater noster aut victor insanit.*
196. 9.2.1 [sc. Sulla] *adversus mulieres quoque gladios destrinxit, quasi parum caedibus virorum satiatius.* Cf. 9.2.4, describing the behavior of Munatius Flaccus, a Pompeian in Spain: *feminas quoque, citatis nominibus virorum qui in contrariis castris erant, ut caedes coniugum suarum cernerent, materisque gremiis superpositos liberos trucidavit.*
197. *Si parricidium <esset> fuisse in diversis partibus, numquam defendisset apud Caesarem Ligarium Cicero. M. Tulli, quam leve iudicasti crimen de quo confessus es!*
198. *Furiosum te dicerem si pro genero non rogasses. Secutus est gener diversas partes, uxor suas.*
199. *'At victor cito exoratus est.'* noli mirari: *'facilius est ignoscere bello quam parricidio.'*
200. Cf. Vell. 2.26.3, 88.3, p. 234 *supra*.
201. *Utrae meliores partes essent, soli videbantur iudicare di posse.* Cf. the curious passage at Hor. *Ep.* 1.18.58–66.
202. *Optima civilis belli defensio oblivio est.*
203. For convergences between declamation and imperial ideology (esp. with regard to policies on wealth, adultery and social rank), cf. Migliario (1989).
204. *Quietiora tempora pauperes habuimus: bella civilia aurato Capitolio gessimus.*
205. *Colit etiam nunc in Capitolio casam victor omnium gentium populus, cuius tantam felicitatem nemo miratur; merito potens est.*
206. On the number of huts and their location, see the *loci* compiled by Camps (1965) *ad Prop.* 4.1.6. See further Gransden (1976) *ad Verg.* 8.654. All references come from the Augustan period with the exception of Martial.
207. Kroll (*P-W s.v.* "Papius," coll. 1056) argues that he would have been born around 35 BC or so.
208. *Contr.* 2.1.10: *Ecce instructi exercitus saepe civium cognatorumque conserturi proelio manus constiterunt, et colles equis utrimque complentur, et subinde omnis regio trucidatorum corporibus consternitur. <in> illa tum multitudine cadaverum vel spoliantium sic quaesierit aliquis: quae causa hominem adversus hominem in facinus coegit? . . . quae tanta vos pestis, cum una stirps idemque sanguis sitis, quaeve furiae in mutuam sanguinem egere? . . . an, ut convivia populis instruantur et tecta auro fulgeant, parricidium tanti fuit? . . . quid tandem est, quod divitiae <non> corruerint?* See too Quint. *Decl.* 321.17–19.
209. See Migliario (1989) 527–33.
210. Cf. Syme (1939) 152, 154–56.
211. *Annos undeviginti natus exercitum privato consilio et privata impensa comparavi, per quem rem publicam a dominatione factionis oppressam in libertatem vindicavi.*

212. Suet. *Aug.* 53, *Tib.* 27.
213. Millar (1973) 65–67 compiles the evidence with regard to Romans accepting the *princeps* as autocrat, but ignores the mitigating subtleties of the language. Béranger (1948) 188 observes: “Comme l’ont révélé simultanées et indépendantes de A. Piganiol, de Von Premerstein, le *princeps* est un chef de clientèle. A base des rapports entre clients et patron se trouve la liberté du choix, avec obligations et devoirs des deux parties. Celle-ci supprimée, naît la “tyrannie.”
214. Béranger (1948) 189: “Le chef d’Etat romain est hanté par un idée fixe: la “tyrannie.” Il en fuit les apparences, il proteste avec la susceptibilité d’un coupable. . . . Ce faisant, il est obligé de prendre le contre-pied et, pour le bien général, heureuse rencontre, de se draper dans une attitude étrangère à sa nature.”
215. Béranger (1932) 51, 57–8; (1948) 184–6; (1953) 153, 241–50.
216. The essential study of Tabacco (1985) outlines the stereotypical features of the tyrant in all of Roman declamation, including the “Lesser” and “Greater Declamations” ascribed to Quintilian, and also the remnants of Calpurnius Flaccus.
217. Ps. Quint., *Decl. Min.* 267.1: *rem publicam legibus ac <populi> potestati reddidi.* Cf. 329.16: *perdidimus tyrannicidam et vindicem rei publicae et libertatis auctorem!* Cf. Cic. *Rep.* 3.43: *ergo ubi tyrannus est . . . dicendum est plane nullam esse rem publicam.*
218. See esp. Tabacco (1985) 66–73, though she does seem to overlook that in *Suas.* 1 (“Alexander Debates whether to Sail the Ocean”) Seneca is anxiously preoccupied with the problem of rendering advice to the powerful.
219. It is interesting to observe how often the declaimers situate themselves in the old republic. Thus, at Ps. Quint. 374.3, the speaker refers to a magistrate’s power of *intercessio*, while 254 argues that the assembly must retain the right to pass laws on individuals because it must sometimes bestow extraordinary commands (8), and that, in general (10): *Ceterum quidem quotiens de iure populi agitur apud populum, cui mutare, cui obrogare, cui ferre quas velit leges, accipere quas velit rogationes liceat, numquam se ipse deminuet.* Cf. 331.18.
220. Calp. *Decl.* 6: *Sceleratis ingeniis et plus quam civilia cupientibus, non dominari instar servitutis est.*
221. *Instabat cotidie viro uxor, exigebat tyrannicidium: ‘tempus est, escende, si nihil aliud, ut liberos habeas: in tyrannide paritura non sum. miraris, si eo tempore *** matrona potuit?’*
222. *quaeris quare non peper<er>it? tyrannus erat, nemo non cum parentibus suis querebatur, quod natus esset.*
223. *Subito infelicis nuptias tyrannus oppressit: trahebantur matronae, rapiabantur virgines; nihil tutum erat. nullae feliciores tunc videbantur quam quae liberos non habebant. quaedam itaque elisere conceptos, quaedam fecunditatem suam moratae sunt: quod ad hanc pertinet, ag <at> suae fortunae gratias, quod illo tempore nihil peperit . . . hanc aliquis, etiamsi torta non sit, mirabitur non peperisse, cum cogitar<et> iste de tyrannicidio . . . ? Nupsit isti propter liberos, sed infelices nuptias cito tyrannus oppressit. . . . Quam multas matres audivi illo tempore: ‘quidnam volui, quae peperit!’*
224. *Saeviebat etiamnunc tyrannus: torquebantur in conspectu maritorum uxores. paenitebat matres fecunditatis suae.* Cf. Luke 23:27–31.
225. *Blandus . . . quaestionem fecit, an quinquennium numerari debeat excepta tyrannide: illud tempus non debet imputari quasi sterili, quo matres etiam editos partus abominatae sunt. illud tempus imputetur feminis, <quo> rei publicae pariunt, non tempus quo tyranno.*

226. *Pacato orbe terrarum, res[titut]a re publica, quiete deinde n[obis et felicia] tempora contingerunt.*—*Fue[ru]nt optati liberi, quos aliqua[m]diu sors invi]derat.*
227. [*sc. fortuna*] *procedens a[li]as spem finiebat . . . diffidens fecunditati tuae [et do]lens orbitate mea, ne tenen[do in matrimonio] te spem habendi liberos [dep]onerem atque eius caussa ess[em] infelix, de divortio] elocuta es. . .*
228. See, e.g., Hor. *Carm.* 4.5.23, Vell. 2.103.5 (when Augustus makes Tiberius a colleague in the *tribunica potestas* for the second time in AD 4): *tum refulsit certa spes liberorum parentibus, viris matrimoniorum. . .* See also Woodman (1977) *ad loc.* for references to the theme in later panegyric, and esp. Plin. *Pan.* 27. 1ff.: *Super omnia est tamen quod talis es, ut sub te liberos tollere libeat expediat.*
229. *pos[se te a]liquid concipere mente, qua[re vivo me desineres] esse mihi uxor, cum paene [e]xule me vita fidissima perman[sisses].*
230. [*sc. Sp. Carvilius*] *uxorem sterilitatis causa dimisit. qui, quamquam tolerabili ratione motus videbatur, reprehensione tamen non caruit, quia ne cupiditatem quidem liberorum coniugali fidei praeponi debuisse arbitrabantur.*
231. *Rep.* 9.576E: καὶ δῆλον παντὶ ὅτι τυραννουμένης [*sc. πόλεως*] μὲν οὐκ ἔστιν ἀθλιωτέρα, βασιλευομένης δὲ οὐκ εὐδαιμονεστέρα.
232. πότερον ἡδέϊων ἢ ὠφελίμωτέρα ἐστὶν ἡ τοῦ θειοτάτου Καίσαρος γενέθλιος ἡμέρα, ἢν τῇ τῶν πάντων ἀρχῇ ἴσην δικαίως ἂν εἶναι ὑπολάβοιμεν, καὶ εἰ μὴ τῇ φύσει, τῶ γε χρησίμω, εἰ γε οὐδέ[ν] οἴημι διαπίπτειν καὶ εἰς ἀτυχῆς μεταβεβηκὸς σχῆμα ἀνῶρθωσεν, ἑτέραν τε ἔδωκεν παντὶ τῶ κόσμῳ ὄψιν, ἡδίστα ἂν δεξαμένω φθοράν, εἰ μὴ τὸ κοινὸν πάντων εὐτύχημα ἐπεγεννήθη Καίσαρ. διὸ ἂν τις δικαίως ὑπολάβοι τοῦτο ἀτῶ ἀρχὴν τοῦ βίου καὶ τῆς ζωῆς γεγενῆσθαι, ὃ ἐστὶν πέρασ καὶ ὄρος τοῦ μεταμέλεσθαι, ὅτι γεγέννηται. Cf. Plin. *Pan.* 27.2: in contrast to the ruler who leaves his subjects in peace: *contra largiatur et auferat, alat et occidat: ne ille id iam brevi tempore effecerit, ut omnes non posterorum modo sed sui parentumque paeniteat.*
233. Suet. *Aug.* 28.2: *nisus omni modo, ne quem novi status paeniteret.*
234. Zanker (1988) 172–79. See too Pliny N.H. 7.13.60. Cf. Cicero's advice to Caesar at *Marc.* 23–4.
235. Suet. *Aug.* 34.2, 46.1, 89.2.
236. *RIC* 73 no. 413.
237. Syme (1939) 304, 351.
238. *Et in consulatu sexto censum populi conlega M. Agrippa egi. Lustrum post annum alterum et quadragesimum feci. Quo lustrum civium Romanorum censa sunt capita quadragens centum millia et sexag[i]nta tria millia. Tum [iteru]m consulari cum imperio lustrum [s]olus feci Censorin[us] et C[icero]. Asinio cos., quo lustrum censa sunt civium Romanorum [capita] quadragens centum millia et ducenta triginta tria millia. et te[r]tium consulari cum imperio lustrum conlega Tib. Cae[sare filio] m[eo] feci Sex. Pompeio et Sex. Appuleio cos., quo lustrum ce[nsa] sunt civ[ium Ro]manorum capitum quadragens centum mill[ia] et n[on]ge[n]ta tr[ig]inta et septem millia.*
239. See Volkmann (1957) *ad loc.*, who also provides the external evidence for the various *census*.
240. Both points noticed by Bloomer (1992) 48–9.
241. *Contr.* 10.pr.5: *Libertas tanta ut libertatis nomen excederet, et quia passim ordines hominesque laniabat Rabienus vocaretur. Animus inter vitia ingens et ad similitudinem ingeni sui violentus et qui Pompeianos spiritus nondum in tanta pace posuisset.*
242. Dio 59.20.6, 67.12.5.

NOTES TO CHAPTER 6

1. Ennius 5.1 (Skutsch): *Moribus antiquis res stat Romana virisque*. On the date, see Skutsch (1985) 6. The use of *exempla* in Greek historiography is briefly discussed by Chaplin (2000) 5–11. On ways in which the Romans were constantly surrounded by and confronted with their past, and mechanisms whereby they renewed contact between it and the present to (re)generate their ideology, see esp. Hölkeskamp (1996).
2. Observations of Volkmann (1975), who, in support of the first point, cites an edict of the censors of 92 BC against the new Latin rhetorical schools (Suet. *Gram. et Rhet.* 1, Gel. 15.11.2). Cf. Cic. *Man.* 20.60, Tac. *Ann.* 3.6.4. In support of the second, he cites Cic. *N.D.* 3.6. Chaplin (2000) 121–67 complicates the picture by showing how *exempla* (as they are used by Livy's characters) can become dated and weakened through time, though she distinguishes between *exempla* as precedent and *exempla* as specimens of conduct, and shows how on issues of triumphal law at least, nothing is permitted contrary to precedent.
3. The essential study of this word remains Kornhardt (1936). On the elements of exemplary discourse in Rome, see esp. Roller (2004) 4–7.
4. Kornhardt (1936) 1.
5. Cf. Hölkeskamp (1996) 314–15.
6. See Kornhardt (1936) 17–20, Skidmore (1996) 16–17, Chaplin (2000) 11–16. Hölkeskamp (1996) 308–20 provides especially insightful observations on the force of *exempla* as precedents and models. Goldhill (1994) provides an interesting discussion of the problematic nature of examples in literature, but does not engage the Roman ideological context investigated here.
7. Volkmann (1975) provides the essential observations, many of which I follow here. See also the important discussion in Gurval (2005) 1–27.
8. Cf. Hölkeskamp (1996) 304 and the discussion of Livy in Ch. 1, *supra*.
9. See esp. Sumi (2005) 210–13. On the more general significance of Augustus' religious revival, see Gordon (1990 (a)) 183–4.
10. *RG* 2.13: Πύλην Ἐνυάλιον, ἣν κεκλίσθαι οἱ πατέρες ἡμῶν ἠθέλησαν εἰρηνεομένης τῆς ὑπὸ Ῥωμαίοις πάσης γῆς τε καὶ θαλάσσης. . . . Cf. Suet. *Aug.* 31, and Richard (1963) 361 ff.
11. *Legibus novis] m [e auctore l]atis m[ulta e]xempla maiorum exolescentia iam e nostro [saecul]o red[uxi]*. . . . He then says that he himself left many *exempla* to be handed down to posterity. Cf. Suet. *Aug.* 34.1.
12. *EJ* 31 (17 BC): *XVvir s. f. dic. cum bono more et proinde c]elebrato frequentibus exemplis . . . minui luctus matrona[r]um placuerit . . . statuimus officii nostri esse per edictum denuntiare feminis, uti luctum minuant*.
13. Cf. *RG* 19, 20.
14. Suet. *Aug.* 31.5: *Proximum a dis immortalibus honorem memoriae ducum praestitit, qui imperium p. R. ex minimo maximum reddidissent. Itaque et opera cuiusque manentibus titulis restituit et statuas omnium triumphali effigie in utraque fori sui porticu dedicavit, professus et edicto: commentum id se ut ad illorum vitam velut ad exemplar et ipse, dum viveret, et insequentium aetatum principes exigerentur a civibus*. Volkmann (1975) 184 notes that the “catalogue of heroes” was mirrored by Horace and Vergil, and quotes Donatus *ad A.* 6.765–842: *omnes isti diversis artibus, meritis quoque et virtute floruerunt; quos Vergilius ex persona Anchisis dicit non esse praetermittendos et propter exempla optima tradendos memoriae posterorum*.
15. See esp. Flower (1996) 223–55.

16. For deviations between the *elogia* and Livy, and the comparison to the *Res Gestae*, see Luce (1990). Chaplin (2000) 178–92 shows how the *elogia* reflect aspects Augustus wished to stress, in particular making the point that they “emphasize honors ancillary to the triumph at the same time that the emperor himself was encouraging the substitution of the *ornamenta triumphalia* for an actual victory parade.”
17. See, in general, the excellent discussion of David (1998), who places Valerius Maximus’ work in the context of such collections, and cf. remarks of similar acumen by Coudry (1998) 183. Cf. Hölkeskamp (1996) 315.
18. Discussed by Chaplin (2000) 169–73. Cf. Hölkeskamp (1996) 327–8.
19. David (1998) 11.
20. *In evolvendis utriusque linguae auctoribus nihil aequae sectabatur, quam praecepta et exempla publice vel privatim salubria, eaque ad verbum excerpta aut ad domesticos aut ad exercituum provinciarumque rectores aut ad urbis magistratus plerumque mittebat, prout quique monitione indigerent. Etiam libros totos et senatui recitavit et populo notos per edictum saepe fecit, ut orationes Q. Metelli “de Prole Augenda” et Rutili “de Modo Aedificiorum,” quo magis persuaderet utramque rem non a se primo animadversam, sed antiquis iam tunc curae fuisse.* On the significance of this passage for the ideology of imperial administration, see esp. Coudry (1998) 183–4.
21. Volkmann (1975) 186–7. See also Gordon (1998 (b)) 202–19, who makes important observations on the role of the emperor (and representations of the emperor) as an exemplar of ritual *pietas*.
22. Alternatives discussed by Volkmann (1975) 185: καὶ αὐτὸς πολλῶν πραγμάτων μείμημα ἑμαυτὸν τοῖς μετέπειτα παρέδωκεα.
23. *Met.* 15.834: *exemploque suo mores reget.*
24. *haec [sc. domus] aequata solo est, nullo sub crimine regni, | sed quia luxuria visa nocere sua . . . sic agitur censura et sic exempla parantur, | cum vindex, alios quod monet, ipse facit.*
25. *Suet. Aug.* 34.2: . . . *accitios Germanici liberos. . . ostentavit, manu vultuque significans ne gravarentur imitari iuvenis exemplum.* That he had so many children was immensely popular (*Tac. Ann.* 2.41). See also SSCP 1.139.
26. *Poet. Lat. Min. Epic. Drusi*, 349 ff. *Imposuit te alto Fortuna locumque tueri | iussit honoratum. Livia perfer onus! | ad te oculos auresque trahis, tua facta notamus, | nec vox missa potest principis ore tegi. | alta mane supraque tuos exsurge dolores | an melius per te virtutum exempla petemus | quam si Romanae principis edis opus.* Cited by Kornhardt (1936) 33.
27. See *Cic. Leg.* 3.30–32, concerning the need for the senate to be an example to the rest of the citizenry. See esp. 3.14.31: *nec enim tantum mali est peccare principes, quamquam est magnum hoc per se ipsum malum, quantum illud, quod permulti imitatores principum existunt.* Cf. *Off.* 1.39.140: . . . *multum mali etiam in exemplo est.* Velleius remarks on good or bad examples set by other imperial elites at 2.95.3, 100.3, 119.3–5, 125.4.
28. . . . *nam facere recte cives suos princeps optimus faciendo docet, cumque sit imperio maximus, exemplo maior est.*
29. *Et ut parsimoniam publicam exemplo quoque iuaret. . . .*
30. *RS 37, Tabula Siarensis, Frag. b, Col. II, ll. 13–17: . . . quod [animus Ti(beri)] Caesaris Aug(usti) intumus et Germanici Caesaris f(ili) eius non magis laudationem quam vitae totius ordinem et virtut<is> eius verum testimonium contineret aeternae tradi memoriae, et ipse se velle non dissimulare eodem libello testatus esset et esse utile iuventi liberorum posteriorumque nostrorum iudicaret. . . . Cf. Tac. Ann. 2.73: Funus sine imaginibus et pompa per*

- laudes ac memoriam virtutum eius celebre fuit.* Velleius Paterculus, on the other hand, describes Germanicus' stepbrother Drusus as acting in exemplary fashion during a mutiny (2.125.4): *Drusus . . . prisca antiquaque severitate usus ancipita sibi maluit tenere quam exemplo pernicioso. . .*
31. Plin. *Pan.* 45.6, 69.3 cf. *Ep.* 10.8.1, Claudian 8.297–302 (Theodosius' advice to Honorius), 21.168–9 (Stilicho).
 32. *Contr.* 10.2.16: *solebas mihi, pater, insignium virorum exempla narrare, quaedam etiam domestica; aiebas 'avom fortem virum habuisti; vide, ut sis fortior.'*
 33. *Sed pleni sunt omnes libri . . . plena exemplorum vetustas. . . Quam multas nobis imagines non solum ad intuemum, verum etiam ad imitandum fortissimorum virorum expressas scriptores et Graeci et Latini reliquerunt, quas ego mihi semper in administranda re publica proponens animum et mentem meam ipsa cogitatione hominum excellentium conformabam.* Cf. *Prov.* 8. 20: *. . . praesertim cum omnium meorum consiliorum atque factorum exempla semper ex summorum hominum factis mihi censuerim petenda.*
 34. *Sen. Ep.* 6.5: *Plus tamen tibi et viva vox et convictus quam oratio proderit. In rem praesentem venias oportet, primum, quia homines amplius oculis quam auribus credunt; deinde, quia longum iter est per praecepta, breve et efficax per exempla.* Cf. *Quint. Inst.* 12.2.22.
 35. Kornhardt (1936) 26–31.
 36. 115–19: *. . . sapiens, vitatu quidque petitu | sit melius, causas reddet tibi: mi satis est si | traditum ab antiquis morem servare tuamque, | dum custodis eges vitam famamque tueri | incolumem possum. . .* Cf. Demea in *Ter. Adelphoi* 411 ff.
 37. Skidmore (1996) 18–21. Coudry (1998) 184 observes that, in *Suet. Aug.* 89, cited above, the *princeps* read excerpts even to the *domestici*, “les esclaves et affranchis impériaux qui constituent ce qui se deviendra bientôt l'administration centrale. . .”
 38. See too Edwards (1993) 20–22.
 39. *Hoc illud est praecipue in cognitione rerum salubre ac frugiferum, omnis te exempli documenta in inlustri posita monumento intueri; inde tibi tuaeque rei publicae quod imitere capias, inde foedum inceptu, foedum exitu, quod vites. Ceterum aut me amor negotii suscepti fallit, aut nulla umquam res publica nec maior nec sanctor nec bonis exemplis ditior fuit, nec in quam civitatem tam serae avaritia luxuriaque immigraverint, nec ubi tantus ac tam diu paupertati ac parsimoniae honos fuerit.*
 40. *Neque ea solum quae talibus disciplinis continentur, sed magis etiam quae sunt tradita antiquitus dicta ac facta praeclare et nosse et animo semper agitare conveniet. Quae profecto nusquam plura maioraque quam in nostrae civitatis monumentis reperientur. An fortitudinem, iustitiam, fidem, continentiam, frugalitatem, contemptum doloris ac mortis melius alii docebunt quam Fabricii, Curii, Reguli, Decii, Mucii alique innumerales? Quantum enim Graeci praeceptis valent, tantum Romani, quod est maius, exemplis.* Cf. *Cic. de Orat.* 3.34.137: *sed ut ad Graecos referam orationem . . . nam ut virtutis a nostris, sic doctrinae sunt ab illis exempla petenda,* and the discussion of *exempla* in Quintilian by Gowing (2005) 107–8.
 41. *habuerunt virtutes spatium exemplorum.*
 42. *Vell.* 2.78.3: *Calvinus Domitius . . . gravissimi comparandique antiquis exempli auctor fuit: quippe primi pili centurionem, nomine Vibillum, ob turpem ex acie fugam fusti percussit.* See further Kornhardt (1936) 23–4, 26. Velleius, too, offers some instances of contemporary soldiers setting good (and bad) examples (see Ch. 4 *supra*).

43. *non tamen adeo virtutum sterile saeculum ut non et bona exempla prodiderit. Comitatae profugos liberos matres, secutae maritos in exilia coniuges: propinqui audentes, constantes generi, contumax etiam adversus tormenta servorum fides; supremae clarorum virorum necessitates, fortiter toleratae et laudatis antiquorum mortibus pares exitus.*
44. See Skidmore (1996) 15 for instances.
45. Clear from the definition in the *Rhetorica ad Herennium* 4.62: *Exemplum . . . rem . . . ante oculos ponit, cum exprimit omnia perspicue ut res prope dicam manu temptari possit.* See also Kornhardt (1936) 1–9, 49.
46. The two, of course, are not mutually exclusive and generally supplement each other. See Quint. *Inst.* 12.2.22: *haec si rationi manifesta non essent, exemplis tamen crederemus.*
47. Quint. *Inst.* 5.11.6 refers to the necessity that the *exemplum* at least seem to have actually occurred: . . . *exemplum, id est rei gestae aut ut gestae . . . commemoratio.* See also Skidmore (1996) 93–99.
48. As in the infamous case of the corset of Cornelius Cossus (Livy 4.20). For using and counteracting *exempla* in the political and legal activities of the late republic, see Kornhardt (1936) 65–74. For the phenomenon in Livy, see esp. Chaplin (2000) 32–167, though at times her arguments are vitiated by the failure to distinguish between *exempla* and the historical events *from which* the *exempla* are drawn. That is to say that it is not so much that *exempla* are shifting in meaning but that a speaker can construe events in a way that offers different *exempla* suited to his respective purposes. See too Tac. *Ann.* 3.31.
49. I base this claim on two arguments. First, the evidence of the period, as shown in the last chapter, repeatedly demonstrates the centrality of Cicero to Roman assertions of cultural identity. Second, it is widely assumed both that Livy provided the authoritative account of Roman history (Luce (1990) 124), and that Valerius culls his *exempla* primarily (though not exclusively) from Livy and Cicero. Further evidence for Valerius' dependence on Livy can be found in Bloomer (1992) *passim* (s.v. "Livy" in his index). Paladini (1957) also demonstrates strong dependence on Livy for virtually every parallel passage between Valerius and Velleius Paterculus which she treats. Wardle (1998) 74–75, 137, 143, 153, 166, 182–3, 216, 243–44 provides clear evidence that Cicero and Livy dominate the identifiable sources of Book 1. It may appear circular to argue *from* Valerius about the cultural context of Valerius, but this is circumvented by two facts. First, modern scholars see nothing unusual in Valerius' gleanings the majority of *exempla* from these sources. Second, Valerius' own statements about the canonicity of his sources in his preface only make sense if they reflect real attitudes.
50. 1.pr.: *Urbis Romae exterarumque gentium facta simul ac dicta memorata dicta, quae apud alios latius diffusa sunt quam ut breviter cognosci possint, ab illustribus electa auctoribus digerere constitui, ut documenta sumere volentibus longae inquisitionis labor absit. nec mihi cuncta complectendi cupido incessit: quis enim omnis aevi gesta modico voluminum numero comprehenderit, aut quis compos mentis domesticae peregrinaeque historiae seriem felici superiorum stilo conditam vel attentiore cura vel praesantiore facundia traditurum se speraverit?*
51. Paladini (1957) compiles a good number of correspondences. For further similarities and divergences in form and content, see also Jacquemin (1998).
52. Loutsch (1998) 31: "le *documentum* est un exemple *docendi causa* et désigne ce qui dans l'exemple en constitue la leçon; le mot garde toujours une acception formatrice intrinsèque qui fait défaut à *exemplum*."

53. Skidmore (1996) 35–50 presents Valerius’ Greco-Roman predecessors, and shows how the form of his work was unique in the field of compilations.
54. I.e. one chapter does not present material chronologically later or prior to neighboring chapters. The elements *within* each chapter, however, are generally, but not necessarily, in chronological sequence, though the events are unrelated.
55. Clearly observable in Römer’s (1990) study of Valerius’ technique of composition.
56. See Bloomer (1992) 28–31, 205, and Loutsch (1998) 39.
57. Bloomer (1992) 22, 28, 32.
58. The reuse of events tends to show up later in the work: e.g. 1.6.7, cf. 2.7.1 (Mancinus); 1.7.3, cf. 5.6.5 (Decimus Mus); 1.8.4, cf. 5.2.1a, 5.4.1 (Coriolanus); 6.9.1, c.f. 5.4.3 and 2.7.6, 9.3.4 (Manlius Imperiosus Torquatus); 2.5.2, cf. 9.3.3 (Cn. Flavius); 2.9.6b, cf. 9.3.1 (Livius Salinator); 3.8.6, cf. 9.7.1 (Equitius); 3.8.*ext.*3, cf. 9.8.*ext.*2 (the trial of the generals after Aegespotami); 8.1.*absol.*2, cf. 9.6.2 (Ser. Galba); 9.1.*ext.*5, cf. 9.2.*ext.*5 (Ptolemy Physcon).
59. *Te igitur huic coepto, penes quem hominum deorumque consensus maris ac terrae regimen esse voluit certissima salus patriae, Caesar, invoco, cuius caelesti providentia virtutes, de quibus dicturus sum, benignissime foventur, vitia severissime vindicantur: nam si prisca oratores ab Iove Optimo Maximo bene orsi sunt, si excellentissimi vates a numine aliquo principia decucurrerit, quo cetera divinitas opinione colligitur, tua praesenti fide paterno avitoque sideri par videtur, quorum eximio fulgore multum caerimoniis nostris inclutae claritatis accessit: reliquos enim deos accepimus, Caesares dedimus.*
60. My general ideas on bricolage and the quotations I provide come from Lévi-Strauss (1966) 16–22.
61. Skidmore (1996) 83–5: “Because of their more concrete nature, examples possess more verisimilitude . . . this need for verisimilitude is relevant to the way that Valerius refers to his examples as images (*imagines*) or personalities (*personae*) . . . It is interesting that Valerius should regard his historical examples as equal to a pictorial representation in their vividness and verisimilitude.” Cf. Maslakov (1984) 440–1.
62. Vell. 2.3.1: *Tum Scipio . . . privatusque et togatus, cum esset consobrinus Ti. Gracchi, patriam cognationi praeferens et quidquid publice salutare non esset, privatim alienum existimans—ob eas virtutes primus omnium absens pontifex maximus factus est—. . . hortatus est, qui salvam vellent rem publicam, se sequerentur.* Scipio leads a virtual *consensus omnium bonorum* against the Gracchi. See Elefante (1997) *ad* 2.3.2. Cf. Velleius’ report of Scipio Aemelianus’ opinion of the deed’s justification at 2.4.4.
63. Implied in the fact that Opimius only did wrong in placing the bounty on Gracchus head (2.6.5): *Id unum nefarie ab Opimio proditum. . . .*
64. Scipio’s action is seen as the beginning of civil bloodshed, a theme starting with Sallust and carrying over throughout the tradition (see Elefante (1997) *ad* 2.3.3), and the treatment of the bodies of the slain in both instances is lamented (2.6.6). For deprecation of Opimius’ vindictiveness, see 2.6.5, 2.7.2–7. Cf. Schmitzer (2000) 125–6.
65. A deliberate choice, since the elements here (as opposed to his suicide) derive from Livy, whose account mentions both the *S.C.U.* and the bounty. See *Perioch.* 61, Florus 2.3.6 and Paladini (1957) 242–4.
66. Velleius consciously modulated his sources to complicate the picture. The pro-Gracchan material, derived from a biography, clearly demonstrates features that derive from an account contemporary to that time. See Kornemann (1909).

67. Maslakov (1984) 448–9.
68. Augustus' use of traditional *imagines* in each case is a perfect example of bricolage. See Flower (1996) 223, 234 and 236: Augustus' "use of *imagines* was to a large extent dictated by their influence as it already existed in the minds of citizens at all levels of society. For centuries, previous leaders had defined and presented themselves and their ideas in terms of their ancestral *imagines* or in opposition to those of others. Augustus developed the claim of a popular politician like Marius to be the true heir to the virtues and achievements of other people's ancestors. Augustus' use of iconography associated with the *imagines* enabled him to match and reshape the nature of aristocratic family self-advertisement, which had been a traditional base of political and social power throughout the republic."
69. See Loutsch (1998) 28.
70. See *ibid.* 30–2, implicit in the nature of *exempla* in general, as Loutsch states apropos the definition rendered by Quintilian *Inst.* 5.11.6 (*ibid.* 29): "À noter aussi que, s'après cette définition, le fait historique ainsi évoqué ne fait l'objet que d'une simple rappel (*commemoratio*): en d'autres termes, il est déjà connu des auditeurs et l'orateur (auteur) ne se propose à aucun moment d'enrichir les connaissances de ses lecteurs, mais s'appuie au contraire sur leur culture historique, sur des connaissances acquises antérieurement, et cela dans le but d'accroître l'efficacité de son argumentation."
71. Evident, e.g., in his treatment of M. Atilius Regulus at 1.1.14, where he refers to his torture at the hands of the Carthaginians as if it were common knowledge. The reader cannot make sense of the *exemplum* without knowing the story. Valerius does provide the details, but only much later (9.2.*ext.*1). See also Loutsch (1998) 35, and cf. 1.1.*ext.*3 (assumed knowledge of the disgrace of the son of Dionysius of Syracuse); 4.1.4 (assumed familiarity with the magnificence of Camillus' victories), 5.4.*ext.*3 (the reader is assumed to know the gallant end of two brothers who slay a tyrant, and Valerius calls the end of Cleobis and Biton *notiora* in the next *exemplum*), 6.4.4 (again almost nonsensically vague), 7.2.*ext.*2a (obvious assumption of the context of the anecdote), 9.8.1 (vagueness), 9.13.1 (vagueness).
72. E.g. 2.8.7 (on victories in civil wars), 3.4 (on political rise from humble station), 6.9.1 (Manlius Torquatus' career), 6.9.5 (mere allusion to the many disparate events in Q. Catulus' career). Ch. 6.9 has much of this sort of thing by its very nature, and many anecdotes assume a general knowledge of the different events in the careers of prominent individuals, such that Valerius seems to view his task as to merely touch off a string of associated ideas. Cf. 8.7, 8.15 and 9.2.*ext.*2, 3.9.5.*ext.*1. Finally, 9.11.*ext.*4, the execration of Sejanus, compares his designs to several of the darkest days in Roman history.
73. See Bellemore (1989) 68 n.8, 71–4. Cf. Bloomer (1992) 216 and Wardle (2000) 479.
74. See Briscoe (1993) 398–402, who reconfirms Kempf's dates: "a *terminus post quem* of 24–26 for book 2 and a *terminus ante quem* of 29 for book 6," and makes the reasonable assumption that 9.*ext.*11 refers to the fall of Sejanus in 31.
75. *Ibid.* 403. Cf. Wardle (1997) 333.
76. See Bloomer (1992) 204–5: "Quite understandably, Valerius in his book of examples does not articulate the social and political changes at the close of the first century BC and the beginning of the first century AD. But neither are there *exempla* from Tiberius' military campaigns or from any of the German Wars. Would not Quinctilius Varus have made an excellent example? Or

should not Agrippina the Elder, if she really did address the mutinous troops as Tacitus so proudly portrays, have been included in the chapter on public speakers?”

77. *Ibid.* 16: “Like his contemporary, the historian Velleius Paterculus, Valerius presents his peers’ culture as one with the past; the emperor’s supporters did not present autocracy as an ideological alternative. The republic and its culture continue but with the Caesars as leading and saving family.” Cf. *ibid.* 204–5, and Gowing (2005) 54–7. For declamation, see Ch. 5, nn.218–19, *supra*.
78. See Vell. 1.15.3 (Scipio and the state oppose the building of a theatre): *cui [sc. theatro] † in demoliendo † eximia civitatis severitas et consul Scipio restitere, quod ego inter clarissima publicae voluntatis argumenta numeraverim*. At the destruction of Carthage, however, Velleius writes (2.1.1): *vetus disciplina deserta, nova inducta*. Yet this does not prevent him from describing Quintus Macedonicus and Fabius Aemelianus as distinguished for their severity at 2.5.3: *hic [sc. Macedonicus] virtute ac severitate facti, at Fabius Aemilianus Pauli, exemplo disciplinae . . . fuit clarissimus*. Likewise, at 2.8.1 he implies that the judgment of only HS 4,000 against C. Cato (cos. 114 BC) for peculation as proconsul of Macedonia is characteristic of old-style rigor: *Mandetur deinde memoriae severitas iudiciorum . . . adeo illi viri magis voluntatem peccandi intuebantur quam modum*. . . . Also at 2.10.1, he asserts that the severity of the censorial strictness of 125 BC would be unheard of in his own day, which had seen a degeneration from the old standards. But it is only at 2.78.3, i.e. 39 BC (see *MRR* 2, p. 388) that the author for the first time declares that the proconsul Domitius Calvinus *gravissimi atque comparandique antiquis exempli auctor fuit*. Cf. 2.80.3 (Octavian) and 2.92.5 (Sentius Saturninus).
79. Litchfield (1914) 53–61, and esp. 55–6: “To men of any but the first century of the Empire, then, the Roman instances were, it appears, everything but modern, opening far back in the legendary period, and closing, as the series seems to have done, abruptly in full splendor with the fall of the Republic: Marius, Sulla, Pompey, Catiline, Cato, Julius Caesar—then a silence, where even the name of Augustus is almost unheard; so sharp is the line of demarcation.” David (1998) uses these observations to contextualize Valerius’ work vis-a-vis Varro and Atticus: “Dans les deux cas en effet le rassemblement de tous ces individus construisait un monde des vertus achevé et idéal; comme si après eux l’Histoire s’arrêtait et que tous leurs successeurs étaient condamnés à l’imitation.”
80. See Evans-Pritchard (1940) 105–7. Among these peoples historically “real” events and the “olden days” are measured loosely in terms of generation-sets, the earliest generation falling out of “living” memory with the advent of each new one.
81. Livy himself was very disinclined to write about the present (*prae f.* 5).
82. Cf. Litchfield (1914) 59: “The Republic may have seemed to men of later time, even more than we now apprehend, an heroic or “golden” age distinct from their own; here not less than in Greek tragedy’s restriction of its subjects, we may recognize ‘today’s unwillingness to idealize the men of yesterday.’ Such a motive is, I believe, of not uncommon appearance in Roman thought.”
83. See further Wardle (2000) 484: “Valerius never presents Augustus as the direct exemplar of any of the virtues for which he was signally honored by the state or which he paraded on his coinage.”
84. However, though Augustus provides some *exempla* that are used in the early imperial period and later, his successor overtly followed his precedents, no

- doubt since he occasions the real transition from republic to principate. See Tac. *Ann.* 2.37, Martin and Woodman (1989) *ad loc.* and Litchfield (1914) 53–55.
85. E.g. Skidmore (1996) 53–82, Lehmann (1998), Loutsch (1998). The purpose of entertainment is clear from the fact that Valerius sometimes adds what he does for the sake of variety (2.10.*ext.*1) or omits possible examples to avoid excess (3.8.*ext.*1). See further Skidmore (1996) 89–92. Late in the work, Valerius makes cross-references to earlier chapters, perhaps implying that the whole was meant to be read straight through. See 8.13.*pr.*, 8.15.1: *cui [sc. Scipio Africanus] quae in vita praecipua adsignata sint et longum est referre, quia multa, et non neccasarium, quia maiore ex parte iam relata sunt*; 9.15.1 and 9.7.1. See also Bloomer (1992) 11: “in his proem and the proemia to the various chapters Valerius is concerned to ease transition so as to maintain his reader’s interest, to ensure that the reader keeps reading.”
86. See Skidmore (1996) 53–8, Loutsch (1998) 36–8.
87. See Skidmore (1996) 86–7, Loutsch (1998) 39–40.
88. *Argumenta imparia*: see Skidmore (1996) 87–89.
89. E.g. Lehmann (1998), and (for the most part) Skidmore (1996) 53–82.
90. See Carter (1975) 27, 30: “there is no obvious or subtle unity to these books, individually speaking, and their collective content has no aesthetic pattern or logical coherence. . . . When one views the enormous variety of topic and range of material, the appetite is whetted. Unfortunately, the dazzling possibilities of the subject matter are smothered by Valerius’ style, and to tackle the stuff in any quantity becomes an increasingly gloomy and indigestible experience. “ Similarly, Maslakov (1984) fails to find order and assumes that Valerius himself was confused. See esp. 453–56: Valerius produced “an overall effect of considerable tensions, of conflicting political principles and moral positions asserted at different points and left unresolved, of contradictions insufficiently understood, of insights insufficiently understood and not followed through.” Valerius attends merely to “transcription” and “stylistic manipulation,” and “given these limitations, it is not surprising that the ‘Facta et Dicta’ has appeared to most of its recent readers as random and trivial, lacking compelling design, continuity and coherence.” Valerius’ attempts to control his material result in the “impression of a shapeless pastiche,” and “the steady stream of moral reflection and interpretation, given in the individual *exempla* and particularly in introductions,” provides only a “surface element of confidence [that] . . . to the extent that it is not systematically integrated or rigorously applied . . . merely works to intensify the above-mentioned bewilderment and uncertainty.” Cf. Thurn (2001), who reports other unsuccessful attempts to find coherence, and proposes his own solution, not adopted here.
91. *Maiores natu in conviviis ad tibias egregia superiorum opera carmine comprehensa pangebant, quo ad ea imitanda iuventutem alacriorem redderent. quid hoc splendidius, quid etiam utilius certamine? . . . quas Athenas, quam scholam, quae alienigena studia huic domesticae disciplinae praetul-erim? inde oriebantur Camilli Scipiones Fabricii Marcelli Fabii, ac ne singula imperii nostri lumina simul percurrendo sim longior, inde, inquam, caeli clarissima pars, divi fulserunt, Caesares.*
92. . . . *proxima maiorum nostrorum gravitati Spartana civitas.*
93. *sed aliena prospexisse tantummodo satis est, cum propriis multoque uberioribus et felicioribus exemplis gloriari liceat.*
94. 6.3.*ext.*1: *Ceterum etsi Romanae severitatis exemplis totus terrarum orbis instrui potest, tamen externa summatim cognosse fastidio non sit.* For comments on military discipline, see 2.7.6.

95. 6.5.praef. : *eius [sc. iustitiae] autem praecipuum et certissimum inter omnes gentes nostra civitas exemplum est*; 6.6.praef. : *[sc. Fides] quam semper in nostra civitate viguisse et omnes gentes senserunt . . . cf. 6.6.5: Quam [sc. fidem] ut civitas nostra semper benignam praestitit, ita in sociorum quoque animis constantem recognovit.*
96. E.g. 2.10.ext.1, 3.8.ext.1, 4.7.praef., 4.7.ext.1, 6.9.ext.1, 7.2.ext.1a (cf. Sall. *Cat.* 1–2), 8.15.ext.1, 9.5.ext.1. Valerius also sometimes explicitly limits the scope of material embarrassing or demoralizing to Rome, e.g. 2.7.12, 3.3.2, 3.6.praef., 5.3.ext.1 (where he presents negative external *exempla* after the Roman ones . . . *ne nostra confessis alienigenae urbes insultent*) and 9.11.ext.1: *Illud autem facinus, quia externum est, tranquilliore adfectu narrabitur.*
97. 1.1.8 *Non mirum igitur si pro eo imperio augendo custodiendoque pertinax deorum indulgentia semper excubuit †quod† tam scrupulosa cura parvula quoque momenta religionis examinari videntur, quia numquam remotos ab exactissimo cultu caerimonarium [sic] oculos habuisse nostra civitas existimanda est.* Cf. 1.1.9, 15; 1.5.1, 1.8.2, 1.8.5, 6.
98. 2.7.praef.: *Venio nunc ad praecipuum decus et ad stabilimentum Romani imperii, salutari perseverantia ad hoc tempus sincerum et incolume servatum, militaris disciplinae tenacissimum vinculum, in cuius sinu ac tutela serenus tranquillisque beatae pacis status acquiescit.* Cf. 6.1.11: . . . *certissima Romani imperii custos, severa castrorum disciplina. . . .*
99. In another *exemplum*, the author presses the present need for such austerity through the words of Appius Claudius (7.2.1), which assumes a cosmopolitan outlook that compares and contrasts the practice of virtue in other states.
100. Clear with respect to the inclusion of an *exemplum* from Etruria amongst the *externa* at 4.5.ext.1: *Quod sequitur externis adnectam, quia ante gestum est quam Etruriae civitas daretur.*
101. . . . *victor devictae gentis facundia politioem fieri noluisti, credo ne alienigena ingenii exercitatione patrii ritus serus transfuga existeres.* The same attitude may perhaps be found in those *exempla* recounting the expulsion of foreign rites from Rome (1.3.3–4).
102. *at Cynegirum Atheniensem simili pertinacia in consecrandis hostibus usum verbosa cantu laudum suarum Graecia omnium saeculorum memoriae litterarum praeconio inculcat.* Cf. Cato's sentiments in his *Origines*, comparing Q. Caecidius to Leonidas at Thermopyle (*HRR* fr. 77 = Gell. 3.7.18–20).
103. 4.7.4: *loquatur Graecia Thesea, nefandis Pirithoi amoribus subscribentem, Ditis se patris regnis commisisse: vani est istud narrare, stulti credere. mixtum cruorem amicorum et volneribus innexa volnera mortique inhaerentem mortem videre, haec sunt vera Romanae amicitiae indicia, illa gentis ad fingendum paratae monstro similia mendacia.* Cf. 4.6.1.
104. *Quid abest igitur quin publica dementia sit existimanda summo consensu maximas virtutes quasi gravissima delicta punire, beneficiaque iniuriis rependere?*
105. *quod cum ubique tum praecipue Athenis intolerabile videri debet, in qua urbe adversus ingratos actio constituta est . . . quantum ergo reprehensionem merentur qui, cum aequissima iura sed iniquissima ingenia haberent, moribus suis quam legibus uti maluerunt?*
106. Chaplin (2000) 38–42, 48, 71, 73–77, 81–2, 118 notices a phenomenon which forms an interesting parallel: Livy consistently portrays the foreigners in his text, in contrast to the Romans, as incompetent in both learning from the past and using it as a guide to conduct. Similarly, Livy demonstrates that Roman wrongdoers “characteristically cannot read the past” (*eadem* 85).

107. 2.3.3: *Campanae perfidiae*. 5.1.10 relates the presentation of Pompey head to Caesar as a *nefarium Aegyptiae perfidiae munus*, but they are not, of course, to be outdone by the Carthaginians (9.6.ext.1): *Verum ut ipsum fontem perfidiae contempler, Carthaginienses*. . . . In the end, such cunning succumbs to Roman shrewdness (7.4.4): *ita illa toto terrarum orbe infamis Punica calliditas, Romana elusa prudentia, Hannibalem Neroni, Hasdrubalem Salinatori decipiendum tradidit*. Similarly, Hannibal can win with “Carthaginian cunning,” but his anomalous mildness can only be considered “Roman” (5.1.ext.6): *Paullus et Gracchus et Marcellus . . . si quidem illos Punico astu decepit, Romana mansuetudine honoravit*.
108. 5.4.ext.5, Scythian filial piety only redeems them from their otherwise savage nature. 6.4.ext.3, Cambyses’ (just) cruelty is natural because he is *rex et barbarus*. Cf. 9.2.ext.4: *Zisemis . . . Thraciae regis, etsi minus admirabilem crudelitatem gentis ipsius feritas, narrandam tamen rabies saevitiae facit*. See too 9.11.ext.3, in the chapter *Dicta Improba aut Facta Scelerata: . . . quid hoc quasi inusitatum illis gentibus miremur . . .*, while he describes Sejanus (9.11.ext.4) as *efferatae barbariae immanitate truculentior*. In his chapter *De Crudelitate* (9.2) Valerius provides nearly 3x as many foreign instances as he does domestic.
109. E.g. 9.1.5, which expresses surprise that Metellus Pius could revel in *luxus* in Spain, *non in Graecia neque in Asia, quarum luxuria severitas ipsa corrumpi poterat, sed in horrida et bellicosa provincia*. At 9.1.ext.1, *Campania luxuria* proved the undoing of Hannibal, while the next *exemplum*, Etruscan Volsinii undergoes a complete social and political inversion due to wealth. Cf. 6.3.6b, 9.1.ext.3–7.
110. 7.3.6: *ita gens barbara, aspera et regi difficilis*. . . . Cf. 9.11.ext.3: *Quamquam quid hoc quasi inusitatum illis gentibus miremur*. . . .
111. 9.1.ext.6: . . . *quapropter deliciis tam enerves animi spiritum exercitus nostri sustinere non potuerunt*.
112. I follow Shackleton Bailey (2000) here: *eius [sc. iustitiae] autem praecipuum et certissimum inter omnes gentes nostra civitas exemplum est*.
113. *Moenibus nostris et finitimis regionibus <inclusa> quae adhuc rettuli; quod sequitur per totum terrarum orbem manavit*.
114. *ea res cum ad senatum esset delata, missis legatis Pyrrhum monuit ut adversus huius generis insidias cautius se gereret, memor urbem a filio Martis conditam armis bella, non venenis gerere debere. Timocharis autem nomen suppressit, utroque modo aequitatem amplexus, quia nec hostem malo exemplo tollere neque eum qui bene mereri paratus fuerat prodere voluit*.
115. Cf. 3.7.10a and *Punica fortitudo* at 7.4.ext.2, to be distinguished from *Romana prudentia* at 7.4.ext.2.
116. 6.5.1a; cf. the full account at Livy 5.27, involving Camillus. It is also interesting to see this author (42.47.1) depicting the elders of the Roman senate, in defense of Roman ways and Roman honor, enlisting precisely these two *exempla* (Pyrrhus and the Faliscan schoolmaster) in their arguments against accepting a treaty with Perseus arranged through deceit.
117. 6.5.1b: . . . *adversum quam saevire cupiens populus Romanus, postquam a Papirio . . . doctus est Faliscos non potestati sed fidei se Romanorum commisisse, omnem iram placida mente deposuit, pariterque et viribus odii, non sane facile vinci adsuetis, et victoriae obsequio, quae promptissime licentiam sumministrat, ne iustitiae suae deesset obstitit*.
118. 6.5.ext.3: *Nihil illis etiam iustitiae exemplis fortius*.
119. *e vestigio universa contio quod aequum non videretur ne expedire quidem proclamavit*.

120. *ne fides civitatis nostrae frustra petita existimaretur.*
121. *Hanno autem, certior Romani animi aestimator, nihil tale timendum ratus.*
122. *uterque consul, tribuno tacere iusso, 'isto te,' inquit, 'metu, Hanno, fides civitatis nostrae liberat.'*
123. *claros illos fecerat tantum hostium ducem vincere potuisse, sed multo clari-ores fecit noluisse.*
124. 6.6.3: *se tunc senatus, non eos quibus hoc praestabatur aspexit.*
125. 6.6.5: *illam curiam mortalium quis concilium ac non Fidei templum dixerit?* Cf. the analogous situation at 2.9.8, which foregrounds the maintenance of Roman standards: . . . *Romano sanguini fidem praestare conveniens erat. . . .*
126. 6.6.4: . . . *ut Romani imperatoris potius decepta fides quam frustra implo-rata iudicaretur.* Cf. the same general's act in 4.1.6b.
127. The text is slightly corrupt. I follow Shackleton Bailey's (2000) emendation which clearly captures the sense: *finem profecto fruendarum opum, quibus ad invidiam diu abundaveras, Tarentina civitas, quaesisti: nam dum horri-dae virtutis in se ipsum connixum stabilimentum nitore fortunae praesentis inflata fastidiose aestimas, in praevalidum imperii nostri mucronem caeca et amens irruisti.*
128. 6.6.5: *Quam [sc. fides] ut civitas nostra semper benignam praestitit, ita in sociorum quoque animis constantem recognovit.*
129. Cf. 2.6.7a, 7.2.ext.16.
130. 7.4.3: *miseratus est tunc profecto Iuppiter Romanae virtutis. . . .*
131. 4.3.pr.: . . . *quia ii demum penates ea civitas id regnum aeterno in gradu facile steterit ubi minimum virium veneris pecuniaeque cupido sibi vindicaverit: nam quo istae generis humani certissimae pestes penetrarunt, iniu-ria dominatur, infamia flagrat, vis habitat, bella gignuntur. faventibus igitur linguis contrarios his tam diris vitii mores commemoremus.* Edwards (1993) 5–8, 28 asserts that *luxuria* and sexual incontinence were closely associated in Roman moral attitudes. See further *eadem* 34–62, 91–2, 176–9, 188–9.
132. Clearly the case with the town of Privernum (6.2.1). When captured by the Romans, their leader spoke with courage: *qua voce perfectum est ut victis non solum venia sed etiam ius et beneficium nostrae civitatis daretur.* Cf. Valerius' judgment on the obstinacy of Cinginnia in refusing to surrender to Decimus Brutus (6.4.ext.1): *melius sine dubio istud nostri sanguinis homi-nes dixissent quam audissent.*
133. See Skidmore (1996) 88, and V. Max. 3.3.ext. 7, 8.14.5.
134. Tac. Ann. 13.54.3–4: . . . *advertere quosdam cultu externo in sedibus sena-torum: et quinam forent rogitantes, postquam audiverant earum gentium legatis id honoris datum, quae virtute et amicitia Romana praecellerent, nullos mortalium armis aut fide ante Germanos esse exclamant degrediun-turque et inter patres considunt. quod comiter a visentibus exceptum, quasi impetus antiqui et bona aemulatione. Nero civitate Romana ambos donavit . . . Cf. Suet. Cl. 25.*
135. The man insults the consul: . . . *aspice, oculis quidem tuis gratum, animo vero tuo maius opus edentem.* Valerius praises his courage: *quem illum virum putemus fuisse. . . .*
136. 9.13.1: M.' Aquillius, *cum sibi gloriose exstingui posset, Mithridati maluit turpiter servire. quem aliquis merito dixerit Pontico supplicio quam Romano imperio digniorem, quoniam commisit ut privatam opprobrium publicus rubor exsisteret.* Cf. 3.5.1a.
137. See App. Mith. 21.57. Cf. Pliny, N.H. 33.48: . . . *universo nomine Romano infami rex Mithridates Aquillio duci capto aurum in os infudit.* As for Aquillius serving as a slave (*turpiter servire*), Valerius confuses his facts here,

- no doubt due to the close association in the sources between Aquilius and another Roman proconsul of Cilicia Quintus Oppius, who was betrayed by the Laodiceans and kept alive as a prisoner (App. *Mith.* 20). See also Poseidonius at *Ath.* 5.213 a-b (=FGrHist. 2 A, p. 245).
138. 7.3.4a, following Shackleton Bailey (2000): *Quod sequitur <invito, sed> narrandum est . . . improbo tamen praestigiarum genere novum civitati nostrae vectigal accessit.*
 139. 3.3.ext.7: *Haec e pectoribus altis et eruditis orta sunt, illud tamen non minus admirabile servilis animus cepit.* Cf. 9.12.ext.1
 140. *Non ergo fastidioso aditu virtus: excitata vivida ingenia ad se penetrare patitur, neque haustum sui cum aliquo personarum discrimine largum malignumve praebet, sed omnibus aequaliter exposita quid cupiditatis potius quam quid dignitatis attuleris aestimat, inque captu bonorum suorum tibi ipsi pondus examinandum relinquit, ut quantum subvenire animo sustinueris, tantum tecum auferas.*
 141. *quo evenit ut et humili loco nati ad summam dignitatem consurgant et generosissimarum imaginum fetus in aliquod revoluti dedecus acceptam a maioribus lucem in tenebras convertant.*
 142. Cf. 2.7.15c: *sic enerves animos odisse virtus solet; 5.2.3: elevel aliquis praemia virtutis, cum animadvertat fortes viros felicius sepeliri quam vivere ignavos.* At 4.7.6, Valerius regards the intention of someone to die for a friend as sufficient, whereas the deed of Cleobis and Biton (5.4.ext.4), though it occasioned their death, is less noble because the agents did not intend to die. Similarly, those who use disguise to save themselves in the proscriptions are too fond of life (7.3.8). The same holds for those who stoop to cannibalism (7.6.ext.2): *nam quibus mori licuit, sic vivere necesse non fuit.* Cf. the author's praise for Merula's suicide (9.12.5).
 143. I follow Shackleton Bailey (2000): *Verum quid ego fortissimos hoc in genere prudentiae viros laudem? respiciantur Indorum feminae . . . protrahe in medium Cimbricam audaciam, adice Celtibericam fidem, iunge animosam Thraciae [potentiam] sapientiam, adnecte Lyciorum in luctibus abiciendis callide quaesitam rationem, Indico tamen rogo nihil eorum praeferes, quem uxor<ia> pietas in modum genialis tori propinquae mortis secura conscendit.*
 144. 22.60.14–16: *quinquaginta milia civium sociorumque circa vos eo ipso die caesa iacent. si tot exempla virtutis non movent, numquam movebit; si tanta clades vilem vitam non fecit, nulla faciet. liberi atque incolumes desiderate patriam; immo desiderate, dum patria est, dum cives eius estis: sero nunc desideratis, deminuti capite, abalienati iure civium, servi Carthaginensium facti. pretio redituri estis eo, unde ignavia ac nequitia abistis?*
 145. E.g. the figure provided by Alföldy (1985) 146 and adopted by Zanker (1988) 152.
 146. For instances of loyalty towards masters, usually to the point of torture and death: 3.2.ext.9, 3.3.7, 6.8.1, 6.8.3–6, 8.4.3. Cf. 6.8.5, 3.2.ext.9, 6.8.2, 7 which mention loyalty in danger but no torture or death.
 147. 6.1.6 (Freedman kills daughter). For the punishment of women, see further 6.1.2–3 (fathers kill daughters whose chastity is compromised, though in each case the girl is innocent), 6.3.6, cf. 8.1.absol.1. For the punishment of slaves and freedmen, see 2.6.6–7a (re-enslavement of ungrateful freedmen), 6.1.3–4 (slave/freedman killed for compromising the chastity of his master's daughter), 6.5.5–7 (slaves punished/killed for betraying their masters). For the punishment of other subordinates by family, authorities or the senate, see 2.7 (*passim*), 6.3.3c–5, 2.9.6b–7, 6.1.10. The value of the *exempla* increases if those punished are family members, e.g. 2.7.3–5, 2.7.6, 5.8, 6.1.5, 12.

148. For the promotion of female *exempla* to a rank equal to or higher than those of males, see 3.2.2, 3.3.*praef.*, 4.6.5, 6.1.*ext.*3, 6.2.*ext.*1, 5.4.6, 8.15.12. Cf. an illuminating statement by Hopkins (1991) 497, with regard to Roman ritual inversion: “the steeper the hierarchy, the more it both needs and can afford ritual inversions.”
149. For Valerius’ chastisement of nobles see esp. 3.5 (“On those who Degenerated from Noble Parents”), and 3.6.*praef.* For elites punishing fellow elites, see 1.1.13, 21 (for sacrilege), 2.7.7–9 (for military insubordination), 2.8.3, 2.9 (censorial stigma), 6.1.11, 13 (for unchastity), 6.3.1a-2 (against those aiming at despotism), 6.3.3a and 6.6.3, 5 (surrender of Roman envoys through fetials). Cf. 6.6.3b, 8.1.*damn.*1–8. For instances of voluntary, meticulous obedience by magistrates or priests to religious scruple, *mos*, oaths, etc. see 1.1.2–5, 8–9, 1.1.14 (Regulus), *ext.* 6–8, 2.2.4a-b, 3.7.9, *ext.* 5, 3.8.2 and 4.1.1 (Valerius Publicola), 2 (Camillus), 4.1.14–15, 5.2.4, 6.4.4, 6.5. *ext.*3–4 (lawgivers punish/kill themselves out of respect for their own laws). For self-effacement in refusing offices or honors or for unpresumptuous/accommodating behavior, etc. see 2.5.5, 4.1.1, 3–6a, 7–9, 5.1.*ext.*1a, 5.2.7, 6.2.7.
150. Valerius devotes most of book 9 (chs. 1–11) to the various vices.
151. See 2.3.1 (Marius), 3.4, 3.8.7, 6.9.7–8, 14 (Marius), 8.15.11.
152. 6.1.2, 12. In the latter, Marius defends a private who killed a military tribune who had propositioned him. This forms the subject of the remarkable third major declamation of Pseudo-Quintilian. See esp. Gunderson (2003) 153–90.
153. For extraordinary commands, see 3.7.1a, 8.15 (*passim*).
154. 1.3.4 (*Par.*), 3.7.1c, e, f.
155. See Wardle (1997) 325–6. For a further study of Valerius’ treatment of the ruling house, from Julius Caesar to the *domus Augusta*, see *idem* (1997) and (2000).
156. 4.7.7: *orere igitur ab illa quae sanctorum umbris dicata esse creditur sede, hinc D. Laeli illinc M. Agrippa, alter virorum deorum alter maximum amicum et certa mente et secundis ominibus sortiti, totumque beatae turbae gregem, qui vestro ductu veneranda sinceræ fidei stipendia laudibus et præmiis onustus peregit, in lucem vobiscum protrahite. vestros enim constantes animos, vestra strenua ministeria, vestram inexpugnabilem taciturnitatem proque dignitate et salute amicorum perpetuam excubationem et stationem benivolentiae, et rursus harum rerum uberrimos fructus posterior intuens aetas in excolendo iure amicitiae qua libentius qua etiam religiosius erit operata.*
157. See Woodman (1977) 249–50.
158. See Shackleton Bailey’s (2000) note *ad loc.*
159. 9.11.*ext.*4: *qui autem haec violatis amicitiae foederibus temptavit subvertere. . .* Cf. Tac. *Ann.* 4.40.23, 32, 4.59.3 and esp. 4.74.2 (28 AD), where the senate . . . *aram clementiae, aram amicitiae effigiesque circum Caesaris ac Seiani censuere. . .*
160. . . . *quibus novitas familiae haud obstitit quominus ad multiplices consulatus triumphosque et complura eveherentur sacerdotia. Etenim magna negotia magnis adiutoribus egent † neque in parva paucitas ministeria defecit † interestque rei publicae quod usu necessarium est, dignitate eminerere utilitatemque auctoritate muniri.*
161. *Sub his exemplis Ti. Caesar Seianum Aelium . . . ipsum vero laboris ac fidei capacissimum, sufficiente etiam vigori animi compage corporis, singularem principalium onerum adiutorem in omnia habuit atque habet . . . actu otiosis simillimum, nihil sibi vindicantem eoque adsequentem omnia, semperque infra aliorum aestimationes se metientem, vultu vitaque tranquillum, animo exsomnia.*

162. Cf. Tacitus' description of Sallustius Crispus' "amicitia" with Tiberius at 3.30.2–4, and Woodman and Martin (1996) *ad loc.*
163. Tac. *Ann.* 2.87: *neque tamen ob ea parentis patriae delatum et antea vocabulum adsumpsit. acerbeque increpuit eos qui divinas occupationes ipsumque dominum dixerat.* For other sources and Augustus' precedent in refusing the title *dominus*, see Goodyear (1972) *ad loc.*
164. *Ibid.* 4.37: *Qua occasione Caesar, validus alioqui spernendis honoribus . . . huiusce modi orationem coepit. . . . Ceterum ut semel recepisse veniam habuerit, ita per omnes provincias effigie numinum sacrari ambitiosum, superbum. . . . Cf. 4.38 fin.*
165. See RG 5–6: [Dic]tat[ura]m et apsent[i] e[st] praesent[i] mihi delatam et a popu[lo] et a se[na]tu . . . non rec[epi]. . . . Consul[at]um] quoqu[e] tum annuum e[st] perpetuum mihi] dela[tum non recepi] . . . [senatu populo]q[ue] Romano consentientibus] ut cu[rator legum et morum summa potestate solus crearer, nullum magistratum contra morem maiorum delatum recepi]. Further sources compiled by Volkmann (1957) *ad loc.*
166. *Non defuit maioribus grata mens ad praemia superiori Africano exsolvenda, si quidem maxima eius merita paribus ornamentis decorare conati sunt. voluerunt illi statuas in comitio in rostris in curia, in ipsa denique Iovis Optimi Maximi cella ponere, voluerunt imaginem eius triumphali ornatu indutam Capitolinis pulvinaribus adplicare, voluerunt ei continuum per omnes vitae annos consulatum perpetuam dictaturam tribuere: quorum nihil sibi neque plebiscito dari neque senatus consulto decerni patiendo paene tantum se in recusandis honoribus gessit quantum egerat in emerendis.*
167. *Ne Africanus quidem posterior nos de se tacere patitur. qui censor, cum lustrum conderet inque solitauri-<l>i<um> sacrificio scribe ex publicis tabulis sollemne ei precationis carmen praeiret, quo di immortales ut populi Romani res meliores ampliores facerent rogabantur, 'satis' inquit 'bonae et magnae sunt: itaque precor ut eas perpetuo incolumes servent,' ac protinus in publicis tabulis ad hunc modum carmen emendari iussit. qua votorum verecundia deinceps censores in condendis lustris usi sunt: prudenter enim sensit tunc incrementum Romano imperio petendum fuisse cum intra septimum lapidem triumphum quaerebantur, maiorem autem totius terrarum orbis partem possidenti ut avidum esse quicquam ultra appetere, ita abunde felix si nihil ex eo quod obtinebat amitteret.*
168. See Münzer at RE 4, coll. 1451–2. See further Harrison (1979) 118–20, Wardle (1997) 327–8 and Coudry (1998) 189.
169. *Illa [sc. gloria] vero etiam a claris viris interdum ex humillimis rebus petita est: nam quid sibi voluit C. Fabius nobilissimus civis, qui cum in aede Salutis, quam C. Iunius Bubulcus dedicaverat, parietes pinxisset, nomen iis suum inscripsit? id enim demum ornamentum familiae consulatibus et sacerdotiis et triumphis celeberrimae deerat. ceterum sordido studio deditum ingenium qualecumque illum laborem suum silentio oblitterari noluit. . . .*
170. *Capitolium et Pompeium theatrum utrumque opus impensa grandi refeci sine ulla inscriptione nominis mei.*
171. . . . [sc. Augustus] honorem memoriae ducum praestitit. . . . Itaque et opera cuiusque manentibus titulis restituit.
172. Tac. *Ann.* 3.72.2: *At Pompei theatrum igne fortuito haustum Caesar exstructurum pollicitus est . . . manente tamen nomine Pompei.*
173. *Sed nescio an praecipuum L. Marci inusitati decoris exemplum, quem equitem Romanum duo exercitus, P. et Cn. Scipionum interitu victoriaque Hannibalis lacerati, duces legerunt, quo tempore salus eorum in ultimas angustias deducta nullum ambitioni locum relinquebat.*

174. *Habuit in hoc quoque bello mediocritas nostra speciosi ministerii locum. finita equestri militia, designatus quaestor necdum senator aequatus senatoribus, etiam designatis tribunis plebei. . . .* See further Weileder (1998) 249.
175. . . . [sc. Germanicus] *sine milite incedere, pedibus intectis et pari cum Graecis amictu, P. Scipionis aemulatione, quem eadem factitavisse apud Siciliam . . . Tiberius cultu habituque eius lenibus verbis perstricto, acerrime increpuit. . . .* See further Weileder (1998) 249.
176. *Verum quamvis quis praeclaras res maximeque utiles rei publicae civili bello gessisset, imperator tamen eo nomine appellatus non est, neque ullae supplicationes decretae sunt, neque aut ovans aut curru triumphavit, quia ut necessariae istae, ita lugubres semper existimatae sunt victoriae, utpote non externo sed domestico partae cruore.* For a further study of Valerius' treatment of civil war, see Freyburger (1998).
177. *Atque idem [sc. Tiberius], cum Valerius Messalinus signum aureum in aede Martis Ultoris, Caecina Severus aram ultionis statuendam censuissent, prohibuit, ob externas ea victorias sacrari dicitans, domestica mala tristitia operienda.*
178. . . . *responsumque esse non fraude neque occultis, sed palam et armatum populum Romanum hostis suos ulcisci. Qua gloria aequabat se Tiberius priscis imperatoribus qui venenum in Pyrrhum regem vetuerant prodiderantque.* For discussion of the parallel, see Coudry (1998) 188.
179. 3.31.2–4: *Ac forte parva res magnum ad certamen progressa praebuit iuveni materiam apiscendi favoris. Domitius Corbulo, praetura functus, de L. Sulla nobili iuvene questus est apud senatum quod sibi inter spectacula gladiatorum loco non decessisset. pro Corbulone aetas, patrius mos, studia seniorum erant; contra Mamercus Scaurus et L. Arruntius aliique Sullae propinqui nitebantur. certabantque orationibus et memorabantur exempla maiorum qui iuventutis inreverentiam gravibus decretis notavissent, donec Drusus apta temperandis animis disseruit; et satisfactum Corbuloni per Mamercum . . .* For a discussion of the incident, cf. Woodman and Martin (1996) *ad loc.*
180. *Athenis quidam ultimae senectutis, cum spectatum ludos in theatrum venisset, eumque nemo e civibus sessum reciperet, ad Lacedaemoniorum legatos forte pervenit. qui hominis aetate moti canos eius et annos adsurgendi officio venerati sunt, sedemque ei inter ipsos honoratissimo loco dederunt. quod ubi fieri populus aspexit, maximo plausu alienae urbis verecundiam comprobavit. ferunt tunc unum e Lacedaemoniis dixisse 'ergo Athenienses quid sit rectum sciunt, sed id facere neglegunt.'*
181. Coudry (1998) provides some discussion of the convergences between Valerius and the emperors on this subject, and shows too how the author tended to mold presentations of senatorial activities to reflect the activities of the latter. She also suggests senatorial procedure and military discipline as areas yielding convergences.
182. *Ann. 3.4.2: . . . studia hominum accensa in Agrippinam, cum decus patriae, solum Augusti sanguinem, unicum antiquitatis specimen appellarent. . . .*
183. *Ibid. 3.5.2: ubi illa veterum instituta, propositam toro effigiem, meditata ad memoriam virtutis carmina et laudationes et lacrimas vel doloris imitata?* Flower (1996) 247–53 provides a recent discussion.
184. *Ibid. 3.6.3: Nil opus vetustioribus exemplis, quotiens populus Romanus cladis exercituum, interitum ducum, funditus amissas nobilis familias constanter tulerit.*

NOTES TO THE CONCLUSION

1. Carter (1975) 26, 48–51.
2. For Theodoric's support of Roman ideology and the integration of Goths, see Amory (1997) 43–85, 112–18, Moorhead (1992) 71–89, esp. 100–104, 110–13.
3. Walbank (1981) 60–7.
4. See Anderson (1991) 12ff.
5. Syme (1939) 3.
6. Tac. *Ann.* 4.34. Cf. Syme (1938) 125, who views it all as a sham.
7. Just as L. Calpurnius Piso threatened to retire early in the reign of Tiberius, and had to be gently coaxed back (Tac. *Ann.* 2.34), just as his father Gnaeus, who fought both for the Pompeians and the Liberators, abstained from politics until 23 BC, when he received the consulship (Tac. *Ann.* 2.43).

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