

THE DISCOURSE OF AUTOCRACY IN TIBERIAN LITERATURE

BY

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ABSTRACT

This thesis examines the discourse of autocracy in the Latin literature of the Tiberian Principate. In four case studies I examine the texts of Velleius Paterculus, Seneca the Elder and Valerius Maximus, and explore how these writers adapted and engaged with earlier autocratic discourse to develop new responses to the concept of autocracy at Rome. In Chapter One I explore the discourse of Imperial virtues in the Tiberian Principate and what this can tell us about contemporary expectations of autocracy. Chapter Two examines the reception of the Roman kings in Valerius Maximus and in Chapter Three I explore the discourse of tyranny and tyrannicide in the *Controversiae* of Seneca the Elder. The final chapter considers how the defamatory discourse surrounding the assassins of Julius Caesar influenced the portrayal of opposition to Tiberius. Ultimately this thesis shows how these writers adapted existing discourse to suit the changing political and social realities of the era, not by abandoning Republican discourse or earlier Greek models, but by developing them to form new concepts of autocracy and resistance to autocratic rule.

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INTRODUCTION

The accession of Tiberius represents the first peaceful transition of power in the Imperial era from one autocrat to another and the continuation of the regime instigated by his predecessor Augustus. It is a vital era for our understanding of the survival of the Principate and how autocracy became so integral to Roman political life that the Romans never returned to Republican government, despite the strong hold Rome's Republican past maintained over the intellectual life of its citizens. This thesis examines the development of the discourse of autocratic rule in Latin literature during the Principate of Tiberius (AD 14-37) by identifying and scrutinising the words, phrases and intellectual concepts used in Latin texts at that time to characterise autocratic rule and particularise individual autocrats. The case studies included in this thesis will focus on three extant Latin texts, Valerius Maximus' *Facta et Dicta Memorabilia*, Velleius Paterculus' *Historiae Romanae* and Seneca the Elder's *Controversiae*.

To understand what distinguishes the characterisation of autocracy before and after Augustus' death I will explore how the discourse of autocracy evolved from the political discourse of the Roman Republic (often characterised as anti-autocratic) through the hegemony of Augustus (27 BC- AD 14) and into this new era. By doing this I will show how discourse played an important role in the normalisation of autocratic rule in Rome and contributed to its longevity. I will consider how the development of autocratic discourse during the reign of Tiberius, as evidenced in contemporary Latin texts, served to further establish the place of the emperor in Roman politics, culture and identity. This will demonstrate how contemporary

discourse contributed to the creation of an intellectual world view in which the figure of the emperor was synonymous with Rome and the peace and prosperity the state enjoyed during the early Principate, after the turmoil of civil war.

In this thesis I will show that the discourse of autocracy in Tiberian literature presents an evolution in thought about autocratic rule that does not reject previous models of positive and negative autocracy but instead adapts earlier thought about autocratic rule to create a new theory of autocratic leadership centred around the figure of the Princeps. As I will explore, this discourse sometimes allows seemingly contradictory ideas to coexist and reveals the true complexity of thought about autocracy in the early Principate.

This introduction will first explore what vision of autocratic discourse in the reign of Tiberius emerges from scholarship and how this relates to key models that have developed to explain understanding of autocracy at the end of the Republic. It will also outline my own methodology and address the nature of my source material and the limits and focus of this project.

The second half of this introduction will provide a brief overview of Greek and Roman thought on autocracy before the reign of Tiberius. This discussion of the state of thought on autocracy before my chosen era will help to illustrate how the existing discourses are developed, contested or affirmed by writers of the Tiberian Principate.

1. Literature Review and Methodology

In this first chapter of my introduction, I will discuss the key scholarship that has influenced my research and methodology. The review is structured according to the four key themes of my thesis. These themes are the discourse of Imperial virtues in Tiberian literature (Chapter One), the reception of the Roman kings in Valerius Maximus (Chapter Two), The discourse of tyranny and tyrannicide in Seneca the Elder's *Controversiae* (Chapter Three) and the representation of opposition to Julio-Claudian autocracy in Tiberian literature (Chapter Four). I will discuss in turn what previous scholarship has to say about each of my chosen themes of autocracy as it is portrayed in the extant literature of the Tiberian Principate. As well as providing a discussion of my own methodology this chapter will explore the view that previous scholarship presents of autocracy in Roman thought, in particular thought about autocracy in the Tiberian Principate, and will signal where my research contributes to and furthers these areas of research.

In the four case studies that make up my thesis my central focus will be on one or more of my three chosen sources Valerius Maximus, Velleius Paterculus and Seneca the Elder. To conclude my discussion of my methodology I will outline my position on the nature and limitations of these sources and the impact this has had on my research. I will also discuss some of the other issues surrounding the interpretation of these texts, such as the influence of the conventions of panegyric, the constraints of genre and Imperial attention upon an author's choice of discourse, and the distinction to be made between Imperial discourse that is directed by the Emperor and his household and wider cultural discourses of autocracy.

In this thesis, I test the claims made by the scholarship discussed in this literature review and synthesise and develop this previous research through my own examination of the source material, to provide further insight into the way that autocratic discourse developed during the Tiberian Principate and the impact of this discourse on Roman thought and culture. I approach the subject of autocratic discourse in a manner that is similar to the methods employed by Roller in his 2001 monograph *Constructing Autocracy*, but whereas Roller's study focused mainly upon the work of Seneca the Younger and Lucan, who were writing at the end of the Julio-Claudian era, my study examines texts composed during an earlier stage of Julio-Claudian autocracy when the role of the Emperor or Princeps was still being defined. My study of three Tiberian sources, Velleius Paterculus, Valerius Maximus and Seneca the Elder, will provide an insight into how the cultural mindset explored by Roller in his research first developed. Like Roller, I will present my research findings in the form of four case studies, each of which will explore a different aspect or theme present in autocratic discourse during the Tiberian Principate.

In *Constructing Autocracy* Roller seeks to establish how the elites of the Julio-Claudian era "Conceptualized, shaped and sought to manage the autocracy in which they lived."¹ and to discover "the relationship between social and conceptual change as revealed in Roman aristocratic thinking and writing of the Julio-Claudian era."² Roller views the establishment of the Principate as a shift in the distribution of power away from the aristocracy, as he terms them, and under the control of the Emperor and those close to him (family, friends, imperial freedmen). The elite discourse of the

¹ Roller 2001 6.

² Roller 2001 10.

era he considers to be an attempt by competing sections of the aristocracy to influence the perception and position of the Emperor and maintain their own privileged position in society.³ My thesis also examines how Imperial writers conceptualised and sought to define and influence the autocracy of the Princeps, with an emphasis upon how they negotiated and developed the existing discourses that they inherited from the culture of the Roman Republic.

Roller's study is specifically concerned with ethical discourse and considers the portrayals of autocracy to be found in the work of Seneca the Younger and his nephew Lucan. In Part One Roller argues that Lucan and Seneca:

portray received modes of ethical discourse as malfunctioning, or functioning in ways disadvantageous to the aristocracy at large, in the socio-political order of the principate."⁴

He also states that:

Both authors represent the new, concentrated locus of power in the Roman state...as spawning novel, disruptive ways of deploying these value terms - new modes of ethical discourse that are opposed to and compete with received, established modes.⁵

³ Roller 2001 8.

⁴ Roller 2001 10.

⁵ Roller 2001 11.

While Roller's findings in this first part of his study are relevant to my research, it must be stated that the authors he is discussing are writing at a later period to that examined in this thesis. Roller is here examining the reception of autocracy at the end of the Julio-Claudian age, when Rome had already seen the reigns of five different emperors. What is true for the discourse of autocracy found in the work of Seneca the Younger and Lucan may not be so for the discourse of the earlier Principate. My thesis will take a similar approach to Roller but in contrast I will examine the autocratic discourse that was present at the beginning of this era, when Romans had witnessed the death of the first Princeps, Augustus, and the peaceful accession of his chosen successor but did not know what the future of the Julio-Claudian Principate might have in store.

In part two of Roller's study, he argues that:

Another way in which Julio-Claudian aristocrats sought to comprehend the novel power structure of the principate, understand its ramifications for the contemporary aristocracy, and manipulate it to their own advantage was to articulate the princeps' authority in terms of culturally familiar authority relationships such as that of gift-giver to gift-recipient, or master to slave, or father to son.⁶

I would suggest that Roller perhaps exaggerates the extent to which the power structure of the Principate was 'novel' and presented "difficulties of comprehension"

⁶ Roller 2001 125.

for Roman elites, wider society and the Princeps himself.⁷ As I will discuss in section two of this introduction, the late Republic had provided a prototype for the rule of the *princeps* in the figure of the dictator and in particular the dictatorship of Julius Caesar provided an example of how this could be used to give legitimacy to the domination of one individual over the state. The term '*princeps*' itself was used to denote powerful leading men of the Republic of whom there were many examples. Although the Princeps was not always presented as an openly autocratic figure, especially in positive assessments of his reign, autocratic rule was in itself familiar to the Romans both from their interactions with neighbouring kingdoms and from their own history which, as I will discuss below, included the beliefs that their society had been founded by a king (Romulus), that many of their institutions had been established during the regal era and that some of the powers of the kings had been transferred to offices of the Republic. Roller is right, however, to emphasise the need to present the power of the Princeps over his subjects in terms of power relations that were familiar from the everyday Roman experience. Such terms serve to express strongly the positive or negative associations a writer wishes to attach to the role of the Princeps in Roman society.

In Chapter Four of his monograph Roller presents the discourse of the Princeps as father as being in direct competition with the discourse that presented the Princeps as a master and his subjects as slaves.⁸ The powers of the *paterfamilias*, Roller highlights, also included the power of life and death.⁹ Although, while the powers of the father and the master may be the same, Roller observes that fathers are usually

⁷ Roller 2001 129.

⁸ Roller 2001 236.

⁹ Roller 2001 237.

portrayed in Latin sources in a positive light. The exemplary accounts of severe fathers who kill their sons for transgressions, Roller suggests, are remarkable because they contradict the accepted view of a father as someone who nurtures his sons.¹⁰

These observations are important to the argument of my thesis because the opposing figures of father and master provided the Roman elite with two contrasting but equally powerful ways of viewing their relationship with the Princeps. Those in favour of his rule or wishing for whatever reason to present a positive image of his role in society could view him as a *paterfamilias* who guides and protects the Roman family, even his 'severity' could be judged as positive, as fair, if viewed within the remit of a father's power and responsibility over the family unit. In contrast those who did not support the rule of the Princeps, wishing to present a negative image, could use the model of a master and his slaves to describe his position. This presented his rule as an unnatural situation in which Roman citizens, who should be characterised by their freedom in law, are enslaved by a cruel tyrant. In this thesis I will argue that it is the former discourse that appears to prevail in the extant Tiberian sources, where we see the view of the Princeps as *pater patriae* and an *exemplum* to his subjects of the many virtues that allow him to effectively govern the Empire and prevent a return to civil war. Those who oppose the Princeps, in contrast, are portrayed as parricides who wish to instigate a return to civil strife.

The theme of civil war is important to this discussion because it is the existential threat that gives the positive discourse of Julio-Claudian autocracy its power. In

¹⁰ Roller 2001 237.

relation to this subject it is essential to note the research of Gowing (2005), who has suggested that for Velleius Paterculus:

The chief contribution of the first two emperors was not so much the overhauling of the political system as the imposition of peace, which allowed the *res publica* to function in relative tranquillity.¹¹

He argues that Velleius sees Julius Caesar, Augustus and Tiberius as saviours and new *exempla* for a society that is “in search of new paradigms...but not new government.”¹² Thus, Gowing has shown that for Velleius the Principate is not a new form of government but a means of preserving the Republic, the existence of which had been threatened by civil war but whose continued prosperity was now ensured by the peace brought about by the reign of Augustus. In a separate study looking at the writing of civil war literature during the Tiberian Principate Gowing (2010) observes that “In terms of sheer volume, more accounts of Rome’s civil wars appear to have been produced during the Tiberian period than at any other.”¹³ He also highlights that a work by Tiberius himself could be considered among this number because the Princeps wrote an autobiography (*commentarius de vita sua*, Suet. *Tib.* 61) that would no doubt have included an account of his early life during the civil wars.¹⁴ Gowing’s findings highlight the fact that Tiberius’ birth and early childhood took place during Rome’s civil wars, emphasising that for many in Tiberian Rome the memory of the civil wars and the aftermath of civil war was still vivid and one of lived

¹¹ Gowing 2005 35.

¹² Gowing 2005 35.

¹³ Gowing 2010 250. Gowing also includes an overview of the ‘highlights’ of this literature (250-251), most of which is lost or survives only in fragments. The writers of civil war history include Cremutius Cordus, Seneca the Elder, Fenestella, Bruttidius Niger, Aufidius Bassus and Servilius Nonianus.

¹⁴ Gowing 2010 251.

experience. The proliferation of civil war literature also shows a culture that is preoccupied by its traumatic past and the memories of civil conflict that ended with the establishment of the Principate.

In his discussion of the writing of civil war under Tiberius, Gowing focuses upon the extant works of Velleius Paterculus and Valerius Maximus. Gowing observes that both authors show an aversion to writing about the subject of civil war and that their language is 'pejorative'.¹⁵ Valerius Maximus states that even distinguished deeds enacted in civil war should not be honoured as they would be if they were against a foreign enemy.¹⁶ Velleius uses the brevity of his text as an excuse to avoid difficult subjects.¹⁷ They both, Gowing observes, speak as if the events of history were controlling their narrative, as Gowing summarises:

Both Velleius and Valerius are very conscious that some events need to be told while others may be, and in many cases *must* be, repressed. The events of the civil wars are often among the latter.¹⁸

These findings are something of a contradiction to Gowing's earlier discovery that the civil wars were a popular topic for literature of this time. Velleius and Valerius both show an aversion to writing about civil war, there is the feeling that they are hostages of a history they feel compelled to both acknowledge and obscure or censure, either from a sense of horror or shame at the realities of civil war or because writing about the civil wars could be controversial, and dangerous for those

¹⁵ Gowing 2010 253.

¹⁶ Val. Max. 2.8.7, Gowing 2010 253-254.

¹⁷ Gowing 2010 255.

¹⁸ Gowing 2010 255.

who dared to do so, as is evidenced by the fate of the historian Cremutius Cordus who was persecuted for writing a history that gave a positive account of the assassins of Caesar. Ultimately, the memory of civil war also feeds into the discourse that positions the Princeps as the protector of Rome and the Empire. The fact that the end of civil war was also the beginning of the rule of Augustus inspires a discourse that views the rule of a successful Princeps as a way of safeguarding Rome from the civil strife that plagued the final decades of the Republic.

A related theme, and one that has been identified by scholarship on political thought in Roman literature during the Imperial era, is that the overwhelming presence of the Emperor in Roman politics and society led to a move away from the contemplation of wider subjects of political theory (such as the question of which is the best form of constitution) to a focus upon the character of the autocrat. The question was no longer if autocracy was a good or bad form of government, but what qualities are possessed by the ideal ruler. This trend in autocratic discourse recognised the important part that the character of the individual ruler had to play in the successful functioning of an autocratic regime, defined what characteristics separated a benevolent emperor from a tyrannical one, and attempted to encourage autocrats to pursue this benevolent form of rule.

In recent scholarship this phenomenon has best been described by Noreña (2009) who has characterised it as an “Ethics of Autocracy”. Noreña identifies the accession of Tiberius in AD 14 as a point when the ‘monarchy’ as he terms the institution of the Principate, was “a fact, beyond deliberation.”¹⁹ In the writing of the Imperial era he

¹⁹ Noreña 2009 297.

detects a widespread view that although emperors may come and go the Principate itself was permanent.²⁰ This shift in thinking was as much about ethics as it was about recognising the dominant power model that had been established in Rome by the hegemony of Augustus. Now that Rome was ruled by autocrats, the question was how should such individuals be expected to behave? Now that autocrats were no longer to be feared and reviled on principle the emphasis falls upon the ethical dimensions of autocratic rule and this placed great importance upon the character of the autocrat and sought to define what characteristics make a person fit to rule.

Because of this shift in focus, we see an emphasis on the character of political leaders in the literature of the Tiberian age. This has been acknowledged in previous scholarship by Spencer (2002) who observes that there is a shift in thought about autocracy in the reign of Tiberius, as the elite become more concerned with what kind of man should rule rather than with the restoration of the Republic and the evils of autocracy.²¹ It is analysing and providing further evidence for this shift in the discourse surrounding autocratic rule during the Tiberian Principate that is the central focus of my thesis. An important aspect of this change is an increased focus upon the character of the autocrat.

Spencer discusses Velleius' comparison between Julius Caesar and Alexander the Great at 2.41,1-2, considering this in light of the above-mentioned development in discourse. She suggests that Velleius' comparison, in contrasting Caesar's restraint

²⁰ Noreña 2009 298.

²¹ Spencer 2002 85.

in relation to food, drink and anger with Alexander's excess, appears to suggest that a compromise is possible between autocracy and Republicanism:

That an ideological connexion between great leaders can allow for a positive associative heredity in which the best elements may be carried forward, and the worst, abandoned.²²

Here Spencer highlights that it is the contrasting personal characteristics and habits of the two leaders, Caesar and Alexander, that Velleius has utilised here to shine a favourable light on Caesar's suitability to lead by suggesting that he has all the positive characteristics that made Alexander great, but none of his vices. The idea that Velleius is able to present in Caesar's character a compromise between autocracy and Republicanism is also important for my study because, as I will discuss in Part Two of this introduction, I have observed that the existing discourses of autocratic rule that evolved during the Republic did allow for the recognition of preeminent individuals and their leading role in the politics of the Republic. Again, in the comparison between Alexander and Caesar we see the emphasis upon positive character traits as the aspect that separates the good and bad autocrat, the Republican *princeps* and the tyrant.

Gowing (2005) has noted that this way of thinking is also in evidence in Velleius 2.31.4 where the writer discusses the granting of 'imperial' authority to Pompey in 74 BC. Gowing observes, of the implications of this passage, that:

²² Spencer 2002 87-88.

It is therefore not the principle of one-man rule to which Velleius objects; rather, he stresses the need to make the choice wisely.²³

Again, here Gowing has highlighted that the issue at stake for Velleius is not whether it was considered appropriate to give supreme powers to an individual, but why there were misgivings about giving power to a certain individual based upon what his peers believed about his character and ambitions. Spencer and Gowing have provided two important examples of how the phenomenon I will examine in the first chapter of my thesis manifests in Velleius' discussions of leadership.

I believe the focus upon character is an important element of autocratic discourse during the Tiberian principate and one that had far-reaching consequences for the continued survival of the imperial regime. It was a change that came about as a reaction to the power of the Princeps but it may also have served to promote and maintain that power and to allow the Principate to survive the rule of disruptive 'bad' emperors like Gaius Caligula. It took the focus of discourse away from the concept of autocracy itself as a good or bad form of government and placed responsibility for the success or failure of one-man rule entirely upon the one who held the position of Princeps. If the rule of the current Princeps was unsatisfactory then what was needed was a change of autocrat, not a return to Republican government.

In Imperial Rome this focus on the character of the autocrat found its clearest expression in what have become known as the 'Imperial virtues', the positive moral qualities promoted by a particular emperor or ascribed to him by his subjects. In

²³ Gowing 2005 38.

Chapter One of this thesis, I will develop the model provided by previous scholarship on Imperial virtues in the reign of Tiberius and virtue discourse more generally.

My research can be compared to the approach taken by Langlands (on *severitas*), Westphal (on *moderatio*) and Cowan (on *severitas* and *clementia*). These studies show how the examination of how a writer portrays a particular moral characteristic, such as severity, moderation or clemency, can help to provide insights into how these concepts were interpreted by the ancient Romans and their place in Roman thinking and societal norms. The insights gained from this kind of study can then be used to understand more completely how a Roman audience would interpret the claims of an emperor and his supporters that he possessed a particular virtue and what this can tell us about contemporary expectations for Julio-Claudian autocracy.

Severitas is not one of the virtues I will be exploring in my thesis, but two studies examining the presentation of this quality in Tiberian literature have shown the value of research into the way different virtues are presented by Latin writers. This research has shown how a focus upon particular moral qualities can illuminate contemporary attitudes to those manners of behaviour. Langlands (2008) uses the case study of *severitas* in Valerius Maximus in an article that illustrates the way *exempla* functioned within Roman culture. Langlands' research encompasses the wider subject of the process of reading and learning from *exempla* in Ancient Rome, but it has also shown the significance of the concept of *severitas* in the work of Valerius Maximus and the importance of this virtue in relation to contemporary Roman thought. Langlands shows that Valerius relates *severitas* to the Emperor's role as a moral authority and that he problematises the competing virtues of leniency

and strictness in judicial and parental situations, encouraging 'critical engagement' with his material on the part of the reader, in order to not only tell the reader how they should interpret his text but to "develop their skills of moral reasoning", something Langlands relates to the concept of 'controversial thinking' in rhetorical training.²⁴

Severitas also features prominently in an article by Cowan (2016) regarding the reception of the virtue of *clementia* in the work of Velleius Paterculus. Here Cowan also shows that focusing upon the reception of a particular virtue can help to illuminate its significance in the context in which the author composed his work. As I will discuss below, we know that *clementia* appears on coins from the Tiberian Principate, yet Cowan notes that Velleius Paterculus does not attribute *clementia* to Tiberius even though he does attribute this virtue to others in his narrative.²⁵ Cowan's answer to the question of why Velleius does not associate *clementia* with Tiberius concerns Velleius' references in his text to *severitas* and controversy over the ownership of the virtue of *clementia* during Tiberius' reign.²⁶ Cowan suggests that Velleius has a preference for *severitas* over *clementia* in the adjudication of punishment which is:

borne out in the stern judgements that he passes on opponents of the regime and those from within the *domus Augusta* itself whose behaviour represented a challenge to Tiberius.²⁷

²⁴ Langlands 2008 160; 165; 169.

²⁵ Cowan 2016 78, 81-82.

²⁶ Cowan 2016 78.

²⁷ Cowan 2016 86.

In relation to the figure of Tiberius himself, however, Cowan argues that Velleius presents the Princeps' judgement as neither exclusively guided by *severitas* or *clementia* but instead his focus is to "Offer readers instead reassuring vignettes of Tiberius as a capable adjudicator of punishments who made use of a full range of penalties."²⁸ This, Cowan suggests was part of an argument that "sought to advocate a middle way, acceptable to both advocates of both *clementia* and *severitas*, which was current in Tiberian Rome."²⁹ and which represents a contemporary approach to punishment that assigned specific roles to the *princeps* and the senate when it came to issuing punishments.³⁰ Cowan suggests that a belief was developing among Tiberius' supporters that "the senate should act with *severitas*, the *princeps* alone should have discretion in relation to the determination of punishment."³¹ Thus, *clementia* was the preserve of the Princeps who chose whether to exercise this virtue after the senate had reached its decision regarding the punishment of an individual.³²

Further research of particular relevance for my study of Tiberian virtue discourse is Westphal's exploration of the virtue of *moderatio* in the work of Valerius Maximus. In an article published in 2015 Westphal defines *moderatio* as a Roman ethical concept concerned with the "the reasonable and prudent use of power." but states that there is still room for debate regarding how it "was actually manifest in historical action, how it varied and was defined, and who was expected to display it."³³ Westphal's examination of this virtue in the *Facta et Dicta Memorabilia* aims to provide a

²⁸ Cowan 2016 87.

²⁹ Cowan 2016 87.

³⁰ Cowan 2016 90.

³¹ Cowan 2016 90.

³² Cowan 2016 98-99.

³³ Westphal 2015 191. See also Westphal's 2018 commentary on Valerius Maximus 4.1.

definition of *moderatio* as it was understood by Valerius Maximus, the essential aspects of the virtue, the “potential intentions behind its display”, and how it functions in relationships between “the powerful and those on whom their power impacted”.³⁴

Westphal highlights that while Velleius Paterculus praises the unique moderation (*singularis moderatio*) of Tiberius, the later writers Tacitus and Suetonius present Tiberius’ display of moderation as the result of dissimulation.³⁵ Westphal defines the use of moderation in the late Republic and Triumviral periods as “predominantly of the self-control of individuals in high political offices or of people with a great deal of power and freedom of action.”³⁶

From the examination of the use of *moderatio* in Valerius’ text, Westphal concludes that the ethical value of this virtue can be found when scrutinising the reasons why *moderatio* was displayed.³⁷ An individual either controls his actions only because he believes it is the right thing to do, reduces his display of authority to achieve a certain outcome for his community, or he shows *moderatio* to increase his own reputation.³⁸ Westphal’s research highlights that *moderatio* was a virtue associated in the Roman mind with power and freedom of action and in particular with those in positions of leadership.

The fact that *moderatio* appears to be a virtue that is specifically associated with Tiberius and one that the Princeps himself seems to have laid claim to in his

³⁴ Westphal 2015 191.

³⁵ Westphal 2015 192.

³⁶ Westphal 2015 192.

³⁷ Westphal 2015 205.

³⁸ Westphal 2015 205.

dealings with his subjects is something I will explore further in the first chapter of my thesis. I will synthesise and build upon the findings of the past studies of virtue discourse in the Tiberian Principate outlined here in this review, further examining the presentation of those virtues that were associated with Tiberius in the work of Velleius Paterculus and Valerius Maximus. By doing this I explore contemporary interpretations of these virtues and discuss what their promotion during the principate of Tiberius can tell us about contemporary expectations of autocracy. I will not only be looking at instances where these virtues are applied to Tiberius himself and his deeds but will take an approach similar to that used by Langlands, Cowan and Westphal and consider how these virtues are presented in relation to other events or individuals. This will provide a wider picture of what the virtues that came to prominence in the literature and material culture of the Tiberian Principate mean to the Roman writer and his audience and what they say about ideals of leadership more broadly.

Ultimately, I will conclude that the effect of an emphasis upon the virtues of the Princeps is to show that he has the necessary personal qualities to rule Rome and the empire and to prevent a recurrence of civil war. This image of the emperor therefore positions him as the guardian of peace and prosperity and as an *exemplum* to his subjects using a language of ideal personal qualities that held a significance in Roman culture that reaches beyond the figure of the Emperor to authority figures in every area of Roman society both past and present.

To the scholarship discussed above we can add research into the wider range of virtues that were associated with Tiberius. Imperial coinage has proved to be one of

the most useful sources for identifying which virtues were associated with a particular emperor. Wallace- Hadrill (1981) identifies five virtues that are depicted upon coins from the reign of Tiberius these include *clementia*, *iustitia*, *pietas*, *moderatio* and *providentia*. Examples of these coin types can also be found in *The Roman Imperial Coinage (RIC) Volume One* and as I will discuss in Chapter One of this thesis these virtues also appear in contemporary literature and in later accounts of Tiberius' reign, and they are often directly associated with the Princeps himself as opposed to occurring in general discussions of virtuous qualities.

To the virtues identified above we can add *liberalitas* and *munificentia* which did not feature in Wallace-Hadrill's study as they are not depicted on the coinage. In contrast they do appear in Levick's 1976 monograph on Tiberius, where she provides a brief survey of the virtues associated with him during his reign.³⁹ Here *liberalitas* and *munificentia* appear alongside the virtues mentioned above. *Liberalitas* also features as part of an earlier consideration of Tiberius' virtues by Rogers (1943).⁴⁰ The reason for the inclusion of these virtues in both cases appears to be that, although *liberalitas* and *munificentia* are absent from coinage and other material evidence they do appear in the contemporary literature (particularly in Velleius who associates these virtues with Tiberius) and (as I will discuss in Chapter One) there is some evidence that individual acts of generosity by Tiberius were celebrated during his reign.

More recently Balmaceda (2014) has illustrated the importance of Imperial virtues in the work of Velleius Paterculus and has shown how the virtues assigned to Tiberius

³⁹ Levick 1976 86-91.

⁴⁰ Rogers 1943 3-20.

by Velleius fulfil multiple functions within his *Historiae*.⁴¹ Balmaceda also highlights that during Tiberius' Principate the "life and personality" of the Princeps was connected with the "development of the state and the processes of government."⁴² Here again we see the idea that for writers of the Tiberian Principate the personality of the autocrat is important in determining the success and character of the Roman state and governance during his reign. In my study I will build upon Balmaceda's observations regarding the importance of virtue discourse in Velleius' text by exploring further the nature of the virtues he celebrates; I will show how the view that the Princeps is responsible for maintaining virtue can also be found in the work of Valerius Maximus and was by this time becoming central to Roman thought upon Julio-Claudian autocracy.

Significantly, Balmaceda detects in Velleius' work the sentiment that the Principate has brought *virtus* back to Rome, re-establishing the morals of the Republic and restoring the place of virtues in Roman life.⁴³ Therefore, the character of the Princeps is not only important for the success of his reign, but it also has wider implications for all of Roman society, as he is responsible for the restoration and maintenance of virtue in Rome and the Empire. The idea that the Principate has restored the morals of the Republic also suggests the view that the Principate is not a break from the Republic but an improvement upon a form of governance that had fallen into disrepair through civil war.

⁴¹ Balmaceda 2014 341.

⁴² Balmaceda 2014 343.

⁴³ Balmaceda 2014 343, Vell. Pat. 2.1.1.

In this light Balmaceda suggests that Velleius uses the concept of *virtus* as ‘mortar’ to ‘build a bridge’ between the Republic and the ‘Empire’ or Principate.⁴⁴ She notes that Velleius uses the word *virtus* and its plural *virtutes* sixty-three times in his narrative.⁴⁵ Given the brevity of Velleius’ work this frequency suggests the importance he placed upon this subject. Balmaceda concludes that for Velleius imperial virtues are not only describing the Princeps himself but also perform another function within Velleius’ work as the means by which Velleius narrates events that happened during Tiberius’ time, and they give unity to the narrative so that Roman history is now told through the virtues of the Princeps.⁴⁶ This serves to emphasise the point Balmaceda made earlier in the article, that the state and the Princeps have now become linked to the extent that the history of Rome and its governance cannot be separated from the personality and actions of its ruler. In my discussion I will develop this point further by exploring how texts of the Tiberian Principate represent the role of the Princeps as the moral compass of Rome and link the virtues attributed to him to Rome’s continued prosperity. This focus upon personality also invites a comparison between emperors and how Rome fared under their command, at this stage between Tiberius and his predecessor Augustus.

The presentation of the relationship between Tiberius and Augustus in Tiberian sources is the subject of an article by Cowan (2009). Cowan examines how Augustus’ legacy influenced contemporary expectations about Tiberius’ role as Princeps and the extent to which he was expected to “be Augustus”.⁴⁷ Cowan suggests that there were two dominant paradigms through which Tiberius’ role could

⁴⁴ Balmaceda 2014 344.

⁴⁵ Balmaceda 2014 344.

⁴⁶ Balmaceda 2014 359.

⁴⁷ Cowan 2009 468.

be explored.⁴⁸ The first intended to show Tiberius' similarity to Augustus and his respect for his predecessor's legacy, the second was to show that Tiberius conformed to the ideal of the *optimus princeps*. This was achieved through the use of virtue discourse of the kind I will explore in my thesis. Cowan goes on to argue that this second paradigm grew in importance during Tiberius' reign until it eclipsed the first.⁴⁹ Cowan's study includes both Greek and Latin sources. Regarding Velleius she observes that he does not present Tiberius as wishing to imitate Augustus but subtly differentiates between the two emperors.⁵⁰ Cowan argues that Velleius' emphasis upon Tiberius as *optimus princeps* suggests that he "saw Tiberius as much more than Augustus' 'continuator'".⁵¹ In his desire to differentiate Tiberius from his predecessor, Cowan argues, Velleius avoids associating Tiberius with the virtues promoted by Augustus. Instead of Augustus' attributes of *virtus*, *clementia*, *iustitia* and *pietas*, Tiberius is more often praised for his *prudentia*, and his *gravitas*, and is thanked for his *liberalitas* among other virtues that are not associated with Augustus.⁵² In particular, Cowan highlights the close association between Tiberius and *moderatio* suggesting that it had an important role to play in Tiberius' "ability to construct a role for himself as the successor of Augustus."⁵³ Cowan's study is important as it shows that this was a phenomenon that evolved out of the Augustan Principate and that any attempt to define the virtues of Tiberius is inevitably also involved in the work of comparing Tiberius' character and style of leadership with that of his predecessor. It must be noted, however, that Cowan's findings relate to the work of Velleius Paterculus. In my study I also discuss the work of Valerius'

⁴⁸ Cowan 2009 468.

⁴⁹ Cowan 2009 468.

⁵⁰ Cowan 2009 478.

⁵¹ Cowan 2009 479.

⁵² Cowan 2009 479.

⁵³ Cowan 2009 480.

Maximus' in which the *pietas* of Tiberius in particular, appears to receive greater representation that Cowan finds in Velleius.

After establishing in Chapter One how virtue discourse in contemporary literature creates a positive image of the Princeps and his role in Roman society, I will turn my attention in Chapter Two to the memory and precedent of the seven legendary kings of Rome as presented in the work of Valerius Maximus. Previous scholarship has dealt with the reception of the Regal period in the late Republic and the Augustan Principate, exploring for instance Cicero's account of the Regal period in *De Republica*, the first book of Livy's history and Ovid's *Fasti*, but equivalent research has not been carried out into the reception of the Regal period in the work of Valerius Maximus.⁵⁴ While virtue discourse provided a model of how autocracy could be a benevolent force for good in Roman politics and society, the memory of the Roman kings served to provide a precedent for Julio-Claudian autocracy by recalling that Rome had originally been founded and ruled by autocrats.

In Chapter Two of my thesis, I will explore this theme in the *Facta et Dicta Memorabilia*. I will present a comparative analysis of how Valerius Maximus adapts the traditions of the legendary Roman kings to create a version of Rome's Regal past that is distinctly 'Tiberian'. This study will contribute to scholarship upon the reception of the Regal period in the early Principate by illustrating how Valerius' text engages with the memory of the Roman kings through the perspective of his own time and contemporary autocratic discourse. In this chapter I am again following a model provided by previous scholarship on this subject, in particular Fox's 1996

⁵⁴ See for example Fox 1996, Vasaly 2015.

study of the reception of the Regal period in Augustan literature. This chapter takes the form of a comparative analysis of Valerius' accounts of the Roman kings that will explore how Valerius' interpretation complies or differs from earlier and later versions of these stories and what this can tell us about the ways in which his account is influenced by contemporary 'Julio-Claudian' or 'Tiberian' discourses of autocracy.

A central theme of this thesis will be the complexity of Roman attitudes to autocracy, especially autocracy in the form of kingship. Rawson's influential article of 1975 has already highlighted the complexity of Roman attitudes to kingship. Rawson's study sought to explain Caesar's behaviour during the Lupercalia of 44 BC through a consideration of contemporary and earlier Roman attitudes to kingship and Roman encounters with the monarchs of the Hellenistic world.⁵⁵ Rawson suggests that there is contemporary evidence that Caesar wished to be worshipped as a god but did not wish to take the title of king, she states that there may have been:

More logic than appears at first sight in accepting a number of honours that suggested kingship (as well as divinity, which so often in the East went with it) and yet refusing the name.⁵⁶

Rawson suggests that Caesar had no need of the title of king because he had the 'essence' of kingship, an idea that was rooted in the Roman past.⁵⁷ Therefore, she argues he was following a 'very narrow' path between two views of autocracy.⁵⁸

⁵⁵ See Rawson 1975 148 for Rawson's brief outline of the controversy surrounding the Lupercalia of 44 BC.

⁵⁶ Rawson 1975 148.

⁵⁷ Rawson 1975 148.

⁵⁸ Rawson 1975 149.

These two perspectives are, on the one hand, a Greek view of the king as a good ruler who is diametrically opposed to the figure of the bad ruler, the tyrant, and, on the other hand, the view that kingship inevitably leads to tyranny (cruelty) and the loss of liberty.⁵⁹

The significance of this article for my study is that Rawson illuminates the many complex ways that the Romans interacted with the idea of kingship, with the legacy of their own traditions surrounding the seven Roman kings and with real-life kings from the Hellenistic kingdoms. The complexity of Roman attitudes to autocracy is central to my thesis because it is this ambiguity in cultural attitudes that allowed for a positive interpretation of the position of the Princeps in Roman society to emerge to suppress hostile interpretations of his autocratic power.

Rawson highlights that Rome was more powerful than the Hellenistic kingdoms her citizens encountered, and the Roman elite developed the idea that Roman senators, consuls and military leaders were all equivalent to kings.⁶⁰ Some Roman families claimed descent from the Roman kings, and the role of the consuls was also associated with the former power and insignia of the Roman kings and Roman leaders were able to demonstrate virtues that were associated with the good king, aspects of Roman culture that further illustrate this equivalence. Rawson qualifies this point, however, with the fact that:

⁵⁹ Rawson 1975 149.

⁶⁰ Rawson 1975 152-4.

It was to provincials, not fellow-citizens, that the royal virtues were to be displayed, and rewarded with honours like those heaped on kings.⁶¹

This introduces to the discussion a very important point that what was considered acceptable behaviour for a Roman leader outside of Rome and among non-Romans was not always seen as appropriate in Rome itself or when dealing with fellow Roman citizens.

Rawson argues that it is in the light of a number of factors (kingship in the east, association between kingship and Roman Republican titles and offices, continuing unease with/hatred of the idea of kings) that we should view Caesar's actions. She shows that although the Romans had a reputation for being hostile to autocrats there were, however, aspects of Rome's traditions of kingship that still retained positive association during the Republic. As noted above some Roman families claimed early Roman and Italian kings as their ancestors. The kings were thought to have instigated many of Rome's ancient institutions. They also provided a precedent for how Rome could, and once did, function as an autocracy and for how a Roman autocrat should behave.

Alongside Rawson's study of Roman attitudes to kingship we can place two articles by Smith. In a discussion from 2006 Smith, examines the literary accounts of alleged aspirants to autocracy Spurius Cassius, Spurius Maelius and Manlius Capitolinus in a study that contributes to arguments around the nature and purpose of Roman historical thinking and what these stories as *exempla* may tell us about early Rome.

⁶¹ Rawson 1975 154.

Smith begins with a discussion of the sources for these stories, namely Livy, Dionysius and Cicero, and how we can detect in these accounts echoes of the later events concerning the Gracchan land laws.⁶²

Smith also highlights the wider context of these stories and Roman kingship in general and the links between Rome and the wider (especially the Greek) world.⁶³

Smith asks what these debates, which engaged thinkers of the late Republic can tell us about earlier Rome.⁶⁴ Smith suggests that we can speculate about the existence of a “set of discourses” from before the late Republic within which the theme of *adfectatio regni* may have developed.⁶⁵ He also argues that the significance of these stories lies in the fact that:

One very important aspect of the Roman historical self-consciousness revolved around the limits to which resistance to the state was to be permitted.⁶⁶

Thus, these stories of the suppression of would be tyrants in later sources, although influenced by events surrounding Gracchan land reform are part of a discourse that includes the oath of Junius Brutus that the Romans would not permit a return to autocracy.⁶⁷ Smith concludes that having traced “the use of the actions of the past to justify the present” and accepting the historicity of individuals who attempted to gain a position of prominence at Rome, while also accepting the contention of Beard

⁶² Smith 2006 50-55.

⁶³ Smith 2006 55, 57, 59-60.

⁶⁴ Smith 2006 56.

⁶⁵ Smith 2006 57-58.

⁶⁶ Smith 2006 58.

⁶⁷ Smith 2006 59.

(1993) that at Rome historical discourse replaced mythic discourse, we should take these stories of *adfectores regni* seriously as *exempla*.⁶⁸ Smith argues that:

If justification of present action by reference to past precedent were to be identified as a profound motivation in the Roman *mentalité*, we should at least allow that the flexibility and adaptability of this discourse could have been an original feature, and a vehicle from the outset of political debate. Tyranny at Rome, and more importantly its suppression, was a real phenomenon, and part of a political discourse in its own time.⁶⁹

Smith demonstrates the way in which this discourse of violent suppression of those allegedly aspiring to kingship appears to have developed over time and came to include both potentially legendary and historical traditions, serving as a precedent for the treatment of those who were thought to be a danger to the established order of the Republic and expanding with each new alleged kingship aspirant. This discourse could be seen to play a role in the assassination of Julius Caesar, but as I will show in this thesis, during the early Principate the discourse surrounding that event takes another path that seeks to suppress the discourse of Caesar as tyrant or kingship aspirant and replace it with the view of Caesar as the predecessor of the Princeps. The Princeps' rule is defined in terms that are related to but separate from the autocracy of a king as I will explore in the next chapter of this introduction.

⁶⁸ Smith 2006 61.

⁶⁹ Smith 2006 61.

While kingship provided the Romans with one model of autocracy, the events of the late Republic also led to an association between autocratic rule and the office of the dictatorship. This will be explored further in Chapter Two of this introduction but here it is important to consider a study that raises methodological considerations regarding the way in which we interpret a Roman writer's interactions with the discourse surrounding this office. In an article from 2005, Stevenson examines the famous *Dream of Scipio* (*somnium Scipionis*) passage in Cicero's *De Republica* (6.12), in light of a scholarly debate concerning a reference in this part of the text to the possibility of Scipio Aemilianus being offered the position of dictator prior to his death in 129 BC. Stevenson's article responds to a trend in scholarship that favours a philosophical, literary reading of Cicero's reference to a dictatorship for Scipio (represented in the article by the conclusions of Zetzel 1995 229, n.1). This argument suggests that Cicero's reference to the dictatorship was not a historical fact or an allusion to contemporary politics and must be read as symbolic rather than literal. Stevenson in contrast argues in favour of an historical interpretation that views the passage in:

A way that maintains both the possibility that a dictatorship was mooted for Scipio and the likelihood that Cicero wanted to signal his support for an office like the traditional dictatorship in dealing with the troubled political conditions of contemporary Rome.⁷⁰

This method of interpretation is similar to the approach I take in this thesis. It assumes that the writer of a text intended his words to be interpreted by

⁷⁰ Stevenson 2005 140.

contemporary readers in a way that viewed the version of the past portrayed there as relevant to and as providing models or *exempla* for the present. Stevenson argues that *De Republica*:

Can be accepted as a genuine reflection of Cicero's political beliefs, a serious contribution to political theory and an attempt to enhance its author's standing and influence. The combination of philosophy with politics served to sharpen the message about power and to strengthen its impact in both spheres.⁷¹

Stevenson believes that Cicero intended for his work to be read in a manner that acknowledged its connections with contemporary politics.⁷² Stevenson's evidence for this view includes the fact that Cicero stated elsewhere that "study of the best constitution and laws does not belong to philosophers but to 'men experienced in civic affairs' (*Div 2.12: viri periti rerum civilium*)."⁷³ In his analysis, Stevenson links this passage to historical debates around how the dictatorship was viewed at the time Cicero was writing and around the possibility that Scipio's death prevented plans to name him dictator. Stevenson concludes that the possibility of a dictatorship for Scipio cannot be ruled out.⁷⁴ Regarding how the dictatorship was viewed during the time Cicero was writing, Stevenson argues that although the dictatorship had become a problematic office after its abuse by Sulla and Caesar the traditional, limited dictatorship "was available as an idea even at the time of the *Philippics*."⁷⁵ And so, although Stevenson points to the fact that Cicero does not advocate for the

⁷¹ Stevenson 2005 143.

⁷² Stevenson 2005 143.

⁷³ Stevenson 2005 143.

⁷⁴ Stevenson 2005 147.

⁷⁵ Stevenson 2005 145.

use of this office in an open way the text, in Stevenson's opinion, relates to contemporary political conditions in a way that is 'suggestive' rather than prescriptive.⁷⁶

In Chapter Two of this thesis, I will further explore the way that Roman writers sought to understand political life in the Rome of their own age through reference to past *exempla*. I will do so by considering the reception of autocracy in the form of kingship in the work of one extent writer of the Tiberian principate, Valerius Maximus. I will examine a number of *exempla* from Valerius' text that feature the Roman kings, these parts of the text have been chosen because they either feature a king as the active subject of the *exempla* or are in some way concerned with the legacy of a particular king. I have omitted from my study those parts of the text where a king is mentioned only in passing without being the central focus of the *exempla*. Wardle's (1998) commentary upon book one of Valerius' Maximus' text includes five of the extracts I will be examining in my case study. I will reserve a full account of these passages for the chapter in question, but here it is important to acknowledge that Wardle's commentary often illustrates how Valerius' method of choosing which elements of a story to include in his text serves to emphasise or de-emphasize certain elements of each *exempla*. For example, when discussing Valerius' account of the discovery of the alleged books of Numa (1.1.12) Wardle highlights that:

⁷⁶ Stevenson 2005 147-152.

Valerius' excerpting method robs the example of its political context, shortly after the Bacchanalian crisis of 186, which contributes to the attitude taken by the Roman authorities.⁷⁷

He also notes that there are other variations in Valerius' text from versions of this story told elsewhere, in particular that Valerius is the only writer to suggest that there was a difference in how the senate dealt with the Latin and Greek books.⁷⁸ In my study I will build upon the research of Wardle and others and consider what these variations can tell us when viewed, not as accidents of Valerius Maximus' process of "excerpting" but as deliberate choices of interpretation based upon what the writer may have considered relevant for the intended contemporary audience of the text, and what may have seemed less important in the context of the culture of the Tiberian Principate. As a result, I will argue that Valerius Maximus presents a version of Rome's Regal past that is distinctly 'Tiberian' and strongly rooted in the wider discourse of Julio-Claudian autocracy.

The next theme that I will explore in this thesis is the discourse of tyranny and tyrannicide. In Chapter Two of this Introduction, I will discuss the origins of this discourse in Ancient Greece and its reception at Rome. In Chapter Three I will present a case study of the reception of this discourse in Seneca the Elder's collection of *Controversiae*. Here I will be building upon the work of previous scholarship as outlined below, regarding the portrayal of tyrannical torture in Seneca's work. My research goes further, however, to explore the portrayal of wider

⁷⁷ Wardle 1998 106.

⁷⁸ Wardle 1998 107.

themes of tyranny and resistance to autocratic rule in Seneca's text, and what the exercises used in declamation can tell us about contemporary attitudes to tyranny and tyrannicide and how such attitudes may have changed under the Julio-Claudian regime. This chapter also draws attention to the way in which the presence of the emperor restricted the kind of discourse that was considered permissible in such debates.

In my research I have focused upon *Controversiae* 1.7, 2.5, 3.6, 4.7, 5.8 and 9.4 all of which deal with tyrants and tyrannicides. In an article published in 1972 Sussman examined Seneca the Elder's discussion of the decline of eloquence in the preface to the first book of the *Controversiae*. Sussman observed that Seneca dates the decline in Roman eloquence from approximately the time that saw the transition from Republic to the Principate, under which form of government the rewards for eloquence disappeared and orators had to be careful that what they said did not cause Imperial disapproval.⁷⁹ Although he acknowledges that oratory did not completely lose the importance it had held during the Republic, Sussman saw a clear connection in Seneca's mind between the decline of eloquence (or even free speech) and Imperial, autocratic rule.⁸⁰ In my discussion of Seneca's text I will explore the extent to which it can be said the existence of the Princeps influenced the presentation of negative autocracy and opposition to autocratic rule in the rhetorical exercises Seneca chooses to discuss.

⁷⁹ Sussman 1972 197.

⁸⁰ Sussman 1972 197.

Fairweather's (1981) monograph upon Seneca the Elder, although significant for the study of this author, does not consider the subject of autocracy in Seneca's work. The next important contribution to the subject is a thesis by Schubert (2000) which examines the themes of fantasy and politics in Seneca's declamations. Schubert devotes a chapter of this thesis to the subject of the tyrant. Here he highlights that for ancient commentators the tyrant appears to be a figure that belonged firmly to the 'fantasy' aspect of declamation.⁸¹ Yet, he argues, their dismissals should not be taken at face value, for there is evidence that orators were banished or executed for declaiming upon the subject of tyrants.⁸² This shows that the subject of tyranny was still considered a real and controversial one under the reigns of some emperors such as Caligula and Domitian. In this thesis I will argue that although the fantastical Greek settings of declamation did separate these exercises from the reality of Roman life, the *Controversiae* were still viewed as contentious material during the reign of Tiberius.

Schubert suggests that the tyrant in the *Controversiae* works on two levels – that of the 'overt' reference, an exaggerated stock character that deflects any notions of contemporary relevance, and that of the 'covert' tyrant which is "the centrepiece of a body political-theoretical thought on the nature and effects of arbitrary, despotic power."⁸³ On the one hand the tyrant was the exact opposite of what the Princeps and his regime supposedly stood for, on the other he is covertly representative of the controlling power of the Princeps and a decline in free and honest expression in public life under the Principate.⁸⁴ This perhaps helps to explain the continued

⁸¹ Schubert 2000 93.

⁸² Schubert 2000 93.

⁸³ Schubert 2000 96.

⁸⁴ Schubert 2000 92-135.

existence of the tyrant in rhetoric of the Imperial age. The tyrant could be seen both as an outlandish figure of fantasy and as a covert reference to a corrupt emperor. It can be argued that context was an important aspect of this dichotomy, as a declamation upon the subject of tyranny could perhaps be seen to hold more subversive weight under the rule of a tyrannical emperor.

Schubert lists the typical traits of the tyrant that appear in the *Controversiae* and discusses the Greek origins of these ideas and related themes such as the influence of the career and death of Caesar but does not attempt a systematic analysis of the presentation of tyranny in the text.⁸⁵ There is no consideration of exactly how Seneca's work engages with the earlier discourse of tyranny and tyrannicide. I would argue that to understand the true significance of the *Controversiae* as a conduit for anti-autocratic thought during the Principate, it is necessary to consider exactly which themes of tyranny Seneca's work is conveying to an Imperial audience and how these differ from, or remain similar to, earlier Greek and Roman thought. It is often in the small alterations in discourse that we see the influence of changing political and social realities.

One aspect of the power of these declamations, of what made them controversial in an Imperial context, was their capacity not only to portray the vices of the tyrant but to promote violent opposition to autocratic rule. Schubert acknowledges the ambivalent attitude towards tyrannicides that emerges in the *Controversiae* and concludes that this is due to the violent nature of the act of tyrant slaying and the

⁸⁵ Schubert 2000 106-108.

moral ambiguity of some of the circumstance in which tyrannicide takes place.⁸⁶ I will show that this is another area where a more detailed consideration of the previous discourse helps to further reveal how Seneca's text is shaped by earlier Greek discourse upon the rights and motives of tyrannicides and the perceived validity of these arguments in a Roman context.

More recent research upon the *Controversiae* has focused not upon the theme of autocracy, but that of torture, which is closely associated with ideas of tyranny, as the use of torture is one of the essential traits of the tyrant as portrayed in Greek and Latin literature.⁸⁷ As I will consider in greater detail in Chapter Three, Pagán (2007/2008) has explored one particular instance of this theme, pointing to the significant role of declamation in Roman education and its importance for instructing the next generation in Roman morality and social attitudes.⁸⁸ She suggests that while such exercises involving fictional cases of torture were intended to prepare students to encounter judicial torture in real life, they also reflect a growing unease at the lack of distinction between judicial and tyrannical torture during the reign of Tiberius.⁸⁹

In an article published in 2012 Bernstein has also briefly examined *Controversiae* 2.5. and came to the conclusion that in such exercises the torture of free persons is shown to occur when a tyrant has taken control of a community and that these victims are portrayed as exemplary figures of virtue.⁹⁰ While the virtuous motives of the wife who undergoes torture in *Controversiae* 2.5 are not questioned the focus is

⁸⁶ Schubert 2000 146.

⁸⁷ For more on this subject see Dunkle 1967 & 1971.

⁸⁸ Pagán 2007/2008 165.

⁸⁹ Pagán 2007/2008 178-9.

⁹⁰ Bernstein 2012 171.

upon who could be said to have benefited more from her resistance to the tyrant's torture, her husband or the state.⁹¹ As I will show questions like this reflect longstanding traditions surrounding the figure of the tyrant-slayer. The *Controversiae* appear to provide an example of the continuation of Republican ideals and the influence of Greek (specifically Athenian) concepts and history into the Imperial age through the genre of declamation. The significance of this continuation of Greek and Republican themes in Imperial declamation is something I explore in greater detail in my research because it reveals further insights into the form and limits of anti-autocratic discourse in the Julio-Claudian era.

Continuing the theme of resistance to autocratic rule, in Chapter Four I will turn my attention to the subject of resistance to Julio-Claudian autocracy. I will examine how writers of the Tiberian Principate use the same negative discourse to describe both the assassins of Caesar and those who had opposed Julio-Claudian autocracy in their own time. I will explore how this serves to emphasise the role of the Princeps as the protector of peace and prosperity for Rome and its empire, and to present any opponent of Julio-Claudian autocracy as an enemy of Rome and its citizens.

This chapter builds on the previous research of Rawson (1986) and Tempest (2017) in exploring the reception of the figures of Brutus and Cassius after their deaths. In my research I take this further to explore how the negative representation of these two opponents of Caesar created a model for the portrayal of future opponents of Julio-Claudian autocracy. I will show that the discourse used to denigrate later

⁹¹ Bernstein 2012 172.

individuals such as Piso and Sejanus is strikingly similar to that used to characterise Brutus and Cassius.

In an article published in 1986 Rawson explored the phenomenon of the posthumous reputation of Brutus and Cassius and found that their reputation was not entirely a negative one. Brutus possessed a greater posthumous reputation, particularly because of his association with Cicero and his literary and philosophical interests and was referred to as a “great man’ by Seneca the Younger in his *de beneficiis*.⁹² Cassius was remembered for his defence of Syria after the disastrous defeat of Crassus at Carrhae in 53 BC and there is evidence that during the reign of Nero one of his descendants was accused of commemorating Cassius’ part in the death of Caesar in an inscription upon a portrait of his ancestor.⁹³

There did however develop what Rawson has described as an “anti-Liberator” tradition mainly focused on the murder of Caesar, who was portrayed as the benefactor of Brutus and Cassius and in some accounts even secretly the father of the former.⁹⁴ Many traditions developed to emphasise the ingratitude of the conspirators and discredit their names.⁹⁵ In particular there was the adoption of the titles of ‘parricides’ and ‘*latrones*’ or plunderers to describe Caesar’s assassins, a practice which I will show continued into the literature of the Tiberian Principate and was also applied to the opponents of Tiberius’ reign.

⁹² Although Seneca does condemn Brutus’ part in the assassination, Seneca *De Beneficiis* 2.20, Rawson 1986 101-102.

⁹³ Tacitus *Annals* 16.7, Rawson 1986 103.

⁹⁴ Rawson 1986 103.

⁹⁵ Rawson 1986 105.

More recently Tempest (2017) has re-examined the life and posthumous reputation of Brutus. Tempest also highlights the hostile tradition surrounding the figures of Brutus and Cassius and suggests the prosecution of Cremutius Cordus for writing a history that presented a favourable account of the assassins of Caesar implies there was an “atmosphere of intolerance” under Tiberius’ rule.⁹⁶ It was a point of view where, Tempest suggests, “admiration of Brutus and Cassius was more sinisterly interpreted as a cry of protest against the imperial system”.⁹⁷

Tempest points to evidence of this hostile tradition in the work of Velleius Paterculus and Valerius Maximus both of which she characterises as having “pro-imperial tendencies”.⁹⁸ Tempest briefly highlights that Valerius refers to the assassins as parricides and that he used omens of their demise to hint that he believed divine justice overtook the conspirators.⁹⁹ As for Velleius, Tempest states that his focus is upon the ingratitude of the conspirators and both he and Valerius Maximus suggest that the assassination of Caesar is a blot upon Brutus’ otherwise virtuous character.¹⁰⁰ In this thesis I provide further evidence that there was indeed an ‘atmosphere of intolerance’ during the Principate of Tiberius and that this extended beyond the posthumous reputations of Brutus and Cassius.

Beyond the research of Rawson and Tempest, past scholarship upon the reception of Brutus and Cassius in Tiberian sources is not extensive. This subject has been considered briefly by Bloomer (1992) who has highlighted that when Valerius

⁹⁶ Tempest 2017 5.

⁹⁷ Tempest 2017 5.

⁹⁸ Tempest 2017 6.

⁹⁹ Tempest 2017 6.

¹⁰⁰ Tempest 2017 6.

Maximus is dealing with such controversial figures as Brutus and Cassius conflict can emerge between republican and imperial discourse. This would appear to be the case at 3.1.3 where a young Cassius stands up to the ‘tyranny’ of Sulla’s son Faustus, but as Bloomer (1992) points out Valerius is quick to admonish Cassius for his part in the murder of Caesar. Bloomer highlights that here, as elsewhere in the text Valerius labels the murder of Caesar as parricide both to malign the assassins and to suggest familial ties between the Caesars and the state.¹⁰¹ However, what Bloomer does not quite articulate is that labelling the murder of Caesar as parricide not only portrays the former dictator in a positive light as the father of his country, it also allows Valerius to praise the young Cassius’ instincts towards tyrannicide, while at the same time admonishing him for his part in Caesar’s death. In what might be termed pro-Caesarian discourse tyrannicide and the death of Caesar could perhaps be seen as two different concepts. In my research I examine further how Julio-Claudian writers use discourse to allow seemingly contradictory ideas to coexist, because I believe this helps to reveal the true complexity of autocratic and anti-autocratic discourse in the early Principate.

In his commentary upon the first book of Valerius Maximus, Wardle (1998) has examined five *exempla* from that book featuring Brutus, Cassius or the death of Caesar (1.4.7, 1.5.7, 1.6.13, 1.7.2, 1.8.8). Wardle notes that when Brutus is the subject of an *exemplum* “he is damned with the murder of Caesar” and that “V’ is more hostile than any other writer to the liberators.”¹⁰² Wardle also highlights that even when Valerius talks of Brutus’ virtues “his murder of Caesar obliterated

¹⁰¹ Bloomer 1992 207-8.

¹⁰² Wardle 1998 177.

them.”¹⁰³ Wardle suggests this negative discourse surrounding Brutus can be linked to the fate of Cremutius Cordus.¹⁰⁴ This is an idea I will explore further in my study, building upon Wardle’s observations. Of particular interest is Tacitus’ later account of the trial of Cremutius Cordus, which provides evidence that a later writer was aware of there being a culture of ‘anti-liberator’ discourse during the Tiberian Principate. In Chapter Four of this thesis, I will provide an extensive examination of the presentation of Brutus and Cassius in my chosen sources and will show that Tacitus’ portrayal of the Tiberian Principate as a time when the approved discourse concerning the assassins of Caesar was a negative one that characterised them as parricides and plunderers is based in fact. I will also be looking at how writers of the era portrayed contemporary opposition to the autocracy of Tiberius, and I will show that this discourse also used similar terms when discussing contemporary opposition to Julio-Claudian rule.

When discussing the subject of opposition to Tiberius and how it is presented in contemporary sources scholarly interest has often focused upon the figure of Sejanus and how his rise to a position of influence and his sudden downfall are presented in contemporary texts. In his commentary upon the first book of Valerius Maximus, Wardle (1998) provides an overview of the debate that has surrounded a possible reference to Sejanus in book nine of the *Facta et Dicta Memorabilia*. The focus of this debate has been whether the unnamed figure mentioned in 9.11.ext.4 can be identified as Sejanus or M. Scribonius Libo Drusus.¹⁰⁵ Wardle concludes his brief discussion in favour of Sejanus as the focus of Valerius’ censure and this is the

¹⁰³ Wardle 1998 177.

¹⁰⁴ Wardle 1998 177.

¹⁰⁵ Wardle 1998 3-4.

interpretation of the majority of scholars who have considered this part of Valerius' text.¹⁰⁶ Wardle cites in particular the fact that the unnamed figure of 9.11.ext.4 is twice accused of "abusing the ties of friendship (*amicitiae fide extincta; violatis amicitiae foederibus*)"¹⁰⁷ and as Wardle states:

Sejanus' friendship with Tiberius had been acknowledged publicly by the senate in 28 with the erection of an altar of friendship flanked by statues of the emperor and Sejanus (Tac. Ann. 4.74.2.).¹⁰⁸

If Libo had been the target of this tirade, Wardle suggests, Valerius Maximus could have strengthened his charge by claiming that ties of kinship had been broken, because Libo's grandfather was most likely the adoptive brother of Tiberius' mother.¹⁰⁹ Gowing (2005) observes that this is one of the few contemporary references in Valerius' text and also one of few instances, after the preface, when Valerius refers to the Princeps, he also highlights that Sejanus is referred to as a parricide and that Valerius omits Sejanus' name in what Gowing calls a 'memory-erasing move'.¹¹⁰ Regarding Valerius' account of Sejanus' attempted 'parricide' Gowing observes:

It is fascinating that the Chaos Valerius imagines would have been induced had Sejanus succeeded is pictured in terms of a reversal of several key events in Republican history, clear instances of the "insanity" (*furores*) that

¹⁰⁶ Wardle 1998 4.

¹⁰⁷ Wardle 1998 4.

¹⁰⁸ Wardle 1998 4.

¹⁰⁹ Wardle 1998 4.

¹¹⁰ Gowing 2005 51.

Sejanus would have “made manifest” or “brought forward to the present” (*repraesentare*) and “surpassed” (*vincere*) by means of his “mindless plans” (*amentibus propositis*).¹¹¹

Thus, Gowing highlights that for Valerius the imagined murder of the Princeps would have had repercussions in the past as well as the present “as though the act had the potential somehow to “change” history... and memory.”¹¹² But, Gowing suggests, it is the stability and effective governance brought by Tiberius that Valerius believes has thwarted Sejanus and has preserved memory and history intact.¹¹³

Gunderson (2013) has also examined Valerius’ reference to the downfall of Sejanus (9.11.ext.4). Noting Valerius’ ‘pointed obscurity’ regarding contemporary Rome, Gunderson shows how this includes the figure of Sejanus.¹¹⁴ Sejanus’ name is not only excluded from the text but his story is positioned among the external *exempla*.¹¹⁵ Valerius uses the language of otherness to describe an unnamed individual who wished to overturn the course of Roman history through what is described as ‘parricide’.¹¹⁶ Comparing this with earlier remarks regarding Brutus and Cassius we can see a pattern in the representation of figures of opposition to Julio-Claudian rule in Valerius’ text. This is something that I examine in depth in Chapter Four of this thesis where I compare this pattern with the discourse of resistance to Julio-Claudian autocracy to be found in our contemporary sources, the result of this is an account of contemporary responses to opposition in the Tiberian era.

¹¹¹ Gowing 2005 53.

¹¹² Gowing 2005 53.

¹¹³ Gowing 2005 53.

¹¹⁴ Gunderson 2013 202.

¹¹⁵ Gunderson 2013 202.

¹¹⁶ Gunderson 2013 203.

As I will discuss below the portrayal of Sejanus in the work of Velleius Paterculus is very different to that found in Valerius Maximus' work. In the opinion of Gowing (2005), in Velleius Paterculus' account of Sejanus the writer:

Goes out of his way to defend the standards by which Sejanus – himself of good Republican stock (2.127.3) – was judged, summoning an array of venerable characters from the republic with whom Sejanus is to be compared: Tiberius Coruncanius, Spurius Carvilius, Cato the Elder, Marius, Cicero, and Asinius Pollio.¹¹⁷

These are, as Gowing highlights, men who rose from humble beginnings as 'new men' (*novi homines*) to important positions in Rome.¹¹⁸ Balmaceda (2014) also discusses Velleius' account of the role of Sejanus in light of Sejanus' status as a *homo novus*. She notes that the approach to Sejanus is interesting as in contrast to the other *novi* he mentions his portrayal of Sejanus is not straightforward in its praise:

If one looks carefully at this description, one can read between the lines a certain ambiguity in the compliments the historian makes. Sejanus is a complex man and so we have a complex portrait of him. The contrasts and antithesis in his personality could be a warning of the man himself and his projects.¹¹⁹

¹¹⁷ Gowing 2005 41.

¹¹⁸ Gowing 2005 41.

¹¹⁹ Balmaceda 2014 346.

The reason for this ambiguity Balmaceda suggest is that Velleius could not suggest any misgivings about so influential a figure openly, however, she argues that until now we have not encountered this kind of ambiguity in Velleius' characterisations, instead he exhibits clear moral judgement.¹²⁰ Therefore, Balmaceda states that "It looks as if he was more interested in justifying Tiberius' treatment of the prefect within a traditional pattern than in praising him specifically as a *homo novus*."¹²¹ Balmaceda also highlights that Velleius is writing about the beginning of Tiberius' reign, a stage when even his detractors consider to have been a point when Rome enjoyed good governance and the negative influence of Sejanus was yet to truly manifest, however, Velleius does express anxiety at the end of his text concerning the future of Tiberius' reign.¹²² My own discussion of the differing approaches of Valerius and Velleius in regards to the reputation of Sejanus will appear below as, having explored the scholarship that has informed my research for this thesis, I now turn my attention to the scope of my project and the nature and limitations of my sources.

This thesis will focus on literature with some reference to material culture in Chapter One. I chose my sources because I believe strongly in the need to view this era from the point of view of contemporary sources by those who were experiencing it and did not have the benefit of hindsight. The work of these Tiberian authors allows us to see a 'snapshot' of Roman thinking on autocracy as it stood at the beginning of the Julio-Claudian Principate. There are, however, some limitations to this approach. Firstly, I

¹²⁰ Balmaceda 2014 346-347.

¹²¹ Balmaceda 2014 347.

¹²² Balmaceda 2014 347.

will only be examining Latin literature and so my study does not extend to contemporary discourses of Tiberian autocracy that may only have existed outside of the Latin speaking world. My project is also by necessity limited to extant texts and so it is always important to keep in mind that many works of literature from this era do not survive. I will sometimes examine later sources such as Tacitus and Suetonius through the lens of the reception of the Tiberian Principate in later times, but my central focus will be on the contemporary sources. All these factors have limited the scope of my findings but have allowed me to examine in detail the discourse of autocracy as it was portrayed in three extant literary works from the Tiberian age, across different genres. As I will discuss below my chosen texts can be characterised as works of historical or didactic literature but are all texts that reach beyond the boundaries of genre in some way. Velleius Paterculus combines (condensed) history with panegyric, the purpose of Valerius Maximus' work has been debated by scholars, who ask if it is a moral handbook or a guide for rhetorical *exempla*. Seneca the Elder provides a rhetorical collection where the themes draw heavily from historical and literary tropes as was often the case in declamation.¹²³ Although I will keep in mind the genre conventions and individual characteristics of each text I consider in this study, I am also interested in observing wider trends across different genres to characterise the wider cultural and intellectual implications of the discourse of autocratic rule found in Tiberian literature.

I will now outline the nature and limitations of my three chosen sources and explore some of the issues of interpretation that are central to my study, beginning with

¹²³ As the introduction to a recent study of Seneca's work has discussed: Dinter, Guérin and Martinho (eds.) 2020 1-4.

Velleius Paterculus' *Roman History*. This work consists of two books and is the only contemporary source to provide a continuous narrative reaching from the second century BC to AD 30.¹²⁴ Thus covering what we would consider the transition from Republic to Principate, but what Velleius seems to have viewed as a continuation of the Republican system under the guidance of Augustus and later Tiberius.¹²⁵

The title by which Velleius' work is now known, *Historiae Romanae* is not original but was invented in the Sixteenth Century by the first editor of Velleius' work Beatus Rhenanus.¹²⁶ It has been estimated that over 40 per cent of the work has been lost with large portions missing from the beginning and the middle of Book One.¹²⁷ The work would most likely have begun with a preface and it would have been here that Velleius would have stated the purpose of his work and included any dedications he wished to make. Although this valuable information is missing from the text as it survives its content can perhaps be surmised from what remains of the text.¹²⁸

Throughout his work Velleius addresses a man named Marcus Vinicius and dates the events he describes in relation to their distance from the date of Vinicius' consulship, AD 30.¹²⁹ Marcus Vinicius was the grandson of a commander and friend of Augustus who became consul in 19 BC. His father had been Velleius' commander at the beginning of Velleius' military career and Vinicius himself was married to Julia Livilla, the daughter of Germanicus, and by adoption granddaughter of Tiberius. The emphasis upon Vinicius and his consulship suggests that the work may have been written for or dedicated to him upon that occasion and/or 'published' during that year. Velleius' work is highly condensed, and the preface may have alluded to the brevity

¹²⁴ Yardley & Barrett 2011 xxxiv.

¹²⁵ Gowing 2005 34-35, Yardley & Barrett 2011 xxxv.

¹²⁶ Yardley & Barrett 2011 vii, xxi.

¹²⁷ Starr 1981 162.

¹²⁸ Starr 1981 162.

¹²⁹ For example, at 49.1 and 65.2.

of the work.¹³⁰ Velleius also makes several references in the text to a more expansive history that he intends to write in the future, although no record of such a history by him exists.¹³¹

The history may have started with the Trojan War and continues with a number of foundation stories and Greek historical events. Velleius also shows a great deal of interest in literary and philosophical figures.¹³² Book Two, however, covers Roman history from the fall of Carthage down until Velleius' own era. Velleius' work praises Tiberius, showing a positive assessment of the Principate and he includes in his history what could be described as a 'panegyric' upon the life of the second Princeps.¹³³

This part of the work in particular has attracted the interest of scholars, because it appears to draw upon the genre of panegyric and because while praising the current Princeps and listing the many improvements Tiberius' reign has brought to life in Rome, Velleius appears to criticise Tiberius' predecessor, Augustus. Schaefer highlighted this apparent criticism in a dissertation of 1912.¹³⁴ Much later Woodman countered this idea in an article of 1975 in which he pointed to the fact that presenting the rule of the current leader as an improvement on what has gone before was a convention of panegyric and that Tiberius consistently sought to model himself upon Augustus, thus an apparent supporter of the emperor would be unlikely to criticise his predecessor.¹³⁵

¹³⁰ Starr 1981 163.

¹³¹ Yardley & Barrett 2011 xxi-xxiii.

¹³² Starr 1981 165.

¹³³ 2.94-131.

¹³⁴ As noted by Ramage 1982 267 n. 1.

¹³⁵ Woodman 1975 291.

Woodman returned to this question in the first volume of his commentary upon Velleius' work, published in 1977, highlighting once again that the apparent criticism of Augustus was in keeping with the techniques of panegyric.¹³⁶ Woodman also argues that praise of the Princeps can be related to a long tradition of celebrating the achievements of the Roman *res publica* in patriotic historiography, but that during the Imperial age the focus of such historiography transferred to the Princeps who now began to be identified with the State.¹³⁷ Ramage (1982) also considered the relevant passage in light of the panegyric tradition and concluded that the implied criticism is both intended and to be expected. The reason being that this part of the work can be characterised as a 'restoration panegyric' where criticism of a predecessor was used to distinguish the subject as a successful ruler in his own right.¹³⁸ In this way the work engages with one of the central challenges of Tiberius' reign - his position as the first Julio-Claudian successor. Although, as Ramage highlights, Velleius does not include any outright criticism of Augustus, as an apparent supporter of Tiberius he perhaps wishes to present the second Princeps' rule as equal to that of his predecessor and to show him building upon and even surpassing the achievements of Augustus.¹³⁹

It has been established that Velleius is writing in the tradition of panegyric, a genre of praise literature that can be traced back, via Cicero's speeches of the late Republic (discussed below) and the tradition of funeral eulogies, to Ancient Greece. The first

¹³⁶ Woodman 1977 234-235.

¹³⁷ Woodman 1977 51.

¹³⁸ Ramage 1982 267.

¹³⁹ Ramage 1982 269. Here Ramage also highlights that this is the second time that Velleius uses the restoration theme, the first being in his account of the reign of Augustus, thus drawing a parallel between the first two emperors, suggesting equality and progress.

extant example of this kind of encomium or speech of praise can be found in a funerary oration to Evagoras the king of Salamis in Cyprus (c.370 BC) by the Athenian speech writer Isocrates. Looking forward we can link this tradition to Seneca the Younger's *De Clementia* (addressed to Nero at the beginning of his reign and taking the form of a treatise of advice for the good autocrat as well as a work of praise) and Pliny the Younger's *Panegyricus* (a speech of praise addressed to Trajan and performed in the senate). It is therefore important to view the portrayal of Tiberian autocracy in Velleius' text in light of this tradition.

When considering the panegyric elements in Velleius' text it is important to also consider the purpose for which it was composed. This includes the fact that the text (or at least some part of it) may have been performed publicly before an audience. Lobur (2007 & 2011) has highlighted that Velleius was writing at a time when it was customary to perform literary works in a (semi) public environment.¹⁴⁰ There is scholarly disagreement regarding the exact date of composition for Velleius' text.¹⁴¹ However, it is agreed that he composed his work to commemorate the consulship of Marcus Vinicius and what we can say is that Velleius does not include any events in his work that can be dated to after that time. The reading of Velleius' work (or extracts from it) would perhaps have taken place on an occasion arranged to celebrate Vinicius attainment of the consulship for AD 30. It may even have been a central focus of this event. The audience would presumably have included Marcus Vinicius as well as other significant contemporaries. It is unlikely that the Princeps would be in attendance as he had by this time retired to Capri. Velleius may also

¹⁴⁰ Lobur 2007 222-4; 2011, 203-4. Lobur refers in particular to the *recitatio* "a private or semi-private (but socially formal) reading of one's literary endeavours to a select audience of friends and dependents." 2007 222.

¹⁴¹ See Rich 2011 84-6 for an overview of this debate.

have published his work, and this of course represents a further exposure of the text, although it is impossible to be sure of how wide an audience Velleius' text received either in recitation or in writing.¹⁴²

Panegyric was often a means of persuasion, this could either take the form of emphasising the positive qualities of an individual to convince others of their fitness to hold a particular position of authority, or it could seek to subtly influence the behaviour of an autocrat by ascribing to them the positive qualities the writer hopes they will adopt. This is achieved by praising those traits they wish to encourage and damning those they would have the ruler avoid.¹⁴³ Velleius' text provides mostly praise with little of the opposing negative examples of despotic rule that can be found in other texts such as Seneca's *De Clementia*. However, the idea of praise as persuasion is still relevant and we can compare Velleius' text to earlier examples where praise is being used to influence the behaviour and decision making of a group or individual. Four of Cicero's speeches have been identified as representing evidence for Latin Republican panegyric that influenced the development of later Imperial praise literature.¹⁴⁴ As will be explored in more detail below, several parallels can be seen between Cicero's portrayal of Pompey in the *Pro Lege Manilia* and Velleius' account of Tiberius. In his speech Cicero is arguing in favour of granting Pompey the extraordinary command against Mithridates and uses the techniques of panegyric as a means of highlighting Pompey's suitability for this role. This example of praise as a means of persuasion is perhaps also useful when considering the

¹⁴² There are some works for which we can gain a sense of this kind of information such as Pliny's *Panegyricus* for which we know the exact context in which the speech was delivered. Pliny also refers to the reception of his speech in his letters. Unfortunately, this is not possible in the case of Velleius.

¹⁴³ See Braund 2009 61-64 for example, on the use of positive and negative *exempla* in another work that includes elements of panegyric, Seneca the Younger's *De Clementia*.

¹⁴⁴ See Braund 2009 21.

sections of Velleius' text that deal with Sejanus (2.127-128). Here Velleius appears to be keen to establish that there is precedent for Sejanus' rise and his current position in the state. It has been observed that his approach to Sejanus suggests he in fact feels some unease at the man's position, or the necessity of treating this subject in his text.¹⁴⁵ Here the positive statements made about Sejanus appear to perhaps show Velleius seeking to find a way to justify the position of Sejanus and pre-empt any contemporary criticism. Velleius does not make any mention in his text of the Princeps' retirement to Capri and this was surely too important an event for Velleius to have overlooked.¹⁴⁶ This suggests that Velleius has chosen to ignore the fact that the Princeps has left Rome but is unable to ignore the increasing power of Sejanus in Tiberius' absence.

In 2.103-121 Velleius describes Tiberius' various military achievements under the reign of Augustus.¹⁴⁷ Tiberius is presented as a dynamic figure and the true protector of Rome. Augustus appears to rely upon Tiberius' military prowess. Several parallels can be seen between Velleius' portrayal of Tiberius and Cicero's presentation of Pompey in the *Pro Lege Manilia*. Both accounts place emphasis upon the seriousness of the crises that are faced by the state and portray their subject as the only man able to solve them. The military prowess of Tiberius and Pompey are a central focus of each text, beginning with an account of their extensive military education. In both Cicero's speech and Velleius' history the efficacy of Pompey and Tiberius is shown by how rapidly they deal with the various crises they encounter.

¹⁴⁵ Woodman 1977.

¹⁴⁶ He has previously made a reference to Tiberius' stay in Rhodes.

¹⁴⁷ This is dealt with by Ramage 1986 268. Ramage notes that in many ways Augustus is here overshadowed by his adopted son.

Both texts create the impression that Pompey and Tiberius only have to arrive on the scene for affairs to take a successful turn.

At 2.122 Velleius summarises Tiberius' achievements and the honours he has declined as an example of Tiberius' unique modesty (*singularis moderatio*). Velleius creates the impression that admiration for Tiberius is a universal sentiment with his opening question - Who, he asks, does not wonder at the fact that although Tiberius has earned seven triumphs, he was content with three? Woodman has observed that Velleius at times exaggerates, by ignoring the difference between an *ovatio* and a triumph.¹⁴⁸ *Moderatio* was one of the virtues Tiberius appears to have been especially keen to associate himself with. The virtue appears on coins and can also be found attributed to Tiberius in the later accounts of Suetonius and Tacitus.¹⁴⁹ Modesty is also one of the virtues Cicero applies to Pompey. *At Pro Lege Manilia* XIII.36-39 Cicero compares and sets Pompey apart from previous generals and governors who have abused their power. This could be seen as a republican precedent for the comparison of the ruler with a predecessor upon the theme of 'restoration' that was recognised by Woodman and Ramage as a central aspect of panegyric to be found in Velleius.

In this passage Tiberius is again presented as a dynamic figure who takes action and whose achievements are very much his own (*cuius capiti insigne regium sua manu imposuerat*). He brought order to the affairs of the east, he conquered the Vindelici and the Raeti. he is a great leader/commander (*summi ducis*). This

¹⁴⁸ Woodman, 1977 213.

¹⁴⁹ See Chapter One of this thesis for a more in-depth consideration of the *moderatio* of Tiberius and its significance to the discourse of autocratic rule during his principate.

emphasis upon pre-eminence and individual action can also be found in the first of Cicero's three 'Caesarian speeches' the *Pro Marcello*. At IV Cicero highlights that Caesar's achievement in pardoning Marcellus is his alone without the contribution of others. Caesar is described as having surpassed himself, emphasising that there is now no one else who can rival him in achievement.

Cicero's 'Caesarian' speeches have been identified as having a strong influence upon later praise literature. In these speeches Cicero is dealing explicitly with the new reality of Caesar's autocracy in Rome.¹⁵⁰ The three speeches all have a specific purpose; in each case Cicero is appealing for Caesar to show his famed clemency towards three individuals who now find themselves on the wrong side following the civil war. In his appeals to Caesar the orator makes use of the discourse of praise in a way that recalls Imperial panegyric. This can be seen in a passage in Cicero's *Pro Marcello* (VIII) in which Cicero presents Caesar as the one who must remedy all that has been left in disorder by the civil war:

Omnia sunt excitanda tibi, C. Caesar, uni, quae iacere sentis, belli ipsius impetu, quod necesse fuit, percussa atque prostrata: constituenda iudicia, revocanda fides, comprimendae libidines, propaganda suboles, omnia, quae dilapsa iam diffluxerunt, severis legibus vincienda sunt.

It is for you alone, Caius Caesar, to reanimate all that you see shattered and laid low as was inevitable, by the shock of the war itself; courts of law must be set on foot, licentiousness must be checked, and the growth of population

¹⁵⁰ See Braund 2009 100-101.

fostered; all that has become disintegrated and dissipated must be knit together by stringent regulation.¹⁵¹

It is also possible to detect that Cicero is using praise as a way to attempt to influence the way in which Caesar uses his newfound supremacy. In *Pro Marcello* Cicero emphasises that Caesar's achievement in pardoning Marcellus is his alone without the contribution of others (IV). Caesar is described as having surpassed himself, emphasising that he has no rival.

How, then, are we to interpret the panegyric elements evident in Velleius' text and what impact does this have on my use of this text in a study of autocratic discourse?

These questions can be addressed through the findings of a 2007 article by Lobur.

Lobur has considered Velleius' history as "a cultural document demonstrating the crucial generation (or reproduction) of imperial ideology by average Roman elites."¹⁵²

As Lobur has discussed, Velleius' text performs three functions.¹⁵³ It is a means of honouring his patron, an opportunity to display his own erudition and an opportunity to present a panegyric account of the current leadership of Rome. Lobur shows that Velleius' text can be viewed as an example of how the new Roman elites of the Imperial era, from the Italian provinces or wider parts of the Empire could participate in and show their knowledge of Roman culture in order to gain 'cultural capital' under the regime of the Principate.¹⁵⁴ This demonstration of a command of the necessary

¹⁵¹ Text and Translation from Cicero. *Pro Milone. In Pisonem. Pro Scauro. Pro Fonteio. Pro Rabirio Postumo. Pro Marcello. Pro Ligario. Pro Rege Deiotaro*. Translated by N. H. Watts. Loeb Classical Library 252. Cambridge, MA: Harvard University Press, 1931.

¹⁵² Lobur 2007 211.

¹⁵³ Lobur 2007 218.

¹⁵⁴ Lobur 2007 214.

cultural sophistication and adherence to the ideology of the Julio-Claudian Principate, Lobur concludes, was now the requirement for success in public life for the elite of Tiberian Rome, Lobur states that:

Velleius's text shows a decisive shift in aristocratic self-understanding. No longer were the consulship and the triumph the *sine qua non* of the proud elite, but rather the absorption, reproduction and generation of an implicit ideology and a practical command, through learning and experience, over the totality that constituted its context.¹⁵⁵

We can therefore view Velleius' text as a means for him to display his identity as someone who is part of this new elite culture. It is a work that adheres to the rules of an elite culture that saw the reproduction of Imperial ideology as a means of acquiring a successful public career and social influence. This was a distinct cultural phenomenon and associated discourse that came into being during the early Principate and can be seen as a development of, and as interacting with, but at the same time distinct from the wider pre-existing discourses of autocratic rule that I will discuss in more detail in the next subchapter of this introduction. Elements of this new elite discourse can also be found in the next work I will discuss here, that of Valerius Maximus, who begins his text with a dedication to the Princeps, and to a lesser extent in the work of my final author Seneca the Elder who does not praise the Princeps, but whose family were also a part of the new elite of the Julio-Claudian era.

¹⁵⁵ Lobur 2007 228.

Valerius Maximus' *Facta et Dicta Memorabilia* is a collection of *exempla* exploring a variety of subjects from both Roman and foreign (especially Greek) history. The work is organised into nine (extant) books each divided into subchapters. Each subchapter deals with a different theme, for example subchapter 3.4 explores the subject of "people who were born in humble circumstance but who became illustrious" (*De humili loco natis qui clari evaserunt*), while 4.1 discusses the virtue of moderation (*de moderatione*). The *exempla* for each theme are divided into two groups, with the writer detailing first domestic and then external examples of his chosen subject.

In 1992 Bloomer described Valerius' work as displaying "a new generation's appropriation of Roman noble culture."¹⁵⁶ As Bloomer highlighted, and as was discussed above in relation to the findings of Lobur, ambitious new men from the wider regions of Italy and the provinces were coming to Rome and literature may have been a means for such individuals, without ties to the senatorial elite of the Republic, to gain recognition and advancement. The work of Seneca the Elder also raises this theme and both Griffin (1972) and Bloomer (1997) have discussed the close connection between Seneca's writing and his background in the Roman province of Baetica. For Seneca literature was a means of promoting himself and his family, especially his sons to whom he dedicated his work. This goes some way to help us to understand how autocracy became acceptable within elite Roman culture, despite the many years of negative autocratic discourse that dominated during the Republic. Participation in an elite discourse that promoted the rule of the Princes had now become a means for advancement in Roman society and one that was

¹⁵⁶ Bloomer 1992 12.

accessible to those from outside of the older Roman families who had traditionally made up the Roman elite and participated in public life during the Republic.

One of the challenges of working with Valerius Maximus' text is that scholars have disagreed as to the function of this work. Bloomer (1992) has presented the idea that it was a handbook for students of rhetoric, which would place the text in the same didactic category as Seneca the Elder's collection of *Controversiae* and could perhaps suggest that his intended audience was indeed those seeking a primer upon elite Roman culture. Skidmore (1996), however, has suggested that the *Facta et Dicta Memorabilia* was not merely a rhetorical handbook but a moral text, as it was later read in the Medieval and Renaissance eras.¹⁵⁷ Skidmore believed that the focus upon the work as a handbook for rhetoricians and declaimers had obscured this moral purpose.¹⁵⁸

I would argue for a middle ground between these two views of the texts' function. Morality and rhetoric are very closely related – a rhetorical argument, what an individual says to persuade and influence, is very rarely free from moral judgement and reference to the mores of their society. Therefore, the one option does not rule out the other, instruction in rhetoric and instruction in morality are not mutually exclusive. Valerius' work could have been used for either moral instruction or as a source of rhetorical *exempla*, or for both purposes. This is also the view expressed by Mueller (2002) who's approach to Valerius' work is similar to that employed in Chapter Two of my thesis in that he compares Valerius' *exempla* to other sources

¹⁵⁷ Skidmore 1996 xvii.

¹⁵⁸ Skidmore 1996 53.

that deal with the same subjects in order to identify the ‘peculiarities’ of Valerius’ presentation of his material.¹⁵⁹

Ultimately, what Valerius’ text provides for my study is an example of the kinds of stories and, of particular importance here, stories about autocracy, that a writer of the Tiberian principate considered relevant and of interest to his contemporary audience. The purpose of my examination has been to identify what his narrative choices can tell us about Valerius’ interaction with the prevailing discourse of Julio-Claudian autocracy and contemporary expectations of autocratic rule.

Another challenge of working with the *Facta et Dicta Memorabilia* is the loss of some of the original text. For this thesis I have used the *Loeb Classical Library* edition of Valerius’ text edited and translated by Shackleton Baily (2000). This text uses the epitomes of Julius Paris and Januarius Nepotianus to replace a gap in the surviving manuscripts (1.1.ext.4-1.4.ext.1).¹⁶⁰ Some of the *exempla* I examine in this thesis are taken from these epitomes and my discussion will clearly indicate where that is the case. Wardle (2005) has considered the reliability of Paris and Nepotianus as witnesses to Valerius Maximus’ original text.¹⁶¹ Of the two, Wardle found Julius Paris to be the more reliable, reflecting the language used by Valerius although presenting only the subject matter of his text with abbreviations.¹⁶² Nepotianus in comparison is less faithful to Valerius’ text and sometimes the moral he draws from a tale does not match that presented by Valerius.¹⁶³ Wardle concludes that the epitomes are,

¹⁵⁹ See Mueller 2002 3-4;6.

¹⁶⁰ Shackleton Bailey 2000 5.

¹⁶¹ Wardle 2005 380-381.

¹⁶² Wardle 2005 380.

¹⁶³ Wardle 2005 380-381.

however, a reliable guide to the 'substance' of Valerius' text.¹⁶⁴ When considering *exempla* taken from these epitomes I therefore keep in mind the problems associated with them and if necessary restrict my analysis to what can be said regarding the subject matter of an *exemplum* and its position within Valerius' text.

It is also important to acknowledge that Valerius Maximus' work includes very few references to contemporary events. This serves to give increased significance to those passages where he does draw upon contemporary *exempla*. Two notable exceptions to this rule are *exempla* concerning the Princeps (1.praef, 5.5.3). In his preface he invokes Tiberius who he describes as the "surest salvation of the fatherland" (*certissima salus patriae*) and whose "celestial providence" (*caelesti providentia*) promotes virtues and punishes vices. This focus on the moral role of the Princeps as envisioned in Valerius' preface will be explored in Chapter One of this thesis, here it is important to note that the work itself is addressed to Tiberius and that it presents him as having a godlike power to direct the moral character of the Roman people. In fact, Valerius goes on to say that he is dedicating his work to Tiberius instead of a deity because "other gods we have received, the Caesars we have bestowed" (*reliquos enim deos accepimus, Caesares dedimus*). Valerius places the living Princeps Tiberius on the same level as Augustus and Julius Caesar, or his 'father and grandfather' as Valerius terms them, who were deified after their deaths. At 5.5.3 Tiberius also appears as an *exemplum* of brotherly devotion and *pietas* as I will discuss in greater detail in Chapter One. It can therefore be argued that Valerius, like Velleius is also operating in a literary context that is influenced by the traditions of panegyric and by a cultural imperative to present a positive image of Julio-

¹⁶⁴ Wardle 2005 381.

Claudian autocracy. Valerius, however, appears to be writing the last book of his opus at a later stage in the Tiberian Principate than Velleius composed his history as they differ dramatically in their approach to the subject of Sejanus.

A decidedly negative contemporary *exemplum* appears at 9.11.ext.4. Here Valerius ends his long discussion of vices (9.1-11) with a reference to an individual who he brands as a 'parricide' whose crimes surpass all others he has described so far.¹⁶⁵

As I have discussed in the literature review above there has been some debate about the identity of this (unnamed) individual but it is widely believed that this is Sejanus, who is here being condemned for his alleged schemes against Tiberius.¹⁶⁶ This also gives some idea as to the dating of Valerius' work because it means that the composition of this last book can be dated to around AD 31.

This passage presents a very different view of Sejanus' role in the Tiberian Principate than that found in Velleius' history, but it is still deeply imbued with the Julio-Claudian discourse of autocratic rule and the traditions of panegyric. As Sejanus fell from favour a new negative discourse emerged to describe this figure. No longer a partner in the labours of the Princeps, Sejanus is now an enemy of Rome and a parricide who plotted against the *pater patriae*. His downfall is described in a way that praises both the Princeps and the wider Roman state for preventing the ruin of no less than the entire world at his hands.

¹⁶⁵ For an in-depth analysis of 9.1-10 see the commentary by Matravers 2016.

¹⁶⁶ See Shackleton Bailey's introduction to Valerius' text (2000 Vol.1 2) for this argument and also Briscoe 1993 401-2 for arguments against Sejanus as the individual addressed here.

While my analysis of the work of Velleius Paterculus and Valerius Maximus must take into account the influence of panegyric and, in the case of Velleius particularly, the fact that these texts are the product of a particular cultural milieu, my examination of Seneca the Elder's *Controversiae* has revealed an even more direct way in which the presence of the Princeps in Roman society influenced the way a contemporary writer might respond to existing discourses, both concerning autocratic rule and other subjects that took on new significance under the Principate.

Seneca the Elder's literary work includes two collections of rhetorical exercises, the *Controversiae* and the *Suasoriae*, and a history of the civil wars which survives only in fragments.¹⁶⁷ In my thesis I will be concentrating upon his *Controversiae* (estimated date of composition AD 37 and so at the very end of Tiberius' reign). This work consists of ten books, each of which is introduced by a preface addressed to Seneca's sons discussing individual declaimers and their rhetorical styles. Some of the text has been lost but overall, the declamations are ordered so that Seneca first introduces the relevant law, then the 'theme' or scenario to be debated, followed by epigrams featuring arguments for or against the accused. In Chapter Three of this thesis I will examine *Controversiae* 1.7, 2.5, 3.6, 4.7, 5.8 and 9.4 all of which feature the concepts of tyranny and tyrannicide.

When considering the *Controversiae* as evidence for autocratic discourse it is important to keep in mind that they do not necessarily reflect real world legal disputes and legislation. Instead, they are part of an often-fictional tradition of legal problems that had its origins in Greek educational practice. Although there is earlier

¹⁶⁷ For more on Seneca's *Historiae* see Scappaticcio 2020.

evidence for laws involving tyrants and tyrannicide. These exercises are often anachronistic and concern laws that are fictional or outdated. The value of the *Controversiae* for my study is that they are a means by which Latin declaimers and writers engaged with, preserved, and transmitted earlier discourses of autocracy and resistance to autocratic rule. These discourses obtained a new relevance under the rule of the Princeps, meaning that declaimers and writers now had to reassess the content of these, by now traditionalised, exercises either to ensure compliance with the new autocratic discourse or to recognise the contemporary ideological power of the tyrant and tyrannicide as expressions of resistance to autocratic rule.

The *Controversiae* contain an example of how the direct involvement of the Princeps in the cultural life of Rome, and in this case specifically in the practice of declamation, influenced what kind of discourse was considered acceptable or prudent under Julio-Claudian rule. It must be remembered that declamation was a public spectacle, and there would be a number of people present to hear the declaimer speak. Seneca provides evidence that at times this audience may have included the Princeps himself.

At *Controversiae* 2.4.12-13 Seneca characterises the reign of Augustus as a time of liberty of speech.¹⁶⁸ In spite of this statement he also alludes to the challenges facing the declaimer who finds himself speaking in front of the Princeps.¹⁶⁹ He describes how Porcius Latro once declaimed in the presence of Augustus, Agrippa and Maecenas:

¹⁶⁸ *Tanta autem sub divo Augusto libertas fuit.* Also highlighted in Bonner 1949 43.

¹⁶⁹ *Suasoriae* 3.5-7 also records that on a separate occasion Tiberius was present to hear declaimers.

In hac controversia Latro contrariam rem <non> controversiae dixit sed sibi. Declamabat illam Caesare Augusto audiente et M. Agrippa, cuius filios, nepotes suos, Caesar [Lucium et Gaium] adoptaturus non nati sunt nobiles sed facti. Cum diceret partem adulescentis Latro et tractaret adoptionis locum, dixit: "iam iste ex imo per adoptionem nobilitati inseritur" <et> alia in hanc summam. Maecenas innuit Latroni festinare Caesarem; finiret iam declamationem. Quidam putabant hanc malignitatem Maecenatis esse; effecisse enim illum non ne audiret quae dicta erant Caesar, sed ut notaret. Tanta autem sub divo Augusto libertas fuit ut praepotenti tunc M. Agrippae non defuerint qui ignobilitatem exprobrarent.

In this *controversia* Latro said something that was harmful to himself rather than to his declamation. He was declaiming it in the presence of Augustus and Marcus Agrippa, whose sons —the emperor’s grandsons—the emperor seemed to be proposing to adopt at that time. Agrippa was one of those who were made noble, not born noble. Taking the part of the youth and handling the topic of adoption, Latro said: “Now he is by adoption being raised from the depths and grafted on to the nobility”—and more to this effect. Maecenas signed to Latro that the emperor was in a hurry and that he should finish the declamation off now. Some thought this mere malice on the part of Maecenas; he made sure not that Caesar failed to hear what was said but that he noticed it. However, in the reign of the blessed Augustus there was such freedom of speech that, pre-eminent though Agrippa then was, he did not lack critics of his low birth.

It seems significant that Seneca characterises Latro's speech as 'harmful' (even drawing attention to this by the use of a possible play on words, '*controversia*' and '*contrariam*'), regardless of whether this is meant to imply it was harmful to Latro's reputation or that there was a chance of Latro coming to actual harm. Gunderson considers this passage in light of a desire by the hearers of declamation to read additional meaning into what is being said.¹⁷⁰ The passage is thus "made to bear an unwanted political force" as Latro "finds that he has unexpectedly made a piece of social commentary."¹⁷¹ Schubert (2000) also highlights this awareness of secondary meaning, suggesting that Seneca's commentary upon Augustus' restraint also brings to mind the threat of the Princeps' power.¹⁷² Seneca's anecdote implies that even in such (supposedly) lenient times to say the wrong thing in front of the Princeps was dangerous. If being raised to noble status through adoption could be considered a sensitive topic to declaim before the Princeps (who notably owed his own position in part to his adoption by Caesar) and his associates, then declamations focusing upon tyranny and tyrannicide would also have been considered problematic, as Augustus was, for all his self-fashioning and public positioning as a '*princeps*' or first citizen among equals, an autocrat. Seneca concludes this anecdote in a manner that expresses sympathy for Latro but criticises those who do not moderate their speech in such situations:

Mihi videtur admiratione dignus divus Augustus, sub quo tantum licuit, sed horum non possum misereri qui tanti putant caput potius quam dictum

¹⁷⁰ Gunderson 2003 101.

¹⁷¹ Gunderson 2003 101-102.

¹⁷² Schubert 2000 103-104.

perdere. Latro dignus fuit miseratione, qui ne excusare quidem errorem suum potuit. Nihil est autem crudelius quam sic offendere ut magis sis offensurus si satis feceris.

The blessed Augustus, I feel, deserves admiration if such licence was permitted in his reign; but I cannot feel any sympathy for those who think it worth losing their head rather than lose a jest. Latro did deserve sympathy—he couldn't even excuse himself for his slip: nothing is crueller than to offend in such a way that apology will give even greater offence.

The presentation of Augustus as worthy of admiration perhaps hints that Seneca is writing in a less tolerant age, it implies that a princeps could be expected to take a harsher view in such circumstances. There is evidence that during the reigns of Gaius and Domitian individuals were punished for declaiming upon *controversiae* featuring the themes of tyranny and tyrannicide. Dio Cassius reports two instances where declaimers used rhetorical exercises featuring tyranny and tyrannicide to express anti-autocratic sentiments and were sentenced to exile or death.¹⁷³ Dio Cassius, however, does not provide the actual speeches that caused these declaimers to be punished. There is no way to gauge if these were genuine instances of dissent or examples of over-sensitivity on the part of the rulers involved. It also seems significant that in the historical tradition Gaius and Domitian are both notoriously 'tyrannical' emperors and so the discourse of tyranny would feature prominently in any account of their respective reigns.

¹⁷³ Dio Cassius 59.20.6, 67.12.5 also referenced in Bonner 1949 43, n.5 and Schubert 2000 93.

Although Tiberius left Rome for Capri in the last years of his reign the downfall of Sejanus is an example of how the Princeps was still able to influence the fate of his subjects. The ever-present threat of Imperial attention was still an issue of which writers needed to be mindful, just as the declaimers of the Augustan Principate were mindful of (or in the case of Latro failed to consider) the attention of Tiberius' predecessor. The fate of the historian Cremutius Cordus, which I will deal with in more detail in Chapter Four of this thesis, is a contemporary example of how the choice to write something that did not conform to the accepted Imperial discourse could have devastating consequences for an individual writer during the Tiberian Principate. The choice of writers of the early imperial era to disseminate a discourse that praises Julio-Claudian autocracy was on the one hand a way of succeeding in a society where adherence to imperial ideology was a means for getting ahead, and on the other hand also a strategy for survival.

This thesis will explore what form this discourse took and how it adapted and developed earlier discourses of autocracy and resistance to autocratic rule to create a dominant discourse of Tiberian autocracy that helped to sustain the rule of the *princeps* and to suppress opposition to Julio-Claudian rule. This discourse did not exist in a vacuum but was a product of several strands of autocratic discourse that came before it. Before introducing my first case study it is important to set out the state of autocratic discourse in Rome prior to the principate of Tiberius and to introduce the central themes of autocratic discourse that will be explored in my thesis. This will be the subject of the next chapter of this introduction.

2. Autocratic Discourse Before the Tiberian Principate

A full account of autocratic discourse before the reign of Tiberius would be beyond the scope of this thesis, but in this chapter, I will provide a brief overview of the most important aspects of the state of autocratic discourse in Rome prior to the Tiberian Principate. I will explore the origins of words and concepts used to describe autocratic rule in Tiberian literature, and aspects of the autocratic history of Ancient Rome that influenced the way writers of the Tiberian Principate viewed both the concept of autocracy in the abstract and the nature of their own autocratic leader and his power over the Roman state.

I will begin with a discussion of the Roman reception of Greek traditions of tyranny and tyrannicide during the Roman Republic (2.1). I will explore what the Greek tyrant came to represent to the Romans and the ideological power of this figure in Roman literature and political rhetoric of the Republican era. I will also explore the Greek tradition of the tyrannicide and how this aspect of Greek anti-autocratic discourse was viewed by Roman commentators and the parallels they may have drawn between Greek anti-autocratic traditions and their own anti-monarchic discourse centred around the expulsion of the last Roman king, Tarquinius Superbus.

The traditions surrounding the legendary Roman kings will be the focus of subchapter 2.2, where I will explore what these traditions can tell us about the complexities of Roman attitudes to autocratic rule. The traditions surrounding the Roman kings are nuanced, portraying both positive and negative aspects of autocracy. I will examine the portrayal of the Roman kings in Latin literature

predating the reign of Tiberius to reveal what the Romans believed distinguished the rule of a good autocrat from that of an oppressive ruler.

The final half of this introduction will deal with uniquely Roman institutions and concepts that became associated with autocracy and the rule of the Princeps. In 2.3 I will discuss the Roman dictatorship during the late Republic and how the use of this office by Sulla and Caesar gave it a lasting association with oppressive autocracy, explaining why it was that Augustus rejected this office in favour of a less overt position of autocratic power. Subchapter 2.4 will examine the Republican background of the title of *princeps* and the role of the censors during the Republic and how this would later come to be associated with the role of Augustus as Princeps and therefore with his successors, adding the role of moral guardian to the duties of the Princeps. I will also explore the origins of the term *pater patriae* during the Republic and how this came to be associated with Augustus and therefore also with later Roman emperors and positioned the Princeps as the father and saviour of the Roman state.

2.1 The Roman Reception of the Greek Tyrant and the Tyrannicide

In Ancient Greece a tyrant was a ruler who usurped the established order of a Greek state and wielded substantial or even absolute influence over its political, cultural and social institutions. In this subchapter I will explore the reception of the Greek discourse of tyranny in Republican Rome and the ways in which the concept of the tyrant was utilised by Latin writers and orators. In Greece the term *tyrannos* was not used exclusively of oppressive rulers but also of more benevolent autocrats,

however, it was the memory of malevolent tyrants that would come to dominate Greek, and especially Athenian thought; after the expulsion of Athens' own tyrants, the Peisistratids and the establishment of democracy at Athens, the figure of the oppressive tyrant became a central theme of Athenian literature and political thought. The view of tyranny as the least desirable form of constitution can be seen in the works of Plato and Aristotle and tyrants were also a strong presence in the genre of Greek tragedy.¹⁷⁴

In Greek literature there were a number of behaviours and personality traits that were associated with tyrants.¹⁷⁵ These traits are also present in Latin literature and play a central role in both Greek and Roman discourses of corrupt autocracy. The tyrant is cruel and prone to excessive anger.¹⁷⁶ He is cunning and will often use guile to achieve his objectives.¹⁷⁷ The tyrant does not have the support of his subjects and so he is always in fear of assassination and surrounds himself with a bodyguard and often with slaves or followers who are outsiders to the community he rules.¹⁷⁸ He also does not respect the laws of society or the sanctity of religion.¹⁷⁹ He has excessive appetites, and the lust and avarice of the tyrant are particularly notorious.¹⁸⁰ Finally, the tyrant is proud and his behaviour is characterised by hubris.¹⁸¹

¹⁷⁴ For example, Aristotle *Pol.* 3.1285a 25-30, 5.1314a 10-13; Plato *Rep* 8.564a, 8.567d-e. For tyrants in Greek tragedy and their influence on Roman theatre see Dunkle 1967 152-153.

¹⁷⁵ For a recent overview of this discourse see Luraghi 2016.

¹⁷⁶ Val. Max. 9.2.ext.3-5; 9.3.ext.1.

¹⁷⁷ See Luraghi 2014; Herodotus 1.59.4-6, 1.21-22, 3.56.2; Dion. Hal. 4.56.1-2; Livy 1.54.5.

¹⁷⁸ Aristotle *Pol.* 3.1285a 25-30, 5.1314a 10-13; Plato *Rep.* 8.567d-e; Dion. Hal. 7.8.2-3; Livy 1.49.2; Herodotus 1.59.5; Thucydides 6.56.2, 6.57.1.

¹⁷⁹ Xen. *Hiero.* 4.11; Plato *Rep.* 574d, 575b; Val. Max. 1.1.ext 3.

¹⁸⁰ Herodotus 3.80.5; Livy 1.57-60; Thucydides 6.54.2-3, 6.56-57; Val. Max. 9.4.ext.1.

¹⁸¹ Val. Max. 9.5.ext.1-2; Livy 1.49.1.

The Roman concept of negative autocracy had its roots in Roman legend and the longstanding familiarity and interplay of ideas between Rome and the Greek world. The legends surrounding the seven Roman kings will be the subject of my next subchapter, but here it is important to note that possible parallels between Roman and Greek experience of negative autocracy also play a part in this discourse. In a commentary upon the first five books of Livy's *History*, Ogilvie (1965) suggested that early on in Roman historiography a parallel was drawn between the expulsion of the Tarquins from Rome and that of the Peisistratids from Athens.¹⁸² This meant that the story of Tarquinius Superbus was assimilated to the versions of the story of the Peisistratids to be found in Herodotus and Thucydides and this led to the insertion of many Greek elements into the story.¹⁸³

More recently Smith (2006) has observed that accounts of Tarquinius Superbus and his predecessor Servius Tullius portray them with characteristics similar to those of Greek tyrants.¹⁸⁴ However, Smith challenges the view that the Greek characteristics of the Roman kings are entirely a result of later Roman invention under the influence of Greek historiography. He argues that parallels in the use of statuary by Peisistratus and Servius Tullius as well as evidence for a "profound understanding" of the Greek world in late sixth-century Rome make the view that this was the result of later invention difficult to uphold.¹⁸⁵

Glinister (2006) has also observed that archaeological evidence would suggest that Rome's development as a "polis type community" reached its peak during what was

¹⁸² Ogilvie 1965 195.

¹⁸³ Ogilvie 1965 195.

¹⁸⁴ Smith 2006 59.

¹⁸⁵ Smith 2006 60.

considered to be the reign of Superbus and highlights the similarities between the extensive building programme that appears to have been undertaken by Superbus and those pursued by Greek tyrants.¹⁸⁶ These claims would suggest that the link between Rome's last kings and the figure of the Greek tyrant may have some historical basis as Glinister summarises:

It is an open question whether Rome's tyrants were directly mimicking their Greek counterparts or whether instead, and as a result of its well-documented interactions with the archaic Mediterranean world, the city shared in the kinds of social and political trends that formed the Greek experience of tyranny.¹⁸⁷

Regardless of which of these scenarios was at work in archaic Rome, this would suggest that the legends surrounding Tarquinius Superbus in particular represent a cultural memory of tyranny at Rome. This memory combined with the Roman's knowledge of Greek discourses surrounding tyranny to produce a discourse that combined both Roman and Greek traditions of despotic rule. There were also some other specific aspects of Greek culture that the Romans acquired and adapted as their own that contained depictions of the Greek tyrant, in particular tragedy and rhetoric.

Tragedy was an important vehicle for the transmission of the Greek discourse of tyranny in Roman culture. It is clear that the Romans did not only translate Greek works but adapted them and sought to improve them according to their own Roman

¹⁸⁶ Glinister 2006 25.

¹⁸⁷ Glinister 2006 25.

values and traditions.¹⁸⁸ The first extant use of the Latinised form of the Greek word *tyrannos* in a work of Roman literature appears in the play *Atreus* by Accius:

Ne cum tyranno quisquam epulandi gratia

Accumbat mensam aut eandem uescatur dapem

Let none lie down at the table with the tyrant

To feast or consume the same banquet.¹⁸⁹

Unfortunately, as what remains of early Roman tragedy is fragmentary, it is not possible to examine fully the earliest treatments of the Greek tyrant in Roman sources. Boyle has suggested that the above fragment may have been spoken by the character of Atreus as he is preparing the cannibalistic feast he will serve to his brother, and that it may be a warning to his court not to eat with Thyestes.¹⁹⁰ It could also be a part of a messenger's speech detailing what happened at the feast, and warning of the dangers of associating with tyrants. Boyle also mentions the possibility that the words are spoken by Thyestes upon learning of his brother's treachery but suggests this is unlikely.¹⁹¹ Whatever the reading, what can be said for this fragment and the mythic subject of Atreus is that it vividly portrays the

¹⁸⁸ Boyle 2006 10-12. The Romans themselves believed that Greek drama had been introduced to Rome by Livius Andronicus, a Greek freedman, who lived during the third century B.C and produced the first Latin adaptations of Greek plays, staged at the *ludi Romani* of 240 B.C. The earliest documented and extant Latin plays show an interest in both subjects of Greek origin (i.e The Trojan War) and distinctively Roman themes (Romulus).

¹⁸⁹ Accius *Atreus* fragment 9, from Boyle 2006 130. I have altered this by translating *tyranno* as tyrant, while Boyle uses the word 'king'.

¹⁹⁰ Boyle 2006 131.

¹⁹¹ Boyle 2006 131.

characteristic rage and cruelty of the tyrant transferred from the Greek world to the Roman stage.¹⁹²

The concept of the tyrant also became a theme in Roman rhetoric both in the deployment of the tyrant as a model in political invective and through the use in Roman education of rhetorical exercises based upon Greek models. In Chapter Three of this thesis, I will explore the reception of the discourse of tyranny and tyrannicide in Seneca the Elder's *Controversiae*, a text which shows the importance of rhetorical exercises as a means of preserving this discourse during the imperial age.

The figure of the tyrant is not only found in rhetorical exercises but is also deployed in political invective. In 1967 Dunkle published an article that specifically sets out to examine the use of the trope of the Greek Tyrant in Roman political invective of the late Republic. He found that alongside the use of the terms *regnum*, *dominatio* and *tyrannis*, that had been identified by earlier commentators as terms used in first century BC Roman political invective to describe the alleged despotism of political rivals, four other terms of abuse regularly appear that represent the characteristic vices of tyranny.¹⁹³ The vices that Dunkle identifies are *vis* (force), *superbia* (pride/hubris), *libido* (lust/greed), and *crudelitas* (cruelty).¹⁹⁴ In a later article (1971) Dunkle also adds the term *saevitia*, which he characterises as almost synonymous

¹⁹² A later treatment of the same myth can be found in the play *Thyestes* by Seneca the Younger. In Seneca's version the tyrannical nature of Atreus is fully explored, from his determination to commit the most terrible of crimes (for example lines 176-204) to his renown for lack of self-control (547) and his savagery and lack of respect for the gods (670-745).

¹⁹³ Dunkle 1967 151. Earlier commentators Dunkle references are Taylor, Syme, Wirszubski, Earl and Buchner.

¹⁹⁴ Dunkle 1967 151.

with *crudelitas* but with added “connotations of hysteria and maniacal sadism” due to the words association with the ferocity of wild animals.¹⁹⁵ Dunkle also observes that:

Greek loan words *tyrannus*, *tyrannis* and *tyrannicus* are used interchangeably with the Latin words *rex*, *dominus*, *regnum*, *dominatio*, *dominates*, *regnare*, *dominari*, *regius*, and *regie* to refer to a Roman ‘despot’.¹⁹⁶

These findings and my above list of references from Greek and Latin literature serve to present a picture of what we mean when we speak of a discourse of tyranny in Latin literature. This discourse was a combination of both Roman anti-monarchic traditions and the Roman reception of the Greek tyrant. In a Roman context the tyrant also gained a further, often negative, connotation due to his status as a foreign, distinctly un-Roman figure. The tyrant not only shows disrespect towards Roman mores and religious scruples but by his very nature is alien to these ideals.¹⁹⁷

My decision to focus upon the *Controversiae* is inspired by the central place that such rhetorical exercises had in the elite culture of Rome, both during the Republic and the early Principate. As I will discuss in Chapter Three, rhetorical exercises involving tyrants and tyrannicides were a staple in the schoolroom and this discourse transferred to the rhetorical discourse of adult declaimers. Dunkle (1971) locates the earliest reference to a tyrant in an extant Latin rhetorical exercise to Cicero’s *De*

¹⁹⁵ Dunkle 1971 14. See also Cicero *Off.* 3.32 for the idea of the tyrant as more beast than human being. Dunkle suggests that by the early empire the term *saevitia* had all but replaced *crudelitas* as the term used to describe the tyrant’s brutality 1971 15.

¹⁹⁶ Dunkle 1967 152, Dunkle also provides an extensive list of references from the speeches of Cicero which I will not repeat here.

¹⁹⁷ This is a theme that will be discussed further in the next two subchapters of this introduction 2.2 and 2.3.

Inventiones, in the person of Alexander of Pherae (2.144).¹⁹⁸ Dunkle found that there are no exercises featuring tyrants in the *Rhetorica ad Herennium*, although he observes that:

The stock type of the tyrant is not unknown to the author of this treatise. He recommends the adjectives, *tyrannicus* and *crudelis*, as commonplaces of political invective.¹⁹⁹

The rhetorical exercises recorded by Cicero and the *Rhetorica ad Herennium* were the forerunners of a Latin genre that not only continued into the imperial age but also managed to preserve an often-contentious discourse surrounding corrupt autocracy into an age when Rome was in fact ruled by an autocrat. Chapter Three of my thesis will examine exactly which aspects of this tradition Seneca the Elder preserves in his collection of *Controversiae*, how he engaged with the exercises he was adapting and how it was that such material continued to be discussed in the Tiberian Principate. Alongside Seneca's reception of the discourse of tyranny I will of course be examining exercises that deal with the tyrant's nemesis, the tyrannicide and what Seneca's text can tell us about the reception of this figure in the Imperial age.

Like the tyrant the tyrannicide or tyrant-slayer was a concept that the Romans inherited from the Greek world, and it was prefigured in declamation by historical figures to whom the title of tyrannicide had been attributed. The most renowned tyrant-slayers from the Greek tradition were the Athenians Harmodios and

¹⁹⁸ Dunkle 1971 13.

¹⁹⁹ Dunkle 1971 13, 2.49; cf. Cic. *Inv. Rhet.* 1.102.

Aristogeiton, who assassinated the Peisistratid tyrant Hipparchus during the procession of the Panathenaia in 514 BC.²⁰⁰ There is a wealth of evidence to show that these men were celebrated in fifth and fourth century Athens as heroes. A hero cult was established in their memory and honours were granted to their descendants, they were celebrated in song and immortalised in a bronze statue group that stood in the agora. When the original statues were seized by Xerxes during the Persian invasion of 480 BC they were soon replaced. The statues themselves became an important part of Athenian iconography, their image appearing on vases and coins often alongside other symbols of Athens such as the Goddess Athena and her emblem the owl.²⁰¹ There was, however, another tradition, found in the work of the historians Herodotus and Thucydides, that questioned the motives of Harmodios and Aristogeiton and the extent to which they could be credited with liberating the Athenians from tyranny.

The earliest literary sources for the Tyrannicides are an epigram that served as the inscription on the base of one of the two statue groups and four *skolia* or drinking songs that celebrate the assassination of Hipparchus.²⁰² These drinking songs demonstrate the importance of the memory of the Tyrannicides in Athens not long after their deaths. The first *skolion* shows a direct connection in the mind of the singer between the act of the Tyrannicides and Athens becoming 'a city of equal laws'. The word used to describe this is "isonomous" which is a word often used

²⁰⁰ An account of the Tyrannicide phenomenon in Athens can be found in Taylor 1981 and Azoulay 2017. For Tyrannicide statue groups see Brunnsåker 1971.

²⁰¹ Brunnsåker 1971 Pl. 23.

²⁰² It is unclear to which of the two statue groups the base discovered in the Athenian agora belonged. Brunnsåker 1971 90-98 discusses this at length and concludes that the second group by Kritios and Nesiotes is the most likely choice from the literary and archaeological evidence. For the *skolia* which date from the 6th or early 5th century see Stanton 1990 119. A reference to the practice of singing songs of the Tyrannicides at symposia can also be found in the play *Wasps* by Aristophanes (1219-1229).

when describing democracy.²⁰³ Therefore, their actions are portrayed as having a direct link to establishing democracy in Athens. In the fourth century Hyperides 2.3, records that a law was passed against singing defamatory songs about the Tyrannicides. This may have been due to their status as patriotic symbols.

Sculpture was instrumental in ensuring that the Athenian Tyrannicides found enduring fame in antiquity. The original statues stood in the agora, the political centre of the city and the area around the statues was reserved only for those who could be considered to share their claim as liberators.²⁰⁴ The first statue group, created by Antenor was seized by Xerxes in 480 BC, but the statues were replaced with another group by Kritios and Nesiotes. This shows how important the image of the Tyrannicides had become to Athenian identity. The fact that Xerxes took the Tyrannicide statues with him back to Persia suggests that he realised their symbolic importance. Small representations of the Tyrannicide statue group can be found on Panathenaic amphorae, prizes from the Panathenaic games, upon the shield of Athene.²⁰⁵ This displays the close association in the minds of Athenians between the Tyrannicides, their patron goddess and their most important festival.²⁰⁶

The clan to which Harmodios and Aristogeiton belonged, the Gephyraioi were a major presence in Athens and the main beneficiaries of the glorification of the Tyrannicides. They received honours such as the right of *sitesis* which allowed them to eat meals in the Prytaneion at the expense of the state. Members of the family

²⁰³ Taylor 1981 55-60.

²⁰⁴ Taylor 1981 33.

²⁰⁵ See Azoulay 2017 78, figures 6.2A and 6.2B.

²⁰⁶ Brunnsåker 1971 Pl. 23.

took part in public affairs from the mid-fifth to late third century and would have had an interest in keeping the memory of the Tyrannicides alive.²⁰⁷

That there was a hero cult associated with the Tyrannicides is attested in the *Athenian Constitution* (58.1). It is not known when this sacrifice first began but it has been suggested that all laws associated with the Tyrannicides may have been established at the time that the first statue group was erected in approximately 510 BC.²⁰⁸ Taylor addresses the questions of where and when this sacrifice would take place pointing out that this particular kind of sacrifice (an *enagisma* or sacrifice to chthonian deities or heroes) would normally take place on the site of the hero's grave and that the association of the Tyrannicides with those fallen in war would suggest that it took place at the yearly state funeral for the war dead.²⁰⁹

The evidence considered so far suggests that the Tyrannicides were remembered as heroes who helped to bring about 'equal laws' or democracy in Athens. It also shows the close iconographic association between the Tyrannicides, the patron deity of Athens and the patriotic aspects that their memory had acquired. However, the reference to a law against the singing of defamatory songs about the Tyrannicides suggests that not everyone held this positive view. Examining the historiographical evidence reveals what Taylor has characterised as a reaction against the popularity of the Tyrannicides as a heroic symbol of democratic Athens.²¹⁰

²⁰⁷ Taylor 1981 10.

²⁰⁸ Taylor 1981 20.

²⁰⁹ Taylor 1981 22-23.

²¹⁰ Taylor 1981 159-192.

Herodotus does not give an account of the murder of Hipparchus, but he does choose to comment upon the fame of the Tyrannicides as liberators of Athens. He states that after the murder the Athenians were subject to four more years under the rule of the tyrant Hippias, who now ruled more harshly than before.²¹¹ Herodotus also presents his view on the role they played in the overthrow of the Peisistratids stating that it was really the Alcmeonidae and not the Tyrannicides who were instrumental in freeing Athens from Tyranny.²¹²

Thucydides also seeks to correct what he sees as an inaccuracy in the popular version of the story. In Book One he chooses the Tyrannicides as an example of how popular traditions can obscure historical fact.²¹³ He treats the subject of the Tyrannicides in far more detail than Herodotus, providing an account of the murder itself in Book Six.²¹⁴ When he examines the event his interest is in correcting not only the misconception that Hipparchus was the tyrant but also the belief that the murder was committed to free Athens from tyranny. It was not the oppression of the Athenian people that caused the Tyrannicides to act, Thucydides argues, but a personal grievance, Hipparchus' unreciprocated amorous advances to Harmodios and his insult to the young man's sister.²¹⁵ He states that Hippias was in fact the intended victim of their attack, presenting the murder of Hipparchus as an impulsive act of revenge by the two men when they believed their plot had been discovered.²¹⁶

²¹¹ Herodotus 5. 55.

²¹² Herodotus 6.123.

²¹³ Thucydides 1.20.

²¹⁴ Thucydides 6.53-59.

²¹⁵ Thucydides 6.54, 56.

²¹⁶ Thucydides 6. 57.

The idolisation of the Tyrannicides placed the hatred of tyranny at the heart of Athenian society and, alongside it, democracy as the positive alternative to autocratic rule. On the one hand the Tyrannicides were used as a method of reinforcing patriotic feeling and pride in the achievements of the Athenian polis. On the other hand, from the accounts of Herodotus and Thucydides, it would appear that some saw this as a false remembrance of the Tyrannicides that ascribed nobler motives to their deeds to justify their status as heroes.

Roman marble copies of the Athenian Tyrannicides statue groups show that the Romans were aware of the story and its significance. Most famously a Tyrannicide statue group, now in the Naples Archaeological Museum, was discovered at Hadrian's Villa in Tivoli. However, the presence of these statues in the villa of the philhellenic emperor suggests that by the time of Hadrian the Tyrannicides may have been seen more as symbols of Athens itself rather than of anti-autocratic sentiment. A marble copy of the Aristogeiton statue has been found near the Capitol and has been dated to the late Republican period, suggesting that a Tyrannicide statue group once stood in that area.²¹⁷

During the Republic the Romans had their own traditions involving the overthrow of tyrants and the violent suppression of those they considered to be aiming at kingship as I will discuss in subchapters 2.2 and 2.3.²¹⁸ They were also aware of the honours that Greek tyrannicides received. In his speech on behalf of Milo, Cicero likens their commemoration to that of immortal beings (*Pro Milone* 80):

²¹⁷ Azoulay 2017 141-143; Lintott 2009 73.

²¹⁸ See Smith 2006; Osgood 2016.

Graeci homines deorum honores tribuunt eis viris, qui tyrannos necaverunt: quae ego vidi Athenis! Quae aliis in urbibus Graeciae! Quas res divinas talibus institutas viris! Quos cantus, quae carmina! Prope ad immortalitatis et religionem et memoriam consecrantur.

The Greeks accord divine honours to those men who have slain tyrants. What sights have I seen in Athens and in other cities of Greece! What religious rites ordained in their honour! What magnificent musical compositions and odes! Their worship reaches almost to the observance and commemoration proper to immortal beings.

The way Cicero speaks of these Greek practices suggests that they are particular to Greek culture. These religious rites and songs are something he has seen in Greece and he is contrasting the Greek reception of tyrannicide to the fate of his client Milo, on trial for the murder of Clodius, who Cicero is portraying as a would-be tyrant. As Azoulay has highlighted:

It was an image sufficiently close for Cicero to be able to draw on it in order to convince his fellow citizens (or at least the members of the jury, who were recruited from amongst the senators, knights, and tribunes of the treasury) yet sufficiently distant for him to present it as a fundamentally foreign model.²¹⁹

The tyrannicide, like the tyrant was an inherently un-Roman figure but one that could still be utilised to influence a Roman audience familiar with Greek culture.

²¹⁹ Azoulay 2017 139.

Following the death of Julius Caesar, there is some evidence that the discourse of tyrannicide was used to support the actions of the assassins, however this evidence should be viewed with caution. Cicero is our main extant contemporary source for this time and as Tempest (2017) has shown this may be problematic when it comes to making an assessment of the kind of discourse that was being used to discuss the dictatorship and assassination of Caesar. While there is the suggestion in our sources that public opinion may have turned against Caesar before his assassination, the calls for 'another Brutus' (a reference to the overthrow of the Tarquins) suggest the model of autocracy Caesar was believed to aspire to was that of monarchy, not tyranny.²²⁰ As Tempest writes:

The people had charged Caesar with aspiring towards monarchy, not tyranny; our muddling of this fact is a direct result of the intellectual endeavours of men like Cicero, who grafted Roman attitudes of kingship onto Greek ideas of tyranny.²²¹

Tempest goes on to suggest that although men like Cicero who had studied Greek philosophy might see tyrannicide as a virtuous deed, for the ordinary people of Rome liberty was preserved by the laws which safeguarded the lives of citizens.²²² This view raises an interesting point about the difference between monarchy (which could be seen to have positive manifestations as I will discuss in Subchapter 2.2) and tyranny and also about the dichotomy between the idea that liberty entailed the right

²²⁰ Tempest 2017 109.

²²¹ Tempest 2017 109.

²²² Tempest 2017 110.

of Roman citizens to be protected by law from death and persecution and the fact that the assassins claimed to be preserving liberty via the murder of a Roman citizen. It should also be acknowledged that in Roman tradition the last Roman king Tarquinius Superbus was exiled and not assassinated. In fact, ordering the assassination of his predecessor was numbered among Superbus' crimes.²²³ The Roman elite of the Republic did, however, have their own tradition of the violent suppression of those who were perceived as aspiring to kingship and this did provide a precedent for political murder as the means to secure stability.²²⁴ Tempest's caveat regarding how the killing of Caesar was perceived perhaps points to a disparity between the cultural discourse of Roman elites exemplified by Cicero, who regularly utilised the discourse of Greek tyranny against his political opponents, and that of others in Roman society. This highlights the fact that our sources can allow only a partial view of the multiplicity of discourses that existed at the time.

Cicero remains, however, our main extant source for the discourse of this era. In Subchapter 2.3 I will discuss Cicero's portrayal of Caesar as a tyrant, here it is important to examine his approach to the assassins of Caesar, who sought to represent themselves as liberators of Rome in the style of tyrannicides. In Athens their statues were placed beside those of Harmodios and Aristogeiton, but in Rome the discourse surrounding their deed was a complex one and the debate around their status as liberators or murderers would continue into the reign of Tiberius as I will discuss in Chapter Four of this thesis.

²²³ Livy 1.48.

²²⁴ As discussed by Smith 2006, the traditions surrounding the Gracchi, Spurius Cassius, Spurius Maelius and Manlius Capitolinus present them all as having aspired to kingship before their assassinations.

Leber (2018) has examined Cicero's use of the term *liberatores* to describe the conspirators in his oratory and correspondence. Leber argues that past discussions of this period in Roman history have accepted the use of such collective nouns to describe the assassins 'without considerable discernment' and in some cases exaggerate the frequency with which such terms were used by their contemporaries.²²⁵ Leber argues that:

Without careful examination of this term, and its use in Cicero, its suitability remains questionable.... a contextual study of a collective term such as *liberatores* and how it is used to describe the conspirators may help to reveal its subtleties in Cicero, which in turn could provide a better insight into Cicero's depictions of the conspirators, such as Cassius and Brutus, and outline his impression of the political situation following the assassination.²²⁶

Leber's research reveals that Cicero uses the term *liberator* for Brutus and Cassius seven times in his *Philippics* (1.6, 2.31, 2.30, 2.89, 2.114, 10.8) and once in his letters (Att. 14.12.2).²²⁷ Leber highlights that the term *liberator* is used infrequently before Cicero and that when Cicero uses the word it is "solely for political purposes, predominantly for those men who assassinated Caesar."²²⁸ Cicero does not use the title the conspirators chose for themselves of *libertatis auctores* possible due to a belief that their act of liberation remained unfinished, as I will discuss below.²²⁹ In

²²⁵ Leber 2018 160.

²²⁶ Leber 2018 161.

²²⁷ As discussed by Leber 2018 171.

²²⁸ Leber 2018 170 also 170 n. 73 where Leber records that the one exception is at *Phil.* 14.12 where Cicero uses *liberatores* to describe Hirtius, Pansa and Octavian after the battle of Forum Gallorum.

²²⁹ Leber 2018 171. Leber's references for the assassins having chosen to call themselves by this title include Cic. *Fam.* 11.28.3; *Suet. Gram. et rhet.* 30.6.6; pseudo-Quintilian *Declamationes Minores* 329.16.2.

spite of this, Cicero's references to the conspirators as liberators are always linked to their act of assassinating Caesar.²³⁰ Leber's findings also suggest that this was not simply a reaction to the deed of the assassins and Cicero's wish to present the death of Caesar in the mould of a tyrant slaying. He points to the fact that Cassius Dio (43.44.1) mentions that Caesar was awarded the title of liberator by the Senate following the Battle of Munda.²³¹ This has also been discussed by Weinstock (1971, 142-3), who emphasises the novelty of the title and its association with the god Jupiter, and by Raaflaub (2003, 35-67) who states that Caesar only utilised *libertas* briefly before and after the civil war. Caesar received this title for liberating Rome and its people from civil war, an idea that will be discussed in more detail in subchapter 2.4. Leber suggests that the fact that this title had been granted to Caesar "provides a socio-political use which may have influenced Cicero."²³² Leber also suggests that 'the Liberator' may have been a title associated with L. Junius Brutus, the overthrower of Tarquinius Superbus and this could be why Caesar's statue was placed next to that of Brutus and the kings of Rome.²³³

Ultimately Leber suggests that the association between Caesar and liberty may have been a reason why Cicero chose to adopt the title of liberators when discussing the conspirators because:

²³⁰ Leber 2018 172.

²³¹ Leber 2018 170 and 170 n.75 the specific word Cassius Dio uses is the Greek term ἐλευθερωτής.

²³² Leber 2018 170.

²³³ Leber 2018 171. Leber's evidence for 'the liberator' as a possible title for L. Junius Brutus consists of four passages of Livy where Brutus and his descendants are referred to as *liberator Urbis* (1.56, 1.60) or *liberator patriae* (2.7, 4.15). Here Leber suggests Livy has preserved a known title for Brutus.

In doing so he could diminish the honours of Caesar by transferring this honour to those men who had assassinated him.²³⁴

Or, I would suggest, he may have wished to imply that in Caesar's case the title of liberator was undeserved, because he had not in fact freed Rome from civil war, but instead subjected the city and its inhabitants to a tyranny.

In his discussion Leber highlights the fact that although Caesar was now dead his *acta* had still been ratified, a state of affairs Cicero lamented in a letter to his friend Atticus, using the words "the tyranny lives on, the tyrant is dead!" (*vivit tyrannis, tyrannus occidit!*).²³⁵ This statement suggests that Cicero felt the 'tyranny' of Caesar had not ended with his death and thus there had been no true restoration of Republican government. This is the conclusion that Leber presents in his article, that Cicero viewed the assassination of Caesar as an unfinished attempt to free the Republic from tyranny, thus allowing the status of the conspirators as liberators to be called into question.²³⁶ Leber suggests that this is why Cicero does not use the term *libertatis auctores* to describe the assassins because political liberty had not been restored by the assassination of Caesar.²³⁷

²³⁴ Leber 2018 171.

²³⁵ Cicero *Att.* 14.9.2, Leber 2018 161.

²³⁶ As stated by Leber 2018 162: "Almost powerless and forced from the political sphere in Rome, living seemingly as fugitives and traitors, the glory of their act had not achieved the desired outcome. The state was not liberated. It would seem that the representation of the assassination as a benefit to Rome had failed and was not being fully recognised by others." And also 167 "There could be no *res publica* and no *libertas*, while individuals were not able to participate freely in State business, whilst Caesar's *acta* remained in force, and as long as decisions were being made that were counter to the benefit of all (*utilitatis communio*) and counter to the agreement of law (*consensus iuris*)." See also Cicero *Phil.* 1.16, 1.23, 2.100; *Att.* 16.16b.2, 16c.3, for Cicero's disapproval of Caesar's *acta* and his statement that he supported them only in the name of peace.

²³⁷ Leber 2018 172.

In Athens, statues of Brutus and Cassius were erected beside those of Harmodios and Aristogeiton, suggesting that to Athenian eyes their status as tyrant-slayers was unproblematic.²³⁸ This was less true in Rome where the issue of whether Caesar should be viewed as a tyrant was the subject of a political debate that may have lasted well into the imperial age, as I will discuss below in subchapter 2.3. Therefore, just as the status of Caesar as a tyrant was a matter for debate so was the status of Brutus and Cassius and their associates as liberators or tyrannicides. This will be discussed in greater detail in Chapter Four of this thesis where I examine the reception in Tiberian sources of opposition to Julio-Claudian rule, but here it is important to highlight that while we do see some attempts made to draw a comparison between the assassins of Caesar and the figure of the tyrannicide, this was a complex interplay of discourses for and against Caesar or his assassins that continued into the imperial age.

2.2 The Roman Kings in Roman Literature of the Late Republic and Early Augustan Principate

Chapter Two of my thesis will examine the reception of traditions surrounding the Roman kings in the work of Valerius Maximus. This subchapter will discuss the traditions surrounding the seven kings of Archaic Rome and how they were represented in the literature of the Republic and early Principate. In particular in Livy's account of the Roman kings in Book One of his history which was contemporary with the transitional period where the Roman Republic evolved into what we now term the Principate but which my chosen sources appear to have

²³⁸ Tempest 2017 144. For the evidence for these statues see Raubitschek (1957, 1959).

viewed as a restoration and continuation of the Republic under the protection of the Princeps. Livy's account of early Roman history follows closely the Republican traditions concerning autocracy. This is understandable given the time in which Livy wrote and the sources available to him. The traditions associated with the Regal period and in particular the reign and expulsion of the last Roman king Tarquinius Superbus played a central role in establishing a negative view of autocracy during the Republic, yet an examination of the portrayal of the other six kings reveals that this was a complex discourse that allowed for positive as well as negative assessments of kingship. The legends surrounding the early Roman kings represent the narratives Romans chose to explain the history of their city and the development of their political culture. Therefore, as I explore in Chapter Two of this thesis, these traditions and the way writers of Latin literature engaged with them, can help to reveal how they viewed the role of autocracy in contemporary Roman culture and society.

An example of Livy's engagement with Republican sources can be seen in the description of Romulus' reign at 1.15. Here the king is described as being more popular with the people and the army than with the Senate and Livy also remarks upon the place monarchy holds in the hearts of the people. Livy says that when Romulus disappeared at the end of his life the people were "sorrowful and silent for some time stricken with fear as if they had been orphaned."²³⁹ This passage is an echo of Cicero's previous use of a quotation from Ennius (l.lxi) in *Rep* 1.64.

Taking the form of a Platonic dialogue between Scipio Aemilianus and his circle, Cicero's *De Republica*, contains the earliest surviving continuous narrative of the

²³⁹ 1.16, translation by Warrior 2006 25.

Regal period.²⁴⁰ Thus Cicero's text represents the most detailed evidence we have for the traditions surrounding the Roman kings before Livy. It provides an insight into how one Latin writer of the Republican era chose to present the reigns of the seven Roman kings and the connections he perceived between the autocrats of the past and a great man or *princeps* of the Republic.

Cicero's account of the Roman kings is set in the context of a debate concerning the best form of government.²⁴¹ Although Scipio emphasises the superiority of the Roman mixed constitution, when challenged to express which of the 'simple forms' of government he prefers (monarchy, aristocracy or democracy) Scipio chooses monarchy and begins an account of the Regal era designed to justify his choice. This framework is important to the interpretation of Cicero's account, as Fox (1996) has shown, Scipio's stated preference for monarchy leads to "an idealisation of the Regal period, based upon its particular function in the work."²⁴² Scipio sets out to demonstrate how Rome's history reflects the ideal constitution.²⁴³ He describes how the Roman constitution developed over time into the superior mixed constitution they now enjoy but which found its beginnings in monarchy. Fox highlights that the theoretical discussion that precedes Scipio's account of the Roman kings presents a positive, benign picture of monarchy that separates kingship from tyranny, the beneficial form of autocracy from the corrupt.²⁴⁴ This shows Scipio/Cicero's awareness of the problematic nature of autocracy in Roman thought, that he must

²⁴⁰ Cicero *Rep.* 2.

²⁴¹ Showing the apparent influence of a number of Greek writers including Polybius.

²⁴² Fox 1996 2.

²⁴³ Fox 1996 13.

²⁴⁴ Fox 1996 12.

first separate the good aspects of personal rule from the negative and divide the king and the tyrant into two separate categories.²⁴⁵

The fragment from Ennius that I have mentioned above, and which is referenced by Cicero, appears in a passage where Scipio discusses how the people react to the passing of a just king using the example of Romulus. In this passage it is significant that the terms used to describe Romulus are not ones associate with autocracy but with divinity, guardianship and fatherhood:

*Iusto quidem rege cum est populus orbatus pectora diu tenet desiderium,
sicut ait Ennius, post optimi regis obitum—*

simul intersese sic memorant: ‘O Romule Romule die

qualem te patriae custodem di genuerunt!

O pater o genitor o sanguen dis oriundum!

*Non eros nec dominos appellabant eos quibus iuste paruerunt denique ne
reges quidem, sed patriae custodes sed patres et deos. Nec sine causa; quid
enim addunt?—*

‘Tu produxisti nos intra luminis oras.’²⁴⁶

Indeed when a people is bereaved of a just king, then even as Ennius says, after the passing of the best of kings, for many days longing filled their breasts And at the same time they talked thus among themselves - ‘O Romulus, godly Romulus, What a guardian of your country did the gods beget in you! O father, O begetter, O blood sprung from the gods!’

²⁴⁵ Fox 1996 11 highlights Cicero’s awareness of the need to justify Scipio’s choice of the kings as precedents.

²⁴⁶ Cicero *Rep.* 1.64.

They used to call those whom they had lawfully obeyed not lords and masters, nor yet again kings, but guardians of their country, yes and fathers and gods. Nor was this without reason. For what do they say next? - 'You it was who brought us forth into the world of light!'

Previous to this passage Scipio has been discussing how autocracy can be necessary in times of crisis. He states that the people are more willing to accept autocratic rule in times of trouble when safety comes before personal freedom, referencing the office of the dictatorship.²⁴⁷ The people, who are unruly and demand power in peace time, seek the safety of autocracy in times of crisis. The role of monarchy is perhaps portrayed as a means to guide and control the people and the people are shown to have a preference for autocracy as long as it is just. The Romans may have disposed of their kings but they did not entirely dispense with the idea of autocratic rule. The absolute powers of the king continued to exist in the politics of Republican Rome in the office of the dictator. The dictatorship was intended as an emergency office to be resorted to in times of crisis. Once the crisis had passed the dictator would step down and normal political life would resume. It was the temporary nature of this office that was intended to prevent it from descending into tyranny.²⁴⁸

Fox has highlighted that in the above passage "To distinguish further between the good and bad qualities of absolute rule, Scipio points out that the love of the early

²⁴⁷ Cicero *Rep.* 1.63.

²⁴⁸ Stevenson 2005 has examined the implications in Cicero's work of a possible dictatorship for Scipio if he had lived. Kalyvas 2007, considers the connection between the dictatorship and tyranny.

Romans for their kings did not depend upon monarchic terminology.”²⁴⁹ In this account the kings of earlier times were not masters of the people but divine fathers and guardians, an idea that we see echoed in my chosen sources when describing the role of the Princeps. Addressing each other the people mourn the passing of a divinely sent guardian whose purpose was to preserve and nurture the state, not a ruler they must obey through fear.

Scipio follows the extract from Ennius with the statement that goodwill towards kings would have continued if the character of the monarch had stayed the same.

Introducing what will prove to be an important concept in Roman thought upon autocratic rule: that the positive or negative nature of autocracy depends upon the character of the autocrat. After Romulus all of the following Roman kings, except Superbus, were considered to have made positive contributions to Rome and this view is also reflected in Livy's narrative. In fact in Book Two Livy goes as far as to say that it was a good thing that the kings were not expelled sooner as the rootless inhabitants of early Rome needed to be held in check by the power of an autocrat to prevent civil dissention.²⁵⁰ Thus, Livy, like Cicero, portrays the Roman monarchy as an important step on the road to Rome's political maturity and a means of preventing civil strife. The presence of this discourse of positive monarchic rule means that it is important to emphasise that Roman culture did allow for positive as well as negative discourse upon autocracy. In Livy's history the first five kings to succeed Romulus are shown to have their faults but to have contributed to the greatness of Rome, either through their wisdom in peace time or through victory in war. However, there is

²⁴⁹ Fox 1996 12.

²⁵⁰ Livy 2.1 translation by Warrior, 2006.

also a pattern of decline in the legitimacy of the kings which echoes that found in Cicero's account.

Cicero's narrative is framed by the argument that monarchy fostered the beginnings of Rome's mixed constitution. Therefore, it has to reconcile the fact that although autocratic rule had brought so many positive contributions to Rome, it eventually ended with the overthrow of the monarchy and the establishment of the Republic. This is a theme that continued to influence later accounts of the Regal age, especially if Latin writers wished to retain the positive connections between some kings (particularly Romulus and Numa) and ancestral Roman virtues and traditions. It is clear that by the time Cicero was writing the contributions and character of the seven Roman kings were well established in the Roman historical tradition. As a sequence the Roman Kings are revealed to influence Roman culture and politics in different ways, some kings are warlike while others nurture the arts of peace. The Regal narrative also holds within it a sense of decline, of an increasing unease with the position of the king in Roman society, reflected in the accessions of the later kings being surrounded in conspiracy and questions of legitimacy.

Livy also reflects this sense of a decline in legitimacy. Rome's second king, Numa is elected by the Senate and declared king through a ritual that legitimised his authority.²⁵¹ After Tarquinius Priscus' assassination (portrayed by Livy as the regicide of a legitimate king) Livy makes it clear that there is some doubt as to the legitimacy of his successor Servius' reign. Although he gains the support of the Senate he was not elected by the people, thus making his reign only partly

²⁵¹ Livy 1.18.

legitimate.²⁵² When Tarquinius Superbus becomes king he has no claim to legitimacy because he was not supported by the Senate or the people but was therefore a usurper, a tyrant in the negative sense.

Livy begins his account of the life of Romulus with a story of fraternal conflict brought about by the desire for autocracy. Romulus' great uncle Amulius deposes his brother Numitor, grandfather of Romulus, kills Numitor's sons and makes his daughter a Vestal to prevent her from having children who might challenge his right to the throne.²⁵³ This account of dynastic strife introduces a theme that Livy will emphasise later, that of the desire for autocracy leading to conflict, both between relatives and between those who are unrelated but who share authority and responsibility over the state.

With the exposure of Romulus and Remus in 1.4 Livy goes on to emphasise the cruelty of Amulius. His behaviour is that of a despotic king, a cruel tyrant who rules unjustly and will tolerate no threat to his power. With this characterisation of Amulius as a tyrant the stage is set for the narrative of his downfall in 1.5 and 1.6. It is with the death of Amulius that Livy begins to engage with the more problematic aspects of Romulus' legend. An examination of the sources suggests that Roman writers felt uneasy about certain aspects of the Romulus myth. However, while Cicero in his account of the reign of Romulus in *Rep.* 2.1-22 appears to have chosen to avoid reference to the less positive aspects of the legend, Livy deals more explicitly with

²⁵² Livy 1.41.

²⁵³ Livy 1.3.

the parricidal/fratricidal element in the story and the way in which desire for power causes conflict and leads to acts of immorality.

Amulius has been portrayed as a despotic ruler and so the story of his removal is in one sense a story of tyrannicide as opposed to the regicide of a legitimate king.²⁵⁴ However, the scene of his death is also an instance of parricide with either Romulus or Remus bringing about the death of a close relative. Warrior (2006) has highlighted that there is some ambiguity as to who actually killed Amulius, as there is some doubt about the subject of the verb in the sentence where the act takes place.²⁵⁵ Ogilvie (1965) does not address this issue. Warrior suggests that Remus is an option, while the Loeb translation reads that Romulus killed the king and more recently Stem (2007) also takes this interpretation, suggesting that it also reflects a wish on Livy's part to only attribute the act to Romulus.²⁵⁶

Regardless of which of the twins was responsible for the tyrant's death his relationship to them means that here again autocratic ambition is shown to have led to morally questionable behaviour.²⁵⁷ It is perhaps significant that after the death of Amulius in 1.5, 1.6 relates how Numitor summons a council, apparently to justify the

²⁵⁴ In 1.6 Amulius is described as a tyrant (*tyranni*) perhaps due to the unconstitutional nature of his rule but also his immorality.

²⁵⁵ *Ita regem obtruncat* (1.5.7) Warrior, 2006, 11, n.19 "Livy does not specify the subject of this verb, perhaps intentionally. Since Remus is the subject of the last clause, he would seem to be the killer and thus both regicide and the killer of his great uncle."

²⁵⁶ Stem 2007 443, n.27 "The previous sentence starts with Romulus and ends with Remus, so Remus is the subject closest to *obtruncat*. But Romulus is the more significant player in the development of the plot (while Remus only assists, *adiuvat*, 1.5.7), so the singular reflects Livy's desire to attribute the killing only to Romulus and not to both." Although perhaps the use of the singular and the position of the name Remus could also be suggested as an argument for Livy only attributing the death to Remus and not Romulus.

²⁵⁷ Vasaly 2015 42-48 has also highlighted the theme of ambition for autocratic rule that runs through Livy's narrative showing that although the *ambitio* of some of the kings is counteracted by positive qualities or directed towards the good of the state it is ultimately shown to lead to tyranny in the person of Tarquinius Superbus.

actions of his grandsons. He relates his brother's crimes against his family and reasserts his right to rule and Amulius' status as a tyrant rather than a legitimate king.

The conflict between Numitor and Amulius foreshadows what is to come for now Livy prepares to deal with possibly the most difficult aspect of the Romulus legend, the death of Remus. Livy introduces this story by describing how Romulus and Remus, having decided to found a city were influenced by "the ancestral evil that had beset Numitor and Amulius – desire for kingship."²⁵⁸ Here desire for autocratic power is cited as the cause of conflict between the brothers and one that they have inherited from previous generations. Miles (1995) highlights that this statement concerning the desire for kingship felt by Romulus and Remus as an *avitum malum* raises questions as to the kind of ruler Romulus will be.²⁵⁹ Miles argues that although Livy's characterisation of Romulus is mostly positive, Romulus is also portrayed in "the typical role of the tyrant, admired by the masses, resented by the aristocracy."²⁶⁰ Miles highlights the fact that Romulus had at times been a controversial figure during the Republic when there is suggestion of a tradition that saw him as a despotic ruler.²⁶¹

Livy provides the reader with two versions of the death of Remus. One where he is killed by Romulus (the most well-known, according to Livy) and one where his death is caused by a conflict that took place between the followers of the two brothers, this alternative tradition sought to take the blame for Remus' death away from Rome's

²⁵⁸ Warrior 2006 12.

²⁵⁹ Miles 1995 152-153.

²⁶⁰ Miles 1995 153.

²⁶¹ Miles 1995 153-154. This subject will be dealt with in more detail in Chapter Two of this thesis.

founder.²⁶² However, writing very soon after the civil wars Livy emphasises the inclination of some kings towards fratricide, possibly as a warning, a lesson in the need to avoid the conflict caused by autocratic ambition. There is evidence that the killing of Remus by his brother had by the Augustan era also become closely associated with civil war. The conflict between the twins was seen as representing a propensity among the Romans towards internal conflicts culminating in the civil wars of the late Republic.²⁶³ While Cicero was reluctant to address this part of the legend, Livy acknowledges the fratricidal elements inherent to Rome's foundation myth during a time that was overshadowed by civil war. The existence of a tradition that attempted to take away this guilt also suggests that writers were able to make a deliberate choice in how they presented this significant event, either as fratricide or as a tragic misfortune. The fact that this was not a monolithic tradition and that it could be adapted to suit the intentions of the writer means that such choices take on a greater significance. This is something I will explore further in Chapter Two of my thesis when I explore how the legends of the Roman kings were adapted by Valerius Maximus.

After relating the death of Remus Livy makes mention of Evander who rules "More by personal authority than sovereign power."²⁶⁴ The position of Evander perhaps recalls that of a *princeps* who proves himself worthy to lead others through merit rather than regal status. By associating the story of Evander with that of Romulus Livy creates a contrast between the authority of a king and that of a *princeps*, the

²⁶² Ovid *Fasti* 4.843.

²⁶³ A sentiment expressed by Horace in *Epodes* 7.17-20.

²⁶⁴ Livy, 1.7, "*Euander tum ea profugus ex Peloponneso auctoritat magis quam imperio regebat loca.*" translation Warrior 2006, 14.

one based upon ancestry and formal power the other upon natural ability and mutual assent.

However, although Romulus' status as the descendent of kings is undeniable, along with the negative connotations Livy associates with such status, there is perhaps a suggestion that Romulus is to be associated as much with the figure of the *princeps* as with that of the king. Miles (1995) highlights that Romulus and Remus are only accepted as Numitor's grandsons after the death of Amulius and that Romulus' discovery is brought about "not through any external confirmation or recognition, rather, his identity is accepted only after and because of his own successful self-assertion. Romulus attacks Amulius apparently on his own initiative."²⁶⁵ In fact as Miles highlights at the start of his life Romulus is removed from his royal background and given the opportunity to display the characteristics of strong leadership that will fit him to rule.²⁶⁶

Similar to Cicero's account Livy's Romulus appoints a senate to advise him, men who are referred to as fathers. This shows that Romulus is willing to consult with others upon matters of importance to the state and does not intend to rule as a despot. The next major event of Romulus' reign is the kidnapping of the Sabine women and the wars that result from this. A result of this conflict is that Romulus shares rule with the Sabine king Titus Tatius in a double kingship that perhaps is intended to recall the consulship. The death of Tatius in Livy's text recalls a fragment from Ennius:

²⁶⁵ Miles 1995 146.

²⁶⁶ Miles 1995 146-148.

Liber I.Ix

104 (109) O Tite, tute, Tati, tibi tanta, tyranne, tulisti²⁶⁷

This fragment is of interest due to its use of the word *tyrannus*, derived from Greek and thus presenting Titus Tatius, the Sabine king who ruled jointly with Romulus as a tyrant in the Greek sense. The connotations of this sentence suggest that it may be taken from a section of the poem that relates to the story of how Tatius met his end at the hands of the people of Lavinium.²⁶⁸ As more survives of Livy's text it provides a context for this event. Livy gives the reason for Tatius' death as retaliation by the people of Lavinium for Tatius' failure to punish his relatives who had assaulted their envoys and notes that Romulus was less displeased by the death of his colleague than might have been considered appropriate. Significantly when trying to account for this Livy once again references the disloyalty that is inherent in shared rule.²⁶⁹ Given the context and the negative behaviour attributed to Tatius in the legend it is possible to presume that the word tyrant in the fragment for Ennius is used in a negative sense, not simply to indicate that Tatius is an autocratic ruler.²⁷⁰ According to Skutsch three suggestions have been made as to whom this remark can be attributed. Skutsch suggests it could be the exclamation made by Romulus upon learning of Tatius' death.²⁷¹ This would be consistent with Livy's account that

²⁶⁷ The Loeb translation "Thyself to thyself, Titus Tatius the tyrant, thou tookest those terrible troubles" (36-37) perhaps tries too hard to replicate the alliteration. In essence "You brought this on yourself Titus Tatius the tyrant" or "You, Titus Tatius the tyrant, to yourself brought such great troubles."

²⁶⁸ Skutsch 1985 254, also told in Livy 1.14.

²⁶⁹ Warrior 2006 23.

²⁷⁰ Tatius offended the people of Lavinium by failing to exact justice upon his relatives who had assaulted their envoys. Livy 1.14 This perhaps echoes the later failure of Tarquinius Superbus to control or punish the behaviour of his son.

²⁷¹ Skutsch 1985 254.

Romulus did not react to this event with the appropriate degree of displeasure.²⁷²

Skutsch also states that the comment has been attributed to the people of Lavinium or Ennius himself while narrating the king's fate.²⁷³

It is unfortunate that the identity of the speaker is unknown because this has important implications for the interpretation of the fragment. If it is the people of Lavinium speaking it would provide the passage with a distinctly republican meaning, with echoes of the later overthrow of the Roman kingship. If we attribute the statement to Ennius it reveals how he wished to portray the actions of Tatius and represents an explicit condemnation of the king on the part of the author. If Romulus is the person speaking this fragment could be seen to create a contrast between the two kings, between the just Romulus and the tyrannical Tatius.²⁷⁴ This would again highlight the idea of the personality and reputation of the individual holding power as a deciding factor in whether autocratic rule is acceptable.

In Cicero's account of the accession of Numa Pompilius the Sabine is chosen to rule directly as a result of his good reputation.²⁷⁵ The Senate tries to rule alone after the death of Romulus but the people demand that Rome should continue to be ruled by a king (*Rep.* 2.23). In Livy's version (1.17), however, the Senate also wishes for a continuation of the monarchy because "they had not yet experienced the sweetness of liberty."²⁷⁶ The people also express dissatisfaction during the interregnum but for

²⁷² Livy 1.14.

²⁷³ Skutsch 1985 254 However, there is no reference to who has argued for these points of view which Skutsch considers to be inaccurate interpretations.

²⁷⁴ Skutsch 1985 255 "The just king....sums up his disapproval of the other's conduct by calling him tyrannus."

²⁷⁵ Cicero *Rep.* 2.23-24.

²⁷⁶ Warrior 2006 27.

the reason that they feel they now have “a hundred masters instead of one”.²⁷⁷ This provides an interesting interpretation of why the people have a preference for individual rather than collective rule. Livy also implies that the people wanted to choose a king themselves and this created conflict with the Senate who were afraid of losing their privileges.

When it comes to the reason why Numa Pompilius was chosen to be king, Livy again provides a different interpretation to Cicero. While Cicero emphasised that Numa was chosen because of his good reputation Livy gives more weight to the fact that there was by now a strong Sabine element in Rome and that they wanted to have a king of Sabine origin. This perhaps presents an awareness of early Roman society and culture not as something homogenous, but as a combination of peoples and influences, emphasising the wider Italian heritage of the Romans.

In 1.18 Livy begins his account of Numa’s actions as king. As has often been observed in secondary literature Numa is portrayed as a wise ruler greatly concerned with matters of religion and law.²⁷⁸ Livy refutes the claim he was taught by Pythagoras, which was also refuted in Cicero’s account. However, Livy states that Pythagoras lived in the reign of Servius Tullius rather than associating this with the reign of his successor Superbus. Livy also makes a claim for Numa’s wisdom as coming from “his own native disposition” not from Greek influence, another echo of the attitude expressed in Cicero’s account. This shows that Latin writers were keen to express their independence from Greek traditions by asserting an Italian (in this case Sabine) wisdom at work in the founding of Rome’s laws and institutions.

²⁷⁷ Warrior 2006 27.

²⁷⁸ For example Deremetz 2013 233-234. In 1.20 Livy states that Numa performed most religious rites himself.

In 1.19 Numa founds the Temple of Janus, closed twice since Numa's reign, once by Augustus. Numa builds the temple to encourage the Romans to lay down their arms and embrace peace. In 1.21 under Numa's influence Rome becomes a holy place, his subjects devoted to the gods. While the Romans were previously feared for their warlike nature they now gain the respect of their neighbours for their piety. This peace is characterised as the legacy of Numa's reign and it is perhaps significant that Livy chooses to include in the reign of Numa a reference to the peace now established in his own age, with the temple of Janus closed again after the civil wars. Numa provides a positive example of autocratic rule that secures peace and stability in Rome.

Livy has established that Rome was now strong in both the arts of peace and war. His account of the reign of Rome's third king (1.22-1.31) provides an *exemplum* of why it is so important that a ruler ensures these two elements remain in balance. Tullus Hostilius is "more ferocious than Romulus" embodying the warlike side of Roman culture if left unrestrained by peaceful arts. Although his rule is portrayed as legitimate and is ratified by both people and senate, Tullus also displays the extreme behaviour and cruelty associated with despotic rule. In 1.28 in particular Tullus orders an 'inhuman' punishment of the kind often employed by tyrants. Tullus' death is also associated with the characteristics of a tyrant as he performs impious religious rites to try to save himself from plague and is struck down by Jupiter in his palace (1.31).

The balance between the arts of war and peace is re-established with the accession of Ancus Marcius (grandson of Numa). Ancus follows his grandfather's example in religion but is also successful in war so his rule introduces a middle way between the arts of war and peace. His successor Tarquinius Priscus continues this trend, which is especially emphasised in 1.35-38 where Livy catalogues his contributions to Rome, his victories in war but also his building projects.

Livy, like Cicero presents the succession of Servius Tullius as an event surrounded with problematic connotations resulting from the concealment of the death of Tarquinius Priscus. At first Servius carries out the king's duties and wears royal regalia and is attended by lictors pretending that he is consulting with the king. When the death is revealed Servius surrounds himself with bodyguards. He is the first king to rule with the consent of senators but without being chosen by the people. As in Cicero's account this establishes a sense of uncertainty regarding the legality of Servius' reign. However, Livy also presents him as a king with a great understanding of constitutional affairs and states in 1.48 that just and legitimate kingship died with him.²⁷⁹ His death is portrayed in an unambiguously negative manner as the regicide of a legitimate king.

Livy's introduction to the reign of Tarquinius Superbus (1.49) reads like a catalogue of tyrannical traits, the king is proud (as his name suggests), sacrilegious and violent, he has a bodyguard (1.47) and is anxious of retaliation. The illegitimate nature of his rule further displays his arrogance and disregard for tradition. In Archaic Rome there seems to have been a form of religious or constitutional procedure through which the

²⁷⁹ Warrior 2006 69.

rule of the king was legitimised.²⁸⁰ Livy's portrayal of the last Roman king emphasises the illegitimacy of his rule and his persecution of the Roman elite. Tarquin executed senators who he suspected of having supported Servius. His accession was not sanctioned by the Senate, he tried capital cases without consultation and reduced the number of men of senatorial rank.²⁸¹ Livy states explicitly that members of the elite suffered the most under his tyranny and that he was the first king to break the tradition of consulting the Senate on public business.²⁸² His behaviour also reflects the later misuse of the proscriptions to gain wealth.²⁸³

It can perhaps be argued that what made Tarquinius Superbus a tyrant in Livy's view (and that of other Roman writers) is that he sought to restrict and diminish the power of the elite, who otherwise would have served as advisors to a legitimate ruler and to overrule established Roman laws and institutions. As previously mentioned at 1.48 Livy states that just and legitimate kingship died with Servius. Tarquinius Superbus' own claims to legitimacy rest not on being elected by the Senate and people but are hereditary claims based upon his descent from Tarquinius Priscus. This point has also been discussed by Feldherr who highlights that it is a characteristic of the Tarquins that they value familial ties above the state.²⁸⁴ Livy also claims that "some sources" state that Servius would have given freedom to Rome - effectively establishing the

²⁸⁰ See Glinister 2006 18.

²⁸¹ Livy 1.49.2.

²⁸² Livy 1.49.5.

²⁸³ Livy 1.49.

²⁸⁴ Feldherr 1997 142-143. Feldherr also points out that Brutus and Collatinus, the first consuls, were related to the Tarquins and so it is a conscious choice of Roman accounts to portray the founding of the Republic as an act on behalf of the state and not a personal act of revenge (a discussion of the importance placed in ancient thought upon the motives of opposition to autocratic rule will feature in my chapter on Seneca the Elder.) The initial acts of the Republic, Feldherr shows, can be seen as a process of redefinition, prioritizing the state over family ties and so rejecting "the social conceptions of *regnum*" (Feldherr 1997 144-145).

Republic if he had lived. This is important to note as it suggests the idea that autocracy and the institutions of the Republic were not conflicting forms of government but that an autocrat could also provide 'freedom' to Rome, presumably by giving up some of his own power and privileges. This can perhaps be linked to Livy's assertion in Book Two that the first consuls were just as powerful as the kings but liberty was obtained by restricting the office to the duration of one year.²⁸⁵ Thus, Livy appears to suggest that the limitation of the length of autocratic power is necessary for it to become beneficial, rather than oppressive.

The 'un-Roman' nature of Tarquinius Superbus' behaviour is emphasised when Livy describes his actions in war as un-Roman due to his use of methods such as 'guile and trickery'.²⁸⁶ Even before he becomes king Tarquin is associated with tyranny and un-Roman behaviour as his story begins with an account of the murder of his brother Arruns and his wife the older Tullia which is likened by Livy to a Greek Tragedy.²⁸⁷ Feldherr has highlighted that drama was seen by the Romans as a "socially pernicious and fundamentally alien form of spectacle" that contrasted with the more respectable and beneficial genre of history.²⁸⁸ Feldherr points out that "Tarquin's *regnum* occupies a place in Livy's narrative not unlike that of the theatre in the public life of the state".²⁸⁹ By characterising Superbus' reign as a Greek tragedy Livy presents his entire rule as an aberration, something outside the normal bounds of Roman history. This appears to be a defining characteristic of the Roman 'tyrant' that

²⁸⁵ Livy 2.1, Livy states that the consuls were also not allowed to both hold the *fasces*, symbolizing the power of the consuls to exact punishment, at the same time, due to the fear they inspired.

²⁸⁶ Livy 1.53.

²⁸⁷ Livy 1.46, translation Warrior 2006 65.

²⁸⁸ Feldherr 1998 166.

²⁸⁹ Feldherr 1998 188.

he is un-Roman in his guile, his disregard for law and tradition and his lack of respect for religion.

In this subchapter we see that the accounts of the Roman kings that predate my chosen period of Roman history demonstrate the complexity of Roman thinking about kings and the role monarchy was thought to have played in the development of the Roman state. There are many positive aspects of the reigns of the first six kings. The Romans believed that it was from the Regal era and the stewardship of autocracy that Rome developed the mixed constitution that they considered to be the best form of government. Yet many of the kings themselves are presented as complex figures with both positive and negative associations, including Rome's divine founder Romulus.

Yet we see in these accounts that Romulus and other early kings of Rome (excluding Tarquinius Superbus) were considered to have been protective father figures, rather than masters to the Roman people. They heeded the advice of the Senate and in most cases possessed the characteristics necessary to be a good leader. In the first chapter of this thesis, I will show how this discourse came to be reflected in the portrayal of the Princeps and his role in Roman society. Like the just kings who ruled before the reign of Superbus, the Princeps is a father of the state who possesses the characteristics needed to guide the state and rule justly. We also see in these accounts that character and ability and the accord of those being ruled is considered more important than formal power or ancestry when it comes for good leadership.

The emphasis found here upon the character of the autocrat also gains particular weight during the early Principate. It is the tyrannical character of Tarquinius Superbus that made him unfit to rule and led the Romans to abolish the kingship in favour of a mode of government that did not depend upon the personality of one man in order to ensure the prosperity of the state and its citizens. The Regal era illustrated the dangers of autocratic rule and so Imperial discourse must reconcile these perils with the reality of the power of the Princeps. As I explore in Chapter One of this thesis, the approach of Valerius Maximus and Velleius Paterculus in particular is to present a reassuring view of a Princeps who possesses the characteristics necessary to good leadership, through the discourse of what has become known as imperial virtues.

The fact that the Roman kings could be considered a positive influence upon Rome's political development makes the Regal era a powerful precedent for writers of the early Principate. In Chapter Two of this thesis, I will explore how Valerius Maximus chose to adapt the stories of the Roman kings for a new era when Rome was once again ruled by an autocrat. I will examine how he engages with earlier traditions and what it is that makes his account unique to his own time and to the discourse of Julio-Claudian autocracy.

2.3 Tyranny and the Roman Dictatorship

The office of the dictatorship holds a significant place in the history of Roman thought about autocracy. This office was utilised by both Sulla and Julius Caesar in ways that came to be seen as a threat to the *res publica* and initiated a discourse among contemporary commentators and later writers that sought to describe a distinctly Roman form of 'tyranny', one that subverted the institutions of the Republic to allow these individuals to hold powers that were akin to those of an autocrat.

In the early Republic the dictatorship was an emergency office to be resorted to in times of crisis. A dictator would be appointed for a specific period of time or to carry out a particular task and he was expected to step down once the action he had been appointed to perform was completed. Recent examinations of this magistracy have concluded that the dictator's term of office was not always restricted to the exact timescale of six months (as has sometimes been stated) but that the time limitations placed on the office were often flexible and dependent on the task the dictator had been appointed to perform.²⁹⁰ What is significant is that the dictatorship was always a temporary office.²⁹¹

There were different forms of dictatorship, some dictators were appointed to perform military functions while others were tasked with religious duties.²⁹² The latter category more often involved the completion of a specific task, leading to a shorter dictatorship, while military commands often required the dictator to remain in office for a longer time. The consuls were responsible for nominating and dictator and an

²⁹⁰ De Wilde 2012 557.

²⁹¹ There were also other formal and informal restraints on the powers of the dictator see Lazar 2009 128; De Wilde 2012 555-557; Nicolet 2004 266-267.

²⁹² Nicolet 2004 266.

individual was not allowed to nominate himself.²⁹³ Depending on the task for which he had been appointed all other magistracies were subject to the power of the dictator.²⁹⁴

The office of the dictatorship appears to have fallen into disuse between 202-82 BC until it was revived by Sulla. However, the form of dictatorship Sulla introduced is considered to be different to the original office employed in the earlier Republic.²⁹⁵ This is significant as the earliest evidence we have for the dictatorship is from the 1st century BC and no evidence contemporary with earlier forms of the office is extant.²⁹⁶ Given the impact of Sulla's dictatorship upon Roman society and thought we must assume that any account of the dictatorship dating from that time and after must be influenced by the legacy of the discourse that surrounded what became known as the *dominatio* (domination) of Sulla.

An example of this legacy of discourse can be found in Sallust's account of the Catilinarian conspiracy. At one point in his text Sallust suggests that Catiline was inspired by the example of Sulla and wanted to emulate him in taking control of the Roman state (5.6-7):

Hunc post dominationem L. Sullae libido maxuma invaserat rei publicae capiundae, neque id quibus modis adsequeretur, dum sibi regnum pararet, quicquam pensi habebat.

²⁹³ Nicolet 2004 265; de Wilde 2012 558.

²⁹⁴ Nicolet 2004 266.

²⁹⁵ Nicolet 2004 264.

²⁹⁶ De Wilde 2012 558; Nicolet 2004 264.

After the tyranny of Lucius Sulla, Catiline had been assailed by the greatest passion for seizing control of the government, and he did not consider it at all important by what means he achieved his objective, provided he gained sovereignty for himself.²⁹⁷

In this short passage Sallust closely associates Cataline with Sulla and Sulla with tyrannical kingship. The word used to describe Sulla's rule, *dominatio*, is also used at 6.7 to describe the reign of Tarquinius Superbus. Catiline wishes to possess a *regnum* a word closely associated with kingship and the *Sullanum Regnum* or 'Sulla's rule' was also a term applied to Sulla's dictatorship, showing a clear link in the Roman mind between Sulla's position at that time and that of an autocrat.²⁹⁸ Sallust appears to be evoking the power of precedent as playing a large role in the motivations of the conspirator.

As Kalyvas (2007) has shown, Sulla turned his dictatorship into a tyranny, both through his harsh treatment of his enemies and by making the length of his dictatorship indeterminate.²⁹⁹ Thein (2006) has observed that Sulla was considered a tyrant not only by later Greek sources, but also by later Latin sources.³⁰⁰ Laffi and Hinard have also pointed out that Sulla's reputation as a tyrant already existed during his lifetime, and that the image of Sulla as tyrant had also figured prominently in Caesar's public comments upon Pompey during the civil war.³⁰¹ It was not only

²⁹⁷ Text and translation from Sallust. *The War with Catiline. The War with Jugurtha*. Edited by John T. Ramsey. Translated by J. C. Rolfe. Loeb Classical Library 116. Cambridge, MA: Harvard University Press, 2013

²⁹⁸ Batstone 2010 157.

²⁹⁹ Kalyvas 2007 424. Although Sulla would step down from the position of dictator as I will discuss below.

³⁰⁰ Thein 2006 238.

³⁰¹ As cited by Thein 2006 238.

Pompey who was characterised as a 'second Sulla' but Antony was also given this title after his defeat by Octavian at Actium, due to his role in the proscriptions perpetrated by the second triumvirate.³⁰²

As these observations suggest, Sulla's supremacy came to be viewed as the precedent for a new model of Roman tyranny. The tyranny of Sulla was not the same as that of Tarquinius Superbus, because Sulla was a 'Republican' tyrant. He had gained his autocracy by subverting the very institutions of the Republic, namely the office of the dictatorship.

As Cicero observes in *On the Agrarian Law* 3.5, Sulla effectively became a tyrant by the law of the Republic:

Omnium legum iniquissimam dissimillimamque legis esse arbitror eam, quam L. Flaccus interrex de Sulla tulit, ut omnia, quaecumque ille fecisset, essent rata. Nam cum ceteris in civitatibus tyrannis institutis leges omnes extinguantur atque tollantur, hic rei publicae tyrannum lege constituit. Est invidiosa lex, sicuti dixi, verum tamen habet excusationem; non enim videtur hominis lex esse, sed temporis.

Of all laws I think that that is the most iniquitous and least like a law, which Lucius Flaccus, the interrex, passed in regard to Sulla—that all his acts, whatever they were, should be ratified. For, while in all other states, when tyrants are set up, all laws are annulled and abolished, in this case Flaccus by

³⁰² Thein 2006 239.

his law established a tyrant in a republic. It is a hateful law, as I have said, but there is some excuse for it; for it seems to be not the law of a man, but of the times.³⁰³

Sulla was thus able to legalise his actions, yet his rule possesses the characteristics that were associated with a tyranny. By becoming dictator Sulla was able to use the powers of that office in a way that revealed its potential as the instrument of a tyrant. Another example of how Sulla could be portrayed using the discourse of tyranny can be found in Sallust's *Histories*. Latin words associated with tyranny and tyrannical rule appear several times in a speech against Sulla given by the consul Lepidus (1.48.1-19).³⁰⁴ As Thein has previously highlighted, Lepidus admits to being one of those who benefitted from Sulla's proscriptions (1.48.16-19) but portrays himself as a victim of Sulla's regime and the tyrant's desire to bind his followers to loyalty through shared guilt.³⁰⁵ Here Lepidus claims that no one could act justly and survive under Sulla's tyrannical reign. The proscriptions can also, of course, be seen as a Roman manifestation of the tyrant's need and desire to dispose of his political enemies for fear that they may act against him.

In the speech, Sallust presents Lepidus as criticizing those members of the elite who support Sulla and are willing to pay for dominion over the people with their own slavery (1.48.2). Here we see the familiar idea that to submit to the rule of a tyrant is to be a slave and not a free citizen. This passage also uses the discourse of tyranny to

³⁰³ Text and translation from Cicero. *Pro Quintio. Pro Roscio Amerino. Pro Roscio Comoedo. On the Agrarian Law*. Translated by J. H. Freese. Loeb Classical Library 240. Cambridge, MA: Harvard University Press, 1930.

³⁰⁴ For example at 1.48.1 *tyrannidem L. Sullae; scelere atque perfidia*, 1.48.2 *dominationis*, 1.48.5 *crudelior*, 1.48.7-8 *tyrannidis Sullae*, 1.48.9 *dominationis*.

³⁰⁵ Thein 2006 246.

describe the followers of the tyrant and their own domination (*dominationis*) over others. Next Lepidus lists foreign tyrants that Rome has repelled and accuses Sulla of treating his fellow Romans like a vanquished enemy people (1.48.4-5). He describes Sulla as “*scaevos iste Romulus*” (1.48.5) as if he is a perverse caricature of Rome’s first king. He calls on the people to resist the tyrant and his followers (1.48.7-8).

Sulla is accused of abusing both human and divine laws (1.48.10), a familiar charge made against tyrants, and Lepidus laments that the Roman people are no longer rulers of nations but have been deprived of their power (1.48.11). As McGushin (1992) highlighted in his commentary, all citizens were affected by the Sullan constitution. Sulla diminished the rights of all the supreme magistracies of the state and the tribunate of the people suffered the most restrictions, limiting the right to veto and denying the right to initiate legislation.³⁰⁶ The fact that one man now possessed complete power to do as he wished in Rome is emphasised in Lepidus’ speech 1.48.13:

Leges, iudicia, aerarium, provinciae, reges penes unum, denique necis civium et vitae licentia.

In the power of one man are the laws, the courts, the treasury, the provinces, kings, in short, control over the life and death of citizens.

Sallust thus provides an example of how Sulla had become a model of a Roman tyrant on a par with tyrannical kings like Tarquinius Superbus, but a Roman tyrant whose

³⁰⁶ McGushin 1992 118.

domination was achieved through the institutions of the Republic. There was, however, one aspect of Sulla's legacy that complicated this tyrannical image; his decision to resign from the dictatorship. Sulla's abdication puzzled many ancient commentators and also led to speculation as to whether he truly had aimed at tyranny. This subject was still a matter of debate at the end of the first century AD when Quintilian preserved an example of this tradition in his *Institutio Oratoria* (5.10.71).

The discourse of the Republican tyrant would develop further with the dictatorship of Julius Caesar whose dictatorship would end, not with an abdication but with the granting of a perpetual dictatorship and an assassination that, as I have discussed above, could be represented as tyrannicide. A prominent voice in the denunciation of Caesar as tyrant is Cicero, whose letters and speeches provide a great deal of our evidence for this time. Gildenhard (2006) has examined how, when discussing Caesar's dictatorship, Cicero resorts to a distinctly Greek discourse of tyranny that highlights the alien nature of the Roman tyrant.³⁰⁷ Gildenhard takes as an example a passage from a letter from Cicero to Atticus (*Att.*7.11.1) that illustrates the complex range of Hellenic allusions that Cicero employs to express his thoughts. As Gildenhard highlights, in this short passage Cicero compares Caesar to Rome's notorious enemy the Carthaginian Hannibal (again we see a dictator compared to a foreign threat), makes a reference to Plato's *Republic* and uses Greek themes to oppose Caesar's argument for marching on Rome.³⁰⁸ At the end of the passage Cicero switches to Greek and alludes to the play *Phoenicians* by Euripides. Here he is directly comparing Caesar to a power-worshipping character from Greek tragedy.³⁰⁹

³⁰⁷ Gildenhard 2006 197.

³⁰⁸ Gildenhard 2006 198-199.

³⁰⁹ Gildenhard 2006 199.

Through a discussion of these allusions Gildenhard shows that Cicero is presenting Caesar as a non-Roman figure, a tyrant in the Greek mould:

Greek themes and citations in Cicero's letter amount to the suggestion that Caesar, in crossing the Rubicon, underwent a metamorphosis. He turned from a fellow-senator and *civis Romanus* into a *monstrum*, an unnatural entity in the Roman order of things, a political criminal made in Greece, that is, who has ceased to act in accordance with the normative expectations that sustained the Roman Republic. Far from being driven by any concerns for his constitutional rights, Caesar's actions manifest the perverse and perverted psychology of the tyrant.³¹⁰

Here again we have the Roman tyrant as an aberration, an individual who fails to acknowledge the superiority of Roman laws and values, who seeks to pursue his own agenda beyond the bounds of what is acceptable in Roman politics. Cicero's engagement with the discourse of tyranny was not confined to Caesar. Throughout his works he constantly engages with the figure of the Greek tyrant and how this concept can be adapted to the 'tyrants' of Rome. In his *Philippics* (named for the orations of Demosthenes against the Macedonian 'tyrant' Philip II) Cicero uses the discourse of tyranny to portray Marcus Antonius as the latest in a growing list of Republican autocrats (2.108):

³¹⁰ Gildenhard 2006 199.

*Memineramus Cinnam nimis potentem, Sullam postea dominantem, modo
Caesarem regnantem videramus. Erant fortasse gladii, sed absconditi nec ita
multi. ta vero quae et quanta barbaria est! Agmine quadrato cum gladiis
sequuntur; scutorum lecticas portari videmus.*

We remembered the excessive power of Cinna, and the despotism of Sulla which followed, latterly we had seen Caesar's monarchy. There were weapons perhaps, but hidden and not so numerous. But what an uncivilized, monstrous display yours is—men armed with swords follow you in battle order; we see litters full of shields being carried about.³¹¹

Cicero here accuses Antony of behaving like a tyrant for coming into the senate with a bodyguard, an act associated with the tyrant's fear of retribution. In the Imperial age the view of Antony as tyrant would be further developed by writers who wished to denigrate him as the opponent of Octavian, later Augustus. Yet despite the tyrannical associations ascribed to Antonius, in 44 BC his *lex Antonia de dictatura in perpetuum tollenda* abolished the office of the dictatorship, through which Sulla and Caesar had gained their autocracy.³¹² This abolition of the dictatorship suggests that by this time there was in Rome the feeling that the opportunity for abuse of power was inherent in the office of the dictator and the only way to avoid future abuse of the office was to eradicate it.

³¹¹ Text and translation from Cicero. *Philippics 1-6*. Edited and translated by D. R. Shackleton Bailey. Revised by John T. Ramsey, Gesine Manuwald. Loeb Classical Library 189. Cambridge, MA: Harvard University Press, 2010.

³¹² Cicero *Philippics* 2.108. Cicero claims that the senate and people rejoiced.

2.4 Augustus, *Princeps*, the Censorship and *Pater Patriae*

When Augustus became the leader of the Roman state, he chose as his title the word *princeps* or 'the first'. This term will be used throughout this thesis to refer to both Augustus and his successors. The title *princeps* or *princeps civitatis* had its origins in the Roman Republic, where the plural *principes* could be used to denote the leading men of the state. The singular term *princeps* was often used to describe an individual who had reached a position of prominence within the *res publica*.

Pompey, Cicero, and Caesar were all individuals for whom this title was used to describe their positions of influence during the late Republic.³¹³ As has previously been observed by Pelham 2012, Cicero's letters provide examples of the use of this term for Pompey and Caesar (*ad Fam* 6.6.5; *ad Fam* 9.17.3; *Att.*8.9.4).³¹⁴ For example, in a letter of 49 BC (*Att.*8.9.4) Cornelius Balbus wrote to Cicero that Caesar wished to:

principe Pompeio sine metu vivere.

Live without fear while Pompey is *princeps*.

Cicero also used this term to refer to himself (*ad Fam.* 12.24.2; *Phil.* 14.17) and in his *De Republica* he includes a figure that appears to be a vision of the ideal leading citizen of the Republic. Pelham (2012) has suggested that the figure Cicero describes in the *De Republica* is reminiscent of the role Augustus appears to have

³¹³ Balsdon and Griffin, *OCD*, s.v. 'princeps'.

³¹⁴ See Pelham 2012 330-331 and also Balsdon and Griffin, *OCD*, s.v. 'princeps'.

wished to assign to himself in relation to the state.³¹⁵ Powell (1994) also entertains the notion that Cicero's ideas in *De Republica* could have influenced Augustus but takes the view that this is something we can only speculate upon and can never know for certain.³¹⁶ I would argue that although we cannot with any certainty speculate upon whether Cicero's ideas had an impact on Augustus himself, we can draw parallels between Cicero's discourse of the idealised leading statesman and the discourse that surrounds the role of both the Republican and the Imperial *princeps*. I would also suggest that we can see here a precedent for the idea we find in my chosen Tiberian sources (and which I will discuss further in Chapter One of this thesis) that the leading statesman (or statesmen) should adhere to certain virtuous characteristics and provide a model for others to follow while simultaneously overseeing the promotion of morality in public life.

Cicero's description of the '*rector rei publicae*' or director of the commonwealth, presents the idea that there were particular qualities that a leading statesman of the Republic was expected to display. Powell has provided an examination of Cicero's concept of the '*rector rei publicae*', and its implications for the interpretation of the *De Republica*. The concept appears at 2.51 where the *rector rei publicae* represents the opposite of a tyrant like Tarquinius Superbus. Here, as Powell observes, Cicero appears to suggest that any good leading statesman is to be classed as a *rector rei publicae* and he includes a description of how the leadership of this figure should be described (2.51):³¹⁷

³¹⁵ Pelham 2012 330-333.

³¹⁶ Powell 1994 28 "There is no knowing whether he may not have seen in it some form of justification for his own methods."

³¹⁷ Powell 1994 21-22.

*ut, quem ad modum Tarquinius, non novam potestatem nactus, sed, quam habebat, usus iniuste totum genus hoc regiae civitatis everterit; sit huic oppositus alter, bonus et sapiens et peritus utilitatis dignitatisque civilis quasi tutor et procurator rei publicae; sic enim appelletur, quicumque erit rector et gubernator civitatis. quem virum facite ut agnoscatis; iste est enim, qui consilio et opera civitatem tueri potest.*³¹⁸

How Tarquinius, who obtained no new power but unjustly used what he had, overturned the entire kingly type of city. Let there be opposed to this man another, who is good, wise, and knowledgeable about the advantage and reputation of the city, a protector and manager, so to speak, of the Republic. Let those be the names for whoever will be a guide and helmsman of the city. Make sure you can recognise this man, for it is he who can protect the city by judgement and effort.³¹⁹

Here we see that this ideal leader is not only good (*bonus*) and wise (*sapiens*) but is described as a protector and manager (*tutor et procurator*) and a guide and helmsman (*rector et gubernator*) of the state. These titles speak of authority and responsibility as opposed to power and wealth. This figure is concerned with the prosperity and reputation of the state and not his own position. This provides us with an idea of what qualities Cicero may have believed the ideal *princeps*, or leading man of the Republic should possess. It is thought that Books Five and Six of Cicero's

³¹⁸ Text from Cicero. *On the Republic. On the Laws*. Translated by Clinton W. Keyes. Loeb Classical Library 213. Cambridge, MA: Harvard University Press, 1928

³¹⁹ Translation from Cicero. "*On the Republic*" and "*On the Laws*" Translated with introduction, notes and indexes by David Fott Cornell University Press 2014.

text described further the attributes of this figure.³²⁰ Although Cicero's text as it survives is incomplete, it is possible to discern that the ideal Republican *princeps* should be familiar with justice and the law and should not only acquire such knowledge but also put it to good use in the governing of the *res publica* (5.5), he should provide a moral example for other citizens (5.6) and his aim should be to ensure for citizens a life rich in material wealth as well as glory and virtue (5.8).

The Republican background of the term *princeps* ensured that it did not, at least at the time Augustus chose to use the title, carry autocratic associations. Instead, it complies with the continued use of Republican discourse to describe the Principate as a continuation of the Republic under the protection of its most influential citizen. This contrasts with the position of dictator, a Republican institution which had been utilised by Caesar, but was rejected by Augustus (*Res Gestae* 5.1). No doubt this was because of the associations between the dictatorship and tyranny that I have discussed above in Subchapter 2.3. The term *princeps* held the implications of a man who had distinguished himself through his personal achievements and services to the state, but who was the first among equals, with no greater formal power than those around him. It was an informal title and those who are referred to in this way only possessed the authority contingent to any offices of the Republic they held and did not necessarily hold greater formal power than their peers in the senate. In his *Res Gestae* (34.3) Augustus states that he excelled all others in influence (*auctoritas*) but did not possess more power than his colleagues in the magistracies that he held. It should be noted that *princeps* remained an informal title into the Julio-Claudian Principate and was not a title voted to Augustus by the People and Senate,

³²⁰ Powell 1994 19.

unlike the title of *princeps senatus*, or first senator, a formal title that was held by Augustus and his successors (*Res Gestae* 7.2).³²¹

The title of *princeps senatus* was used to refer to the position of honour of being the first individual named in the census list of senators. The man who held this position was someone who had held the highest offices of the Republic and had achieved the influence that led to an individual being termed a '*princeps*' and it was a post that was occupied for life. Being *princeps senatus* meant that Augustus would have the right to be the first to speak on any business that was put before the Senate.³²² As is widely understood, this put him in a position of power over senatorial debate, as his (highly influential) opinion would always be heard first. It is also important to note that this position had been abolished by Sulla because of the power it gave to one individual but was reinstated by Augustus in 28 BC, when he appointed himself to the role upon his revision of the list of senators.³²³

Another official post that Augustus held during his reign was that of censor. This is important to my discussion because this post was invested with moral authority (*regimen morum*) and involved assessing the status and morality of Roman citizens. During the Republic there were two censors, usually men who had previously held the consulship, and they were elected every four or five years. The main role of the censors was to oversee the official list of Roman citizens (the *census*).³²⁴ As part of

³²¹ Levick 2010 74.

³²² Badian, *OCD*, s.v. 'princeps senatus'.

³²³ Badian, *OCD*, s.v. 'princeps senatus'. Although Pelham 2012 327-328 highlights that Augustus' position as consul also gave him authority in the senate that may negate the usefulness of the title of *princeps senatus*, stating "the actual powers it conferred were extremely limited and shadowy, for after all the possible privilege of giving his 'sententia' before the rest was of little value to the emperor who, as consul, could state his views fully in introducing a question to the Senate at the very opening of the sitting."

³²⁴ For other duties assigned to the censors see Derow, *OCD*, s.v. 'censor'; Lintott 1999 115-120.

this process, they would make judgements upon the moral conduct of citizens, and they had the power to remove any man they deemed morally reprehensible from his voting tribe and therefore from the right to vote. They were also responsible for the list of senators and could exclude individuals from the Senate. There was also a religious element to the role of the censors as they performed the *lustrum*, a ritual of purification.³²⁵ Augustus undertook the census three times during his reign (*Res Gestae* 8.2-4) in 28 BC (with Agrippa, in his sixth consulship), 8 BC (alone) and AD 14 (with Tiberius). By the end of Augustus' reign, the role of censor had become part of the functions of the Princeps (although Augustus' successors did not always choose to undertake the census themselves) and, as I will discuss in the first chapter of this thesis, we see this reflected in my chosen sources from the Tiberian Principate, in which the Princeps is presented as a judge and role model in matters of moral importance.

This concept of the Princeps as a moral authority can be linked to the discourse of imperial virtues, which is the focus of Chapter One of this thesis. The Princeps holds this position in part because he himself is presented as possessing virtues that are regarded as essential to good leadership. We can trace the beginning of this tradition to Augustus and the honours that were granted to him in 28-27 BC (*Res Gestae* 34.1-3) by the senate and people of Rome which included the granting of a new name for the Princeps, that of Augustus. His choice of the honorary name 'Augustus' with its religious connotations, over that of 'Romulus' suggests a wish to avoid any association with kingship or death by assassination.³²⁶

³²⁵ Lintott 1999 115.

³²⁶ The legend of Romulus and conflicting accounts of his death will be explored in Chapter Two of this thesis. For the choice of the name 'Augustus' see Eck 2007 55-57; Levick 2010 72; Galinsky 2012 66.

The honours that Augustus received included the planting of laurel trees outside his house and an oak wreath or civic crown placed above his door.³²⁷ This wreath was awarded to individuals who had saved the life of another citizen and in this instance symbolised that Augustus had saved the lives of all the citizens of Rome by bringing an end to civil war. The senate also awarded him a golden shield, known as the *clipeus virtutis* which was displayed in the senate house.³²⁸ This honour in particular is significant because it associated Augustus with the virtues of *virtus*, *clementia*, *iustitia* and *pietas* setting a precedent for the tradition of imperial virtues that we find in later discourse. Levick identifies this as “a type of distinction awarded in the Hellenistic age” and associated with military success but, as Levick highlights, the inclusion of the virtues *clementia*, *iustitia* and *pietas* on the shield suggests this is an honour for a statesman and *princeps*.³²⁹

In the context of my research it is significant that one Augustus’ official titles was *pater patriae* or ‘Father of the Fatherland’. The granting of this title is the final and perhaps the crowning achievement that Augustus chose to list in his own account of his deeds (*Res Gestae* 35.1). This title could also take the form *parens patriae* and like the term ‘*princeps*’ it can be traced back to the Republic. It was bestowed upon those who were viewed as having saved the Roman state either from a foreign enemy or from civil unrest. It should be noted, however, that not all those who

³²⁷ Eck 2007 55; Levick 2010 72; Galinsky 2012 67.

³²⁸ Levick 2010 72-73.

³²⁹ Levick 2010 73. See also 2010 74 for Augustus’ use of the term *princeps* and its background. Galinsky 2012 70 also explores the significance of the virtues included on this shield.

received this title had an entirely positive reputation.³³⁰ Augustus appears to have refused the title at first but eventually accepted it from the Senate and People of Rome in 2 BC (Suet. *Aug.* 58.).

Two occasions upon which the title was granted are of particular importance for understanding the significance of this title and why Augustus may have hesitated in his acceptance of it. Cicero was granted the title in 63 BC following his suppression of the conspiracy of Cataline. Julius Caesar received the title in response to his use of *clementia* following the civil war (in 44 BC). In both cases the title was used to portray the individual who received it as a benefactor of Rome and the *res publica* in direct opposition to the view of others who wished to characterise them acting out of tyrannical impulse.

As Stevenson (2009) highlights, the granting of the title to both Cicero and Caesar was controversial among their contemporaries.³³¹ Both the execution of the Catilinarian conspirators and the civil war that preceded Caesar's rise to a position of autocratic power could be viewed in a negative light so that the title of *pater patriae* became associated not only with the saving of Roman lives but with "civil strife, discord, the killing of citizens, fratricidal violence, and charges of tyranny."³³² Thus, during the Republic this title was already being used as a means of counteracting a discourse that presented an individual as a tyrant by presenting them instead as

³³⁰ According to Strothman, *BNP*, s.v. 'pater patriae' the title was granted to M. Furius Camillus (Liv.5.49, *parens patriae*), Marius (Cic. *Rab. Perd.* 10, 27 *pater ob cives servatos*) Sulla (Plut. *Sulla* 34.2) Cicero (Cic. *Pis.* 3 *parens patriae.*) and Caesar (Liv. *Per.*116; Suet *Iul.* 76 *pater patriae.*)

³³¹ Stevenson 2009 99; 1992, 421.

³³² Stevenson 2009 99.

acting in the role of a safeguarding ‘father’ to the Roman state but this usage had in some ways subverted its intended meaning.³³³

As I have stated above, in 27 BC Augustus was granted and accepted the honour known as the *corona civica*. Both Cicero and Caesar had been granted this honour along with the title of *pater patriae*, but it appears that Augustus declined the title if it was offered at this time.³³⁴ Stevenson 2007 relates this refusal and the subsequent refusals of future emperors to the ‘ritual of *recusatio*’.³³⁵ The practice of refusing an honour or position that is associated with autocratic rule, in order to avoid an open display of autocratic power. Stevenson also relates Augustus’ initial refusal to Caesar’s acceptance of the title not long before his death.³³⁶ This shows a caution in regard to the discourses associated with autocratic power at Rome on the part of the first Princeps that can also be seen in his choice of name and unofficial title.

Augustus finally accepted the title of *pater patriae* in 2 BC, but there is evidence that despite his earlier refusal the title was already being associated with Augustus in mediums including literature and inscriptions, from the late Republic onward.³³⁷ This unofficial practice of referring to the reigning emperor as ‘father’ even when he has refused the official title appears to have continued into the reign of his successor Tiberius.

In this context it is significant to note that Tiberius refused the title of *pater patriae* when it was offered to him on more than one occasion, and he is the only emperor

³³³ Stevenson 1992 421-422.

³³⁴ See Stevenson 2009 99 for a discussion of this and the relevant scholarship.

³³⁵ Stevenson 2007 119.

³³⁶ Stevenson 2007 120 “No doubt with the example of Caesar in mind, the first employment of *recusatio* in relation to PP comes with Augustus.”

³³⁷ Stevenson 2007 121 provides a number of examples of this practice.

never to have accepted this title.³³⁸ This staunch refusal could be related to Tiberius' emphasis in his discourse upon moderation, his dislike of flattery and reluctance to accept the many honours that were offered to him.³³⁹ Despite this the sources I will discuss in this thesis still use a discourse that treats the reigning Princeps as a father figure for the Roman state, just as they do for both his predecessor Augustus and Julius Caesar, both of whom accepted the title. As I will discuss in Chapter Four of this thesis, those who were viewed as posing a threat to Tiberius' rule are still portrayed as 'parricides', a term that was linked to the discourse that viewed the Princeps as *pater*. This suggests that by the end of Augustus' reign a discourse of Julio-Claudian autocracy had been established that was influential enough to withstand such contradictions, so that the reigning Princeps continued to be represented as the father of his country even when the official title had been refused.

This subchapter has outlined the key aspects of Roman autocratic discourse before the reign of Tiberius. In the following case studies, I will explore how writers of the Tiberian Principate adapted and developed these aspects of discourse in ways that respond to the rule of the Princeps. In Chapter One I will show how Valerius Maximus and Velleius Paterculus in particular adapted the concept of the ruler as father figure and moral guardian to present the Princeps as a ruler who possessed the characteristics necessary to lead the Roman state and maintain its prosperity. Chapter Two will build upon my observations surrounding the traditions of the Roman kings by examining how these figures and their legacy are presented in the work of Valerius Maximus. Chapters Three and Four will explore the development of

³³⁸ Tacitus suggests he refused the title at least twice *Ann.*1.72; 2.87. See also Suetonius *Tib.*26.2. See also Stevenson 2007 121 who records four occasions when Tiberius was offered the title.

³³⁹ This is the position suggested by Seager 2005 119-120 and Stevenson 2007 121.

the discourse of opposition to autocratic rule. In Chapter Three this will be achieved through an examination of Seneca the Elder's reception of the discourse of tyranny and tyrannicide. Chapter Four will analyse the discourse that surrounded the assassins of Caesar and how this came to set the tone for the discourse surrounding all opposition the Julio-Claudian rule.

1. CHAPTER ONE: THE DISCOURSE OF IMPERIAL VIRTUES

1.1 Introduction

In my literature review I have introduced the idea that the Imperial era saw an increased emphasis upon the character of the autocrat as the central focus of discourse concerning autocratic rule. This evolved in the Julio-Claudian age into what has come to be known as a discourse of Imperial virtues. As my introduction has explored this discourse began in the Augustan Principate where the first emperor was associated with the virtues of *clementia*, *virtus*, *iustitia* and *pietas* and can also be related to the fact that Augustus' took on the role of censor. In this chapter I will examine how the discourse of Imperial virtues developed during the Tiberian Principate. Previous scholarship has identified the virtues that were most frequently presented in the coinage, literature and material culture of the reign of Tiberius and here I will build upon earlier examinations of virtue discourse by exploring what these virtues and their treatment in the contemporary sources can tell us about the perception of autocratic power and responsibility.

One striking aspect of the literary and epigraphic evidence that survives for the Tiberian Principate is its focus upon virtue and vice and its emphasis upon the idea that the *princeps* himself provides a model of virtuous behaviour for his subjects to follow. Valerius Maximus' work opens with a preface in which he envisions Tiberius in a judicial role in which the Princeps oversees (through his 'celestial providence')

the promotion of virtues and the punishment of vices. A comparable sentiment can be found in the work of Velleius Paterculus (II.126):

*Honor dignis paratissimus, poena in malos sera, sed aliqua; superatur
aequitate gratia, ambitio virtute; nam facere recte civis sus princeps optimus
faciendo docet, cumque sit imperio maximus, exemplo maior est.*

Honour ever awaits the worthy; for the wicked punishment is slow but sure; fair play has now precedence over influence, and merit over ambition, for the best of emperors teaches his citizens to do right by doing it, and though he is greatest among us in authority, he is still greater in the example which he sets.

Here Velleius is more explicit than Valerius in stating that Tiberius is not only responsible for overseeing morality but provides a positive *exemplum* for his subjects to follow.³⁴⁰ His role as an *exemplum* is presented as even greater in stature than his *imperium*. In both these passages Tiberius' function in overseeing morality is also related to divinity. Providence is a virtue ascribed to the gods in Valerius' text and he states that Tiberius' providence is 'celestial'. Velleius' reference to slow but sure punishment also appears to be a divine allusion.³⁴¹

These ideas are not restricted to literary works. The *Senatus Consultum De Cn. Pisone Patre* is also suffused with the language of virtue and vice, with the actions of

³⁴⁰ See also Vell. II.1.1.

³⁴¹ See Woodman, 1977 244 on the proverbial nature of the concept of slow but sure divine vengeance.

Piso being presented in moralistic terms.³⁴² Here too the Princeps is presented as a model of virtue, in particular the virtues of clemency, justice, and magnanimity:

(vacat) item senatum, memorem clementiae suae iustitiaeque (atque) animi magnitudinis, quas virtutes quom̄ a maioribus suis accepisset, tum praecipue ab divo Aug(usto) et Ti. Caesare Aug(usto) principibus suis didicisse.

The Senate, mindful of its own clemency, justice, magnanimity, which virtues it learned from its forebears especially from the deified Augustus and Ti. Caesar Augustus its principes.³⁴³

Here we see reference to the Senate being educated in the practice of virtues by the Princeps. This echoes the ideas found in Velleius and Valerius Maximus that the Princeps is an *exemplum* of virtue to his subjects. That it appears in a text intended for public display suggests that this is something the senate wished to impress upon the readers of the inscription.³⁴⁴ Thus we see that the discourse of Imperial virtues is not only concerned with the behaviour of the ruler but also in promoting moral excellence in Roman society as a whole.³⁴⁵ It is because of this apparent desire to

³⁴² This is explored by Cooley 1998. One particularly illustrative example is this comparison between Piso and Germanicus – *a[rb]i(t)rari singularem moderationem patientiamque Germanici Caesaris evictam esse feritate morum Cn. Pisonis patris*. “The Senate considers that the exceptional self-restraint and patience of Germanicus Caesar were overcome by the bestiality of the character of Cn, Piso pater.” See Cooley 1998 200.

³⁴³ SCPP 90-92 Text and translation from Potter and Damon 1999, 28-9.

³⁴⁴ Cooley 1998 comes to a similar conclusion regarding the SCPP, see 200 “In relating these virtues and vices, the Senate is not merely descriptive, but prescriptive. The Senate is anxious to encourage the whole of Roman society to model its behaviour on that of the princeps. The senate has a didactic purpose, to outline what sort of behaviour is expected of Roman citizens. Its publication of the decree on bronze throughout the empire is designed to achieve this purpose.”

³⁴⁵ See also Seneca the Younger’s later work *De Clementia* (2.2.1) where Nero’s behaviour is a model to be imitated. Cooley 1998 207 points out that in the SCPP the virtues appear to be shared by

promote moral excellence that I will here consider these virtues in the context of values or ideals that were promoted within Roman culture during the reign of Tiberius.³⁴⁶

In the early Principate autocratic discourse was focused upon the character of the Princeps and his role in the promotion of virtue in Roman society and the punishment of vices that threatened social stability. As I will explore in this chapter the limitation of power and the avoidance of vices associated with tyranny is a concern of many of the virtues promoted during this time. *Moderatio* is a virtue associated with the kind of restraint shown by the good ruler and stands in opposition to the tyrant's negative traits of violence and excess. This virtue was one that was associated with Tiberius by both the contemporary work of Velleius Paterculus and later writers and in coins produced during Tiberius' Principate. Velleius Paterculus praises the Princeps' displays of moderation in turning down triumphs and other opportunities for self-aggrandisement. This can be seen as a continuation of something Augustus also did that contrasts with the many honours acquired by Julius Caesar. Valerius Maximus provides precedents for this in the republican era with tales of an ancestor of Tiberius and the Elder Africanus displaying the same kind of moderation. Valerius Maximus provides a discussion of the virtue of moderation as displayed in a number of *exempla* from the days of the Republic. From these tales we can conclude that to Valerius *moderatio* was a virtue

the whole of the imperial family. Thus, they can all be seen as providing *exempla*. However, an examination of how these virtues are applied to other members of the imperial house would be beyond the scope of this study.

³⁴⁶ For later sources that also present the emperor as an *exemplum* for his subjects in this way see Noreña 2009 308.

associated with leadership and with powerful individuals who were aware that limitations needed to be placed upon their authority for the good of the State.

This chapter will also show that the virtues celebrated in the Principate of Tiberius also reveal a concern with the legacy of his predecessors Augustus and Julius Caesar and the way in which they wielded their own autocratic power. Some of the virtues associated with Tiberius during his reign have a direct link to these predecessors and the virtue of *clementia*, or the pardoning of one's vanquished enemies, is a legacy of the domination of Julius Caesar that was adapted to the discourse of the Augustan principate and then further utilised during Tiberius' reign.

As I will discuss *Clementia* was promoted on coinage and in an altar dedicated during the Tiberian principate. It is not, however a virtue ascribed to the Princeps in contemporary literature. The promotion of *clementia* in literary culture continued a tradition of identifying clemency as a characteristic of the good *princeps* or leading man in the state, as established by Caesar during his dictatorship and continued by Augustus. The literary sources show that *clementia* was a virtue that was thought to give superiority to the one displaying it at the expense of the receiver, who then owed a debt of gratitude to the one who had spared them. It was seen as a noble act that could be performed by both communities and individuals but mostly it was the preserve of autocrats and was a display of restraint, a choice not to take vengeance upon those who opposed or insulted the autocrat and to place the greater good above personal satisfaction. *Clementia* may have fallen out of favour with some during the Tiberian principate due to its association with the downfall of Julius

Caesar but was still present in material culture, perhaps due to its status as a virtue that encourages restraint in the autocrat.

Pietas is another virtue I will explore here that was associated with Tiberius' predecessor Augustus. As I will explore it was a virtue that embodied respect and devotion to the gods, the state and family, *Pietas* had been a central part of the ideology of Augustus, from his portrayal of the civil war as a fight to avenge the assassination of his adopted father Julius Caesar to his promotion of ancestral links with the mythical figure of Aeneas who was himself associated with this virtue. *Pietas* is also associated with Tiberius in contemporary literature, for Valerius Maximus, Tiberius himself appears as an *exemplum* of brotherly devotion. Tiberius also used *pietas* as a means of legitimising his claim to power, promoting an image of devotion to the legacy of his predecessor and adoptive father Augustus. *Pietas* also served to emphasise the devotion owed by all individuals, even autocrats, to the gods but it was also implied that the Princeps' subjects owed a debt of piety to him in return for his safeguarding of Rome and the Empire.

Iustitia is a virtue that is rarely found upon imperial coinage, so in this chapter I will suggest that it is highly significant that coins bearing this virtue were minted during the Tiberian Principate. The justice celebrated during Tiberius' reign is that of civil justice as enacted in a court of law. This is clearly due to the emphasis we see in accounts of Tiberius' reign upon legal proceedings and the Princeps' involvement in them. Velleius Paterculus presents *iustitia* as one of the qualities that were restored by Tiberius' rule. The theme of restoration is one that is often found in panegyric. Velleius does not, however, present Tiberias as taking an active role in matters of

justice in his position as Princeps as we see elsewhere, especially in later sources. Instead, Velleius emphasises that Tiberius acts in these matters in the capacity of a senator and judge, perhaps because he wishes to stress that Tiberius did not place his own authority as Princeps above that of Roman law. Valerius also appears to envisage Tiberius as taking a judicial role when he states that the Princeps promotes virtues and punishes vices. For Valerius, Roman law is the chief example of justice in the world, yet here, as is often the case in his work, he confines himself to examples from the Republic and does not explore the workings of Roman law under the Principate. This silence appears significant because, as the later sources Tacitus and Suetonius make clear the reign of Tiberius was a time when the role of the Princeps in the Roman legal system was becoming a matter of great concern, not least because of a number of trials for *maiestas* that took place during Tiberius' reign and which form an important part of these later narratives, and indeed of any modern study of Tiberius reign.³⁴⁷

The final two virtues that I will explore here, *liberalitas* and *providentia*, are both strongly associated with autocratic rule. The *liberalitas* of Tiberius was celebrated in coins and inscriptions that do not use this term directly but do commemorate the Princeps' acts of generosity to communities in need. These commemorations, however, are for generosity shown to communities outside of Rome. The only contemporary account of Tiberius' generosity in a Roman context appears in Velleius Paterculus' panegyric account of Tiberius' reign. For the reason why the *liberalitas* of the Princeps was not widely celebrated in a Roman context we can turn to the

³⁴⁷ This is a subject I will return to in Chapter Four of this thesis where I explore the reception of opposition to Julio-Claudian rule in my chosen sources.

account of Valerius Maximus who outlines the criteria for an effective display of *liberalitas*. His discussion makes clear that acts of generosity are especially commendable when they involve some sacrifice on the part of the giver and less so when generosity is shown by a wealthy autocrat. In fact, in the context of autocracy the giving of a gift is an act of superiority that emphasises the status and power of the autocrat.

Providentia was also a virtue that could confer status on the one said to possess it. It was a virtue associated with the gods and with leaders. Those in positions of power who needed to have the foresight and good judgement to make decisions for the greater good of the community. In the case of the Princeps that meant ensuring the defence of the Empire, good management of domestic concerns such as the grain supply and quelling conspiracies in Rome and finally ensuring the peaceful transfer of power to a successor. *Providentia* was commemorated on coins during the Tiberian Principate and the existence of an altar to Augustan Providence suggests this was a virtue Tiberius was thought to share with his predecessor and this he chose to promote, whereas some other virtues he did not. That sacrifices to *Providentia Augusta* took place whenever there was a threat to the imperial house suggests that a close link was seen between the survival of the imperial house and the continued prosperity of Rome and its empire.

Velleius Paterculus praises the *providentia* of Tiberius in a military context, while Valerius Maximus refers to the *providentia* of the gods and also attributes celestial providence (*caelesti providentia*) to Tiberius. The *providentia* of Tiberius is also stated to have prevented the ruin of the entire world in IX.11.ext.4 where Valerius

denounces a threat to peace and stability at Rome thought to be the threat posed by Sejanus.³⁴⁸ Here we see how *Providentia Augusta* was thought to protect the Roman state and the merging of this providence with the divine providence attributed to deities. The moral authority of the Princeps expressed in contemporary literature can be seen as an aspect of his *auctoritas*, the informal power based upon influence and suitability of character that gives the Imperial Princeps the right to rule.

1.2 Moderatio

The virtue of *moderatio* is one that appears to have been promoted by Tiberius and to be a virtue that he chose to cultivate. The association of this virtue with Tiberius would, however, be subverted by later writers who wished to criticise his reign by presenting the *moderatio* of Tiberius as a pretence designed to disguise the truly tyrannical nature of the autocrat. This virtue appears upon the reverse of a series of *dupondii* dated to the reign of Tiberius.³⁴⁹ The coins feature a portrait bust within a decorative circle under the word *Moderationi*. Sutherland identifies the bust as being that of Tiberius and describes the circular decoration as a kind of ‘ornamental medallion or shield’.³⁵⁰ This is similar to the description in RIC 1 “Tiberius full-face on ornamental shield”, although Levick suggests that the busts could represent other members of the Imperial house such as Drusus and Germanicus.³⁵¹ There also exist similar coins commemorating the virtue *clementia*. If the bust is indeed intended to

³⁴⁸ For more on 9.11.ext.4 see Chapter Four of this thesis.

³⁴⁹ Although there is some debate as to the exact date during Tiberius’ reign see Sutherland 1938 129-40; Rogers 1943 38; Grant 1950 47-8; Levick 1975; Balmaceda 2014 358;

³⁵⁰ Sutherland 1938 129-30.

³⁵¹ 107; Plate VI.101; Levick 1975 132-3.

be Tiberius, then this would suggest that here we see the commemoration of individual virtues of the Princeps.

To see how the moderation of Tiberius was portrayed by a contemporary writer we can turn to Velleius Paterculus. In passage II.122.1 Velleius summarises Tiberius' achievements and the honours that he has declined as an example of his unique moderation (*singularis moderatio*). Velleius creates the impression that admiration for Tiberius is a universal sentiment with his opening question- who, he asks, does not wonder at the fact that although Tiberius has earned seven triumphs he was content with three?³⁵² Velleius also describes how with magnificent personal restraint/forbearance Tiberius restored the monuments built by Pompey when they were destroyed by fire (II.130.1, *Quam magnifico animi temperamento Cn. quoque Pompei munera absumpta igni restituit!*). Here Velleius provides a view of Tiberius' moderation that contrasts with the accounts of later authors such as Tacitus and Suetonius (as will be discussed later in this subchapter). In Velleius the moderation of Tiberius is presented as genuine and unproblematic and is focused upon honours (well deserved, in Velleius' opinion) that the Princeps declined and an opportunity for self-glorification that he did not pursue. It is perhaps also significant that this is the first virtue of Tiberius that Velleius praises in his 'panegyric'.

A precedent for the declining of honours can be seen in the policy of Tiberius' predecessor, Augustus, who was careful in accepting some honours and refusing others, as I have discussed in my introduction to this thesis. The culmination of the

³⁵² II.122.1, Woodman (1977, 213) has observed that Velleius at times exaggerates, by ignoring the difference between an *ovatio* and a triumph.

honours granted to Augustus could perhaps be considered to be when in 2 BC the Senate and people gave him the title *pater patriae* “Father of the fatherland”, an honour that his successor Tiberius would later decline.³⁵³ Thus we see that the honours accepted by Augustus are concerned with recognising him as a leading statesman, saviour of Roman citizens and protector of the commonwealth. The *Res Gestae* (I.4) draws attention to the fact that Augustus also declined some of the triumphs that were decreed to him.³⁵⁴ In 9 BC Augustus provides a clear precedent for Tiberius’ decision not to add his own name to restored monuments, by avoiding this practice when restoring the temple of Jupiter after it had been struck by lightning.³⁵⁵ This can be set in contrast with the many honours accrued by Julius Caesar, who was not above replacing the names of previous benefactors with his own on public monuments.³⁵⁶

For a deeper insight into the contemporary discourse surrounding *moderatio*, and how Romans of the Tiberian Principate may have viewed the virtue of moderation and its relationship to power we can look to the compendium of Valerius Maximus, who devotes a subchapter (IV.1) to the theme of moderation. In my literature review I have introduced the research of Westphal, who examined the presentation of *moderatio* in Valerius’ text. Valerius’ presentation of *moderatio* in his *exempla*, Westphal argues, displays “two essential aspects, the first of which controlled the extent of the authority used by an individual, while the second prevented the individual from hurrying into overly quick, and therefore unreasonable decisions.”³⁵⁷

³⁵³ Levick 2010 91-92; for the “resonances” of the term *pater patriae* see Galinsky 2012 76-78.

³⁵⁴ (*Cum autem plúris triumphos mihi se(natus decrevisset,) | (iis su)persedi.* “Although the Senate decreed me additional triumphs, I set them aside.”

³⁵⁵ Levick 2010 118.

³⁵⁶ Levick 2010 118, for an account of the many honours granted to Caesar see Weinstock 1971.

³⁵⁷ Westphal 2015 196.

The boundaries of what was acceptable Westphal states were defined by “culturally and socially negotiated values” and were also dependent upon context.³⁵⁸ *Moderatio* was also a virtue that could be displayed only by people in positions of power over others or with freedom of action and for those in authority it was expected that they would display this virtue in their actions and may be praised for such displays.³⁵⁹

Thus, we can see that moderation was a virtue that was closely associated with the holding of important offices and other positions of power and that its display was an expected and valued social act. Therefore, Westphal argues, the negative interpretations of Tiberius’ moderation found in Tacitus and Suetonius can be explained by the notion that if shows of *moderatio* lead to public acclaim then that *moderatio* may be “displayed with the specific purpose of improving one’s own reputation.”³⁶⁰ This would be contrary to what Westphal characterises as the original idea of moderation which is to put the needs of the community over those of the individual.³⁶¹ It would seem that Tacitus and Suetonius suspected Tiberius of engaging in this form of what Westphal terms ‘pseudo-*moderatio*’.

For Valerius moderation ensures that the mind is not ‘carried away’ by ‘uncontrolled passion’. Valerius’ first examples of this virtue in action are particularly relevant as they deal with the moderation of power. At IV.1.1, after the expulsion of the kings, P. Valerius assumed the consulship and transferred the power and attributes of the kings to that office, but he is described as having used moderation to reduce the negative aspects of the kings’ authority. This moderation was displayed by removing

³⁵⁸ Westphal 2015 199-200.

³⁵⁹ Westphal 2015 203.

³⁶⁰ Westphal 2015 204.

³⁶¹ Westphal 2015 204.

axes from the fasces, halving their number and lowering them in assemblies of the people. P. Valerius also displays his moderation in acquiring power by willingly taking a colleague and establishing the double consulship. He is described as showing deference to his colleague due to the man's more advanced age. He also passed a law that forbade magistrates from being able to flog or put Roman citizens to death without appeal, showing a concern for moderating not just his own power but that of others. He is described as increasing the freedom of the community by reducing his own power (*ita, quo civitatis condicio liberior esset, imperium suum paulatim destruit.*). P. Valerius also seems wary of appearing to hold a position of prominence in the topography of Rome similar to that of an autocrat. Valerius Maximus reports that he demolished his house "Because it stood on high ground giving the appearance of a citadel" which was the customary dwelling place of a tyrant in literature and rhetoric.

The theme continues at IV.1.2 with an account of when Furius Camillus became dictator. Valerius emphasises that Camillus only took the position after the appropriate legal procedures had been carried out. Here a man who is about to obtain the greatest position of power the Republic had to offer (and a position which held even greater associations with supreme power to a writer of Valerius' time, looking back upon the dictatorships of Sulla and Julius Caesar) is shown paying respect to the rule of law. Valerius presents this display of moderation as even more admirable than Camillus' victory over the Gauls. This is because Valerius represents the battle of self-control as more difficult than victory over an external opponent. Thus, he is placing the glory obtained through the virtue of moderation over that of military prowess. The third example is of Marcius Rutilus reprimanding the people for

electing him Censor for a second time. The emphasis here is on the importance of placing unofficial limitations on the duration of the office of Censor. This is important because of the power this office grants to the individual. In electing Rutilus twice the people ignored the fact that they were placing too much power in the hands of one man, yet Valerius states that in this case both parties were right: "The former (Rutilus) advised them to entrust offices moderately, the latter (the people) trusted itself to a man of moderation." Therefore, Rutilus' complaint serves as a demonstration of his restraint. The second censorship is recognition by the people of that moderation which (perhaps) renders the limitation of the office unnecessary, as Rutilus has proved himself a man who will not abuse his power. In IV.1. 4 Cincinnatus does not accept another consulship after his term of office is over, he also does not allow the re-election of the Tribunes. This continues the theme of the importance of restricting power and the place of the virtue of moderation in ensuring this happens. It is for the powerful individual to ensure they practice this virtue and employ self-control, because the people cannot always be trusted to remember what is good for the community.

IV.1.4 extends this theme to the holding of the consulship (often more than once) by members of the same family. Fabius Maximus requests that his family be allowed a 'holiday' from the consulship so that the 'highest authority' should not be monopolised by one family. Valerius' interpretation of Fabius' request is that it was not made because Fabius did not have faith in the abilities of his son or because he was concerned about the pressure the consulship might place on family finances, but that it was a display of moderation so strong as to overcome paternal affection. Thus, the way Valerius presents this episode it could perhaps also be seen as a

rejection of a form of dynastic ambition that might be seen as harmful for the State, a placing of the needs of the State before family advancement.

At IV.1.6a Valerius introduces a different but related theme, discussing the many honours that were refused by the elder Africanus. This recalls Velleius' use of the refusal of honours as a means of portraying the *moderatio* of Tiberius. In both cases the emphasis is upon the fact that these honours were well deserved, but the moderation of the individual was such that they did not wish to receive them. At IV.1.10a Valerius also presents the exemplum of C. Claudius Nero, an ancestor of Tiberius who was consul in 207 B.C (*C. quoque Claudius Nero inter cetera praecipuae moderationis exempla numerandus est.*)³⁶² Although he shared in the defeat of Hasdrubal with Livius Salinator, Claudius Nero chose not to celebrate a triumph of his own because the defeat had taken place in Salinator's province, thus while Salinator was only praised for his victory, Nero was praised for moderation as well (*sic sine curru triumphavit, eo quidem clarius quod illius victoria tantummodo laudabatur huius etiam moderatio.*)

As has been observed by Westphal, a link between Tiberius and *moderatio* can be found in the work of the later writers Tacitus and Suetonius but in this case the discourse of Tiberian moderation is subverted to suggest that Tiberius was engaging in a display of *moderatio* that was not genuine. Suetonius provides accounts of Tiberius' moderate behaviour towards the Senate and distinguished men as well as people of lesser rank (32.2 *Parem moderationem minoribus quoque et personis et rebus exhibuit.*), but these accounts are preceded by an earlier statement (28) where

³⁶² Levick 1975 123.

Suetonius writes that the *moderatio* of Tiberius was a pretence.³⁶³ More references to the moderation of Tiberius can be found in Tacitus's account in his *Annals*. At II.29.2 when regarding the charges made against Drusus Libo, in the face of the man's appeals:

Mox libellos et auctores recitat Caesar ita moderans ne lenire neve asperare crimina videretur.

The emperor then read over the indictment and the names of the sponsors, with a self-restraint that avoided the appearance of either palliating or aggravating the charges.

At III.69.8 Tiberius is described as behaving moderately when not influenced by anger. At 2.36.2 during a debate regarding the selection of candidates for magistracies Tiberius claims *moderatio* for himself:

Tiberius tamen, quasi augetur potestas eius, disseruit: grave moderationi suae tot eligere, tot differre.

Tiberius, however, replied by treating it as an extension of his own prerogative:—"To his moderate temper it was an ungrateful task to mete out so many appointments and disappointments."

³⁶³ See Rogers 1943 62.

Tiberius also claims to be acting with, and encourages moderation at II.12.11 regarding the trial of Piso;

Id solum Germanico super leges praestiterimus, quod in curia potius quam in foro, apud senatum quam apud iudices de morte eius anquiritur; cetera pari modestia tractentur. Nemo Drusi lacrimas, nemo maestitiam meam spectet, nec si qua in nos adversa finguntur.

The only extra-legal concession we shall be found to have made to Germanicus is this, that the inquiry into his death is being held not in the Forum but in the Curia, not before a bench of judges but the senate. Let the rest of the proceedings show the like restraint: let none regard the tears of Drusus, none my own sadness, nor yet any fictions invented to our discredit.”

Earlier in this passage, however, his moderation is described as calculated (*meditato temperamento*³⁶⁴, see also V. 2.1 and VI.2.6 for similar assessments). Moderation is also attributed to Tiberius by others in Tacitus’ text for example at 3. 50.2 (*principis moderatio*) and at III.56.1 it is said that his restrictions on informers had given him a reputation for moderation (*Tiberius, fama moderationis parva quod ingruentis accusatores represserat.*)³⁶⁵ In my literature review I have discussed Cowan’s (2016) suggestion that Tacitus was picking up on a debate regarding *severitas* during the Tiberian Principate, it could also be suggested that Tacitus and Suetonius are in a similar way aware of the significance of the virtue of *moderatio* to Tiberius’ Principate and are undermining this view of the Princeps. In particular, there is a preoccupation

³⁶⁴ Rogers identifies a vocabulary of the virtue which includes *temperantia* see Rogers 1943 62.

³⁶⁵ See also III.34.5 discussed by Levick 1976 89.

with the authenticity of the moderation displayed by the Princeps that perhaps reflects a later hostile tradition based around Tiberius' personal appropriation of the virtue. It may appear from this later tradition that Tiberius' moderation is a front to conceal the true nature of his power, that autocracy is inherently without moderation.

From the examination of our contemporary texts it appears that *moderatio* was thought essential to avoid the excesses associated with autocratic power and was a virtue closely associated with Tiberius. Velleius praises the moderation of Tiberius in his panegyric to the Princeps and Valerius Maximus considers the virtue as illustrated by notable men of the Republic. The emphasis in Valerius' *exempla* is upon the moderation shown by those in positions of power not just in the acceptance of honours but also in the way they exercise their power. Valerius' moderate leaders are aware that limits must be placed upon their power for the good of the community. Yet to Tacitus and Suetonius the moderation of Tiberius is often a charade, their later accounts of his reign call into question the ability of an autocrat to exercise moderation, when autocratic power was by its very nature beyond the bounds of all control, except that of the will and personality of the individual autocrat. This suggests that these later accounts are engaging with the importance of *moderatio* and virtue discourse in general in the reign of Tiberius for promoting the authority of the Princeps. They are using this same discourse to criticise his rule by suggesting that his association with this virtue was in fact a deception, illustrating that later writers were also aware of and engaged with Tiberian virtue discourse.

1.3 Clementia

The concept of *clementia* combined the ideas of restraint, mercy and forgiveness. It was the act of showing leniency when deciding punishment and pardoning one's enemies.³⁶⁶ During the reign of Tiberius *clementia* appears on coins, in a series of dupondii dated to either the mid or later stage of Tiberius' Principate.³⁶⁷ This is the same series that also contained coins featuring the virtue of *moderatio*, as discussed in the previous subchapter. An altar to *clementia* was proposed in the senate in AD 28. Different ideas have been presented as to why this took place. Rogers (1945, 58-9) sees it as a commemoration of Tiberius' *clementia*, while others (Sutherland 1938; Dowling 2006 178-80) see it as an attempt to encourage Tiberius to display clemency that was lacking in his character at the time. Levick sees it as a mixture of these two impulses (Levick 1976 88) while Cowan (2016 96) presents it as evidence of an ongoing contemporary debate about the role of *clementia*. Wallace-Hadrill, talking about virtues more generally, has suggested the use of virtue language by the elite:

Should illuminate the points at which they felt threatened: where the bad emperor could damage their interests and the virtuous one be prevailed upon to respect them.³⁶⁸

This can perhaps be related to Sutherland and Dowling's arguments that the altar to *clementia* is to inspire the Princeps to practice this virtue. The Princeps' control over the ultimate fate of defendants, his power over the choice of whether to pardon or

³⁶⁶ For a discussion of the concept of *clementia* including the history of the term see Braund 2009, 30-44, also Dowling 2006.

³⁶⁷ For more on these coins see Sutherland 1938 & 1979.

³⁶⁸ Wallace-Hadrill 1981 318.

condemn, represents an area where the Senate might wish to influence his behaviour.

Clementia was a virtue famously associated with Julius Caesar's choice to spare those who fought against him in the civil war that preceded his dictatorship. As I will explore in Chapter Four, this is a decision that is often portrayed in the ancient sources as leading to his assassination by ungrateful senators whose lives he had spared and whose careers he had advanced. *Clementia* also featured upon the shield presented to Augustus by the Senate suggesting that he claimed to have shown the same clemency to his enemies or perhaps that the Senate wished to encourage him to take this approach if we accept the view of Wallace-Hadrill. These precedents perhaps set in motion a tradition that *clementia* is a virtue characteristic of a *princeps* as Rome's leading statesman, one that was continued in the Tiberian Principate by the promotion of *clementia* on coins and on the altar discussed above. Whether this celebration of *clementia* was a confirmation that Tiberius was seen as possessing this virtue or an admonition for his lack of clemency is not easy to ascertain.

In contemporary literature Velleius Paterculus does not attribute *clementia* to Tiberius. This virtue is attributed to Julius Caesar (II.56.3; II.57.1) and more frequently to Augustus (II.83.2; II.86.2; II.87.2; II.100.4). One reason for this could perhaps be that *clementia* is a virtue more appropriate to conduct during civil war and its aftermath and so was not appropriate during the (ostensibly) peaceful Principate of Tiberius.³⁶⁹ *Clementia* comes into its own as a virtue when it is used to

³⁶⁹ For war and civil war as a context for *clementia* see Cowan 2016 81-2.

pardon fellow Romans in this context of civil strife and perhaps is less effective during peace time. The one area of life in which *clementia* may be demonstrated in a peaceful community is in the dispensing of justice, but Velleius' account of Tiberius' reign suggests this was not an area in which he wished to promote the virtue of clemency. This was perhaps because when clemency was exercised in this context it highlighted the Princeps' autocratic power, or it could be because Velleius did not support clemency as a policy in judicial contexts.

As I have discussed in my literature review and will now consider in greater detail, the fact that Velleius preferred a different approach is suggested by Cowan (2016), who sees a paradox in the absence of an attribution of *clementia* to Tiberius in Velleius' text, given the popularity of the virtue in wider Tiberian rhetoric.³⁷⁰ Cowan suggests that Velleius is consciously avoiding the application of *clementia* to Tiberius, his reason for this being his preference for the virtue *severitas*. Cowan sees Velleius as being keen to attribute *severitas* to Tiberius in a judicial context, as a means of dealing with opposition to his rule. In searching for evidence of Velleius' disapproval for *clementia* Cowan points the reader to his portrayal of the *clementia* of Julius Caesar. Velleius emphasises the ingratitude of those to whom Caesar displayed clemency. He then also portrays a similar ingratitude in those who oppose Tiberius. Drawing upon Roller's (2001, 177-9) examination of the emperor as 'gift-giver' Cowan highlights that clemency can be viewed as a gift and thus merits reciprocity:

³⁷⁰ Cowan 2016 78.

Clementia offered as the Princeps' gift gave rise to an expectation of ensuing gratitude. But Velleius' emphasis is entirely on the *ingratia* of Caesar's murderers and opponents of Augustus and Tiberius.³⁷¹

In this light the *clementia* of Caesar seems to be a dangerous policy that left him open to the treachery of those who failed to display the correct gratitude for his clemency. It also frames the actions of those who oppose Julio-Claudian rule as morally deficient, the evidence of ingratitude, as opposed to being based upon ideological, or moral opposition to autocratic rule.

For Velleius *clementia* is perhaps a virtue that is out of place in a peaceful society, associated as it was with the activities of Caesar and Octavian during the civil wars. Cowan's argument that Velleius had a preference for *severitas* when dealing with the opponents of Julio-Claudian rule is convincing, yet we are still faced with the fact that *clementia* was a virtue that was celebrated in the material culture of the Tiberian Principate through coins and an altar. This could indeed be following a tradition of promoting clemency as a characteristic trait of the good *princeps* and good leaders in general. It was also a trait that could be displayed by the Roman people and Senate as well as by powerful individuals.

As Braund (2009) has highlighted, for Valerius Maximus the words *humanitas* and *clementia* appear to be synonyms and in the section upon 'de humanitate et *clementia*' (V.1) he appears to use these terms as if they are interchangeable.³⁷² In

³⁷¹ Cowan 2016 83.

³⁷² See Braund 2009 39.

V.1.1a-f Valerius commends acts of humanity and clemency shown by the Senate as a body. This corresponds with the idea of *clementia* as a virtue possessed by all of Rome and administered on behalf of the Romans by their leaders the senate. He then moves to acts of humanity and clemency performed by individuals on behalf of Rome (V.1.2-9), before ending his domestic examples with Caesar being moved to pity by the fate of Pompey (here Valerius uses *mansuetus* to describe Caesar³⁷³) and retaining the patrimony of Cato intact for his children after Cato's death (V.1.10) and finally Mark Antony's arrangements for the funeral of Brutus (V.1.11).³⁷⁴

The death of Cato is described as an event which causes Caesar to state that "he grudged Cato his glory and that Cato had grudged Caesar his" (V.1.10, *Catonis quoque morte Caesar audita et se illius gloriae invidere et illum suae invidisse dixit*). Here Valerius makes it clear that the opportunity of being able to show *clementia* towards Cato would have added to Caesar's 'glory'. Valerius also states "And indeed Cato's preservation would have made no small part of Caesar's superhuman achievements" (*et hercule divinorum Caesaris operum non parva pars Catonis salus fuisset*.) This emphasises the idea that *clementia* is a virtue that imparts status and glory upon the one who employs it. It also implies that *clementia* is in fact not merely a human virtue but one associated with divinity.

Wardle (1997) has highlighted that Valerius refers only to Republican examples of *clementia* and does not refer to the *clementia* of Tiberius.³⁷⁵ This continues the pattern set by Velleius and leaves Caesar as the only domestic example with direct

³⁷³ See Weinstock 1971 235-6 for other words that could be used to describe the concept of *clementia*.

³⁷⁴ This is a rare instance where Valerius does not refer to Brutus as a parricide and is perhaps also unusual for its positive presentation of Mark Antony.

³⁷⁵ Wardle 1997, 333. Wardle presents this as a wish on Valerius' part to remain uncontroversial, writing as he was after the fall of Sejanus.

reference to the Princeps. However, Levick has suggested that although Valerius provides Republican examples of *clementia*, *iustitia* and *moderatio* “he finds most of his worthies in positions of extraordinary power or influence.”³⁷⁶ This serves to emphasise that these are virtues associated with those who hold positions of power over others, which in the case of *clementia* is further reinforced by Valerius’ external examples.

The first of the external examples are taken from the lives of autocratic figures, emphasising the link between clemency and autocratic power. Valerius begins with Alexander the Great (ext.1a-b) with stories that display his *clementia* as care for his subjects, before moving on to Pisistratus (ext.2a-b) and Pyrrhus (ext.3a-4, although ext.4 features a show of humanity by another king towards Pyrrhus after his death). The emphasis here is upon the forgiving of slights and displays of disrespect. The reader looking for contemporary relevance could perhaps relate this to the issue of how a ruler should react when considering the appropriate punishment for such behaviour and why *clementia* might be an appropriate choice. Valerius is complimentary about the choices of Pisistratus and Pyrrhus to be lenient towards those who offend them. Pisistratus’ *humanitas* is less robust than that of Alexander but still worthy of note (*Non tam robusti generis humanitas, sed et ipsa tamen memoria prosequenda Pisistrati*, ext.2a) and after relating how Pisistratus showed leniency after an insult to his daughter, Valerius expresses surprise that such *humanitas* came from a tyrant. Pisistratus’ second example is even more praiseworthy than the first (*in hunc modum filiae iniuriam tulit, suam multo laudabilius*. ext.2b). It is the friend who insults him at dinner who is described as

³⁷⁶ See Levick 1976 91 for examples.

behaving like a tyrant (*a Thrasippo amico inter cenam sine fine convicio lacertatus, ita et animum et vocem ab ira cohibuit ut putares satellitem a tyranno male audire.* Ext.2b) and Pisistratus is demoted to the position of the tyrant's follower. Valerius' final remark is that if Pisistratus had done nothing else, the act of sparing Thrasippus would commend him to posterity (*si nihil aliud dignum honore memoriae gessisset, his tamen factis abunde se posteritati commendasset.* Ext, 2b).³⁷⁷

Pyrrhus is mild of temper and notably is described as a king, not a tyrant (*Aequemitis animus Pyrrhi regis.* Ext.3a). His act of clemency and moderation caused him to be thanked and prayed for in Tarentum (*qua quidem clementia et moderatione adsectus est ut et sobrii sibi Tarentini gratias agerent et ebrii bene precarentur.* Ext.3a)³⁷⁸ This shows that as on the coins issued during Tiberius' reign clemency and moderation could be seen as compatible virtues, or at least were associated with one another. In the next passage he is described as acting "from the same lofty level of humanity (*Ab eadem altitudine humanitatis*). Overall, Valerius Maximus gives a positive impression of *clementia* displayed by autocrats, yet his next two subjects in Book Five include '*de gratis*' (V.2) and '*de ingratiss*' (V.3) the grateful and ingrates. Thus, his ordering of these *exempla* recalls the idea that *clementia* is not always met with the gratitude it apparently deserved. The ordering of these subjects makes a strong link between the themes of *clementia* and ingratitude, something we will encounter again in Chapter Four of this thesis, where I will explore the discourse surrounding those who appear to oppose or threaten Julio-Claudian autocracy.

³⁷⁷ See also Seneca the Younger *De Ira* III.11.4.

³⁷⁸ Quint. *Inst.* VI.3.10; Plut. *Pyrrh.* VIII.

Having seen how Velleius Paterculus related the virtue of *clementia* to the theme of gratitude and ingratitude it is perhaps not surprising that Valerius also thought these concepts belonged together. Of particular interest is V.3 on ingratitude, where, although he is quick to denigrate the assassins of Caesar elsewhere, Valerius does not list Brutus and Cassius or any of their fellows in his list of ingrates. This contrasts with Velleius' account and its emphasis upon ingratitude towards Caesar. The very first example in this section, however, deals with the death of Romulus at the hands of ungrateful senators which contains echoes of the death of Caesar (V.3.1). One particularly striking aspect of this account is that Romulus is not named but referred to as *urbis nostrae parentem*. Valerius' description of how Romulus was struck down in the senate house may also have been meant to recall that other father of the city who had died more recently, as I will discuss in my next chapter, where I will explore more closely Valerius Maximus' portrayal of the legendary Roman kings.

Clementia is a virtue that imposes a moral obligation upon both the pardoner and the pardoned. It is a virtue that proves the benevolence of a ruler and is a sign of the Princeps' leniency towards those within the community who have wronged him; a leniency merited by their status as fellow Roman citizens. The expectation is that the receiver of clemency will show gratitude and loyalty in return. During the reign of Tiberius there developed a discourse, that I will discuss further in Chapter Four, where the ingratitude of those who received the clemency of Julius Caesar is provided as a negative example. This discourse perhaps developed because for those who wished to portray the reign of the Princeps in a positive light, this impulse combined with it a need to discourage future breaches of this moral contract. It also perhaps evolved because the death of Caesar at the hands of those he had spared

inspired an impulse to warn of the limitations and dangers of *clementia* as a policy for dealing with one's opponents. This awareness of the limitations of *clementia* as a strategy could be seen as a justification for the implementation of more severe measures against those who would oppose the rule of the Princeps and threaten the stability of the state.

1.4 Pietas

Pietas was a traditional Roman virtue associated with respect and devotion to the gods, to the state and to family. The first temple to *pietas* was dedicated during the Republic around 181 BC.³⁷⁹ Caesar had claimed the virtue on his coinage, producing coins depicting Aeneas fleeing Troy with his father and son, an image that both represented Caesar's *pietas* and recalled his ancestral claims.³⁸⁰ Octavian's claim to the legacy of Caesar was strongly based in the concept of *pietas* and of avenging the death of his adopted father.³⁸¹ In fact, *pietas* appears to have been a central feature of Augustus' self-fashioning and the ideology of the Augustan Principate, from his assertion that he was avenging his father during the civil war, to his interest in the promotion of family and the emphasis upon the story of Aeneas, whose defining trait is his piety, particularly as articulated in Virgil's epic *The Aeneid*.

During the reign of Tiberius the Princeps' *pietas* was also related to his reverence for the memory of his adopted father, Augustus.³⁸² Suetonius (*Tib.* 17. 2) states that

³⁷⁹ Weinstock 1971 250.

³⁸⁰ See Weinstock 1971 252-253. It should be noted that Virgil states that Aeneas also saved the gods of his ancestors when he fled Troy, making him a potent symbol of this virtue.

³⁸¹ See Weinstock 1971 254-255 on the piety of Octavian toward the memory of Caesar and his victory over the conspirators as an act of *pietas*.

³⁸² Levick 1976 87.

during Augustus' reign it was proposed that Tiberius should take the title of Pius, although Augustus dismissed the suggestion, as Tiberius would in time inherit his own title. *Pietas* appears upon coinage of AD 22-23.³⁸³ The use of the virtue in this way is most likely because in AD 22 Tiberius vowed an *Ara Pietatis Augustae* and wished to commemorate this occasion.³⁸⁴

Velleius II.99.2 describes Tiberius' departure for Rhodes in 6 BC as due to '*mira quaedam et incredibillis atque inenarrabilis pietas*' or "piety that was amazing, unbelievable and indescribable" and at 130.1 his building program is described as '*pia munificentia*'. He is shown to be placing the promotion of other members of the imperial house before self-aggrandisement.

Pietas is a virtue to which Valerius refers frequently in his text, emphasising its status as a traditional Roman virtue embodying devotion to the gods, to the state and to family. Of particular interest is the fact that this is a virtue for which Tiberius himself appears as an *exemplum*. In V.5 Valerius provides examples of "brotherly goodwill" (*fraternae benivolentiae*). At V.5.3 he relates how, when he heard that his brother Drusus was dying, Tiberius rushed to be at his side. As Tiberius travelled, Valerius says, he was accompanied by "the most holy power of Piety and the gods who support preeminent virtues" (*sanctissimum pietatis numen et di fautores eximiarum virtutum*). This is a rare example of Valerius using a contemporary *exemplum*, as he usually favours stories of the Republic or the Regal era. Valerius himself draws attention to the fact that this is a story of his own time at the beginning of the

³⁸³ Levick 1976 87; Wallace-Hadrill 1981, 309.

³⁸⁴ Levick 1976 252 Levick states it was vowed during Livia's illness but was dedicated later by Claudius. See also Weinstock 1971 256.

passage, and in it he refers to Tiberius as “our princeps and parent” (*princeps parensque noster*). This gives the *exemplum* an added weight in his discussion as here he is presenting a story of brotherly piety for his own age, and his *exemplum* is not only a devoted brother but also the ‘parent’ of all Romans through his position as *parens/pater patriae*. This places the virtue of piety at the heart of Tiberius’ role as Princeps and relates his display of that virtue not only to his love for his brother but to his role as leader of the Roman people.

Valerius Maximus also makes an interesting comment regarding those in positions of power (such as the Princeps) and religious piety (I.1.9):

Omnia namque post religionem ponenda semper nostra civitas duxit, etiam in quibus summae maiestatis conspici decus voluit. Quapropter non dubitaverunt sacris imperia servire, ita se humanarum rerum future regimen existimantia si divinae potentiae bene atque constanter fuissent famulata.

For our community has ever held that all things must yield to religion, even in the case of personages in whom it wished the splendour of most exalted dignity to be displayed. So, holders of state power never hesitated to minister to holy things in the belief that theirs would be the governance of human affairs only if they gave good and faithful service to the power of the gods.

Thus, Valerius makes clear that in the Roman mind even the most powerful in society must show piety towards the gods. The subject of this *exemplum* is L. Furius Bibaculus, who as praetor followed the direction of his father, head of the College of

Salii, and bore the sacred shields of the Salii even though his office meant that he was exempt from this function. As he was praetor his six lictors were required to also participate and preceded him in the ritual. This *exemplum* emphasises that Roman leaders should be aware that they owe their position to the benevolence of the gods, and it is only through piety to the gods that they can maintain their position of power over state affairs. Here we find the idea that, like *moderatio*, *pietas* is a virtue that places restraints upon the actions of the powerful. As I have discussed in my introduction, a lack of piety is a trait associated with the tyrant and is often shown as leading to the downfall of powerful leaders who do not respect divine authority.

This idea is emphasised elsewhere in this chapter. The external examples for I.1 begin with three stories of kings and religion. In ext.1 Juno punishes Pyrrhus for extorting a large amount of wealth from her treasury. At ext.2 king Masinissa returns a set of ivory tusks when he discovers that they were taken from Juno's temple. The sacrilegious plundering of Dionysius of Syracuse forms the subject of ext. 3 and the punishment for this is enacted upon his son "For divine wrath advances to take its vengeance at a slow pace and makes up for tardiness of retribution by severity" (*lento enim gradu ad vindictam sui divina procedit ira, tarditatemque supplicii gravitate pensat.*) This illustrates the idea that even kings are subject to divine power and that they should show religious piety.

There is also another kind of piety that can be found in contemporary evidence. In the *SCPP* line 119 speaks of Tiberius' 'devotion' (*pietati*) to his mother and at line 124 Tiberius has "exceeded the devotion of all parents" in his grief for Germanicus (*omnium parentium pietatem antecessisse*). The inscription also speaks of the

devotion of the senate for Tiberius. This presents the idea of piety as something that subjects owe to their ruler, perhaps in his position as protector of the state.

Pietas was an important traditional Roman virtue and it was also one that helped to promote the interests of the Julio-Claudian dynasty. As has been noted Octavian and Tiberius were able to use *pietas* to legitimise their claim to rule and also to reinforce the idea of the central place of the imperial family and their devotion to traditional Roman values. Piety could also be promoted as something subjects owed to the Princeps in return for his safeguarding of the state and was something he in turn showed to the gods as an example of his adherence to Roman values.

1.5 *Iustitia*

Wirszubski (1950) highlighted that *iustitia* rarely features on imperial coinage before or after the reign of Tiberius, an argument which is supported by the findings of Wallace-Hadrill (1981) and Noreña (2001).³⁸⁵ It therefore appears significant that *Iustitia* appears on *dupondii* from the reign of Tiberius, featuring the head of a woman wearing a diadem, most likely a personification of the virtue.³⁸⁶

It was during the reign of Augustus that the cult of *iustitia* was first established.³⁸⁷

Lott 1996 has argued that this cult was associated with the return of Tiberius to Rome and his triumph over Pannonia.³⁸⁸ This can perhaps be linked to the idea of

³⁸⁵ Wirszubski 1950 150-3; Noreña 2001 156-7; Wallace-Hadrill 1981 323 - this table illustrates that *Iustitia* appeared upon coins in the reigns of Tiberius, Nerva, Hadrian, Pius, and Marcus Aurelius.

³⁸⁶ See Mattingly and Sydenham 1968 100; 106 & Plate VI.106.

³⁸⁷ Lott 1996; Weinstock 1971 247.

³⁸⁸ Lott 1996.

martial justice and the just war or *bellum iustum*.³⁸⁹ Octavian had previously revived the practices surrounding the just war and took on the role of *fetialis* when he declared war upon Egypt in 32 B.C. and this appears to have been a form of justice with which he hoped his rule would be associated.³⁹⁰ This concept, however, does not appear to be a central concern in considerations of *iustitia* during the reign of Tiberius, where the kind of justice that appears to be of concern is civil justice as enacted in the law courts.

The later accounts of Tiberius' reign show an emphasis upon legal proceedings and the Princeps' involvement with them and we can compare this reception of the place of justice in Tiberius' reign with the way this subject is treated in contemporary accounts. Suetonius lists his involvement in legal matters as one of the ways in which Tiberius showed that he was the ruler of the Empire (*Tib.*33) and states that at first, he only became involved in legal concerns in the guise of an advisor or in the interest of correcting abuses where he felt the sanctity of the law needed to be upheld. Here Suetonius is presenting a Tiberius who began his reign with a wish to be seen as a *princeps* who respected the laws of Rome. A similar interpretation is suggested in the account of Tacitus, for example at *Annals* I.72 when asked if cases of treason should go to trial Tiberius replies that "the laws should be upheld" while in his speech to the senate at VI.38 he is made to state that he wishes for the gods to bestow on him "a quiet mind gifted with understanding of human and divine law" (*quietam et intellegentem humani divinique iuris mentem duint*).

³⁸⁹ For more on this see Lott 1996 268 and Weinstock 1971 243-8.

³⁹⁰ See *Res Gestae* 26.2-3 where Augustus states that none of the wars he waged were unjust.

While Suetonius appears to present Tiberius' involvement in judicial proceedings in a positive light (*Tib* 33), he 'advises' and seeks to prevent criminals from being acquitted through the use of influence, at the same time Suetonius draws attention to the fact that he was using his own autocratic influence and authority to intervene. This can be contrasted with *Tib*.61 where Suetonius presents a different take upon Tiberius' interest in the law showing him becoming more and more vindictive later in his reign so that even an ill-judged comment could be considered a capital offence.

Looking at these later sources it would seem that the Tiberian principate was a time in which the relationship between the Princeps and the law was being negotiated and formalised to a greater extent than it had been during the reign of Tiberius' predecessor. This would explain why it is that *iustitia* appears on coins dating from his reign and not on coinage associated with many later emperors. It has been suggested that the reason *iustitia* is not promoted during the reigns of many later emperors was due to the emperor's domination of the law.³⁹¹ While the law had previously held supreme power over all citizens, including the elite, the emperor was now above the law, and this position led to the promotion of *clementia* over *iustitia*.

In Velleius (II.126), justice is said to have been restored by Tiberius' rule:

*Sepultaeque ac situ obsitae iustitia, aequitas, industria civitati redditae;
accessit magistratibus auctoritas, senatui maiestas, iudiciis gravitas.*

³⁹¹ See Wirszubski 1950 150-3 and Braund 2009 40-42 for this argument. Both are in fact primarily concerned with the phenomenon of *clementia*, but in both cases the discussion also touches upon *iustitia*.

Justice, equity and industry, long buried in oblivion have been restored to the state; the magistrates have regained their authority, the senate its majesty, the courts their dignity.

Here Velleius uses dramatic language to present the theme of restitution. Justice (along with equity and industry) did not simply decline. Woodman interprets the phrase "*sepultaque ac situ obsitae*" in the following manner: "V. sees justice etc. as first being buried and then covered over with the decay which attacks objects, either physically.... or metaphorically."³⁹² While the Loeb translation has attempted to express this with the word 'oblivion' the translation provided by Yardley and Barrett is perhaps more suitable, stating that justice "had long lain buried and covered with decay".³⁹³ Now it has been restored because the organs of the state that maintain justice (the magistrates, the senate, the courts) have been brought back to their rightful status regaining authority, majesty and dignity. Notably, Velleius does not place the Princeps himself in this framework. He is responsible for this renewed situation of justice and equity but is not here presented as one of the participants in it. This can perhaps be linked to the belief in the early Principate being a continuation of the Republic, so that the influence of the Princeps is something that might be purposefully overlooked by the writer to create an impression that the state is still running according to republican precedent.³⁹⁴

³⁹² Woodman 1977 238.

³⁹³ Yardley and Barrett 2011 142-3.

³⁹⁴ The theme of the restoration of authority to the senate can also be found in Pliny *Pan.*66.2-3, *SHA* Max. Balb. and *Pan. Lat* 12.20.1 which suggests that it became a topos of later panegyric see Woodman 1977 240.

This was made possible by the fact that the leadership of the Princeps lay not only in his official titles but in informal powers based upon his influence in Roman society, which could be linked to the influence enjoyed by members of the Roman elite during the Republic through the system of patronage. Millar (1977) has examined the relationship between the emperor and the legal process and defines the emperor's role as being outside the day-to-day legal system.³⁹⁵ Even so it became an established procedure for individuals to 'appeal' to the emperor. The origins of this Millar traces to the late Republic and the fact that there may have been a custom of appealing to those in positions of power to administer justice "without regard to the formalities of their position."³⁹⁶ As individuals like Sulla, Caesar and Octavian took upon themselves the power to pass judgements over life and death and to distribute the property of their opponents, they presented themselves as the highest authority in Rome.³⁹⁷ This practice was a development in the tradition of patronage at Rome in which the followers and associates of influential men would turn to their patrons for help in times of need.

In Velleius II.129 Tiberius is described as listening to the trial of Drusus Libo, not as a *princeps* but as a senator and judge (*cum quanta gravitate ut senator et iudex, non ut princeps, causam Drusi Libonis audivit*). Here Velleius appears to be suggesting that he did not place himself in a position above the law as the foremost individual in the state but followed Republican precedent of being a senator and judge among his peers. This presentation of Tiberius can be contrasted with the account of Tacitus where he states that Tiberius' habit of attending trials still had an influence upon

³⁹⁵ Millar 1977 466-523.

³⁹⁶ Millar 1977 520.

³⁹⁷ Millar 1977 520.

proceedings to the extent that this was undermining liberty.³⁹⁸ This appears to highlight the Princeps' position above the law and the way in which his presence may have intimidated judges, while Velleius' account appears to deny it. Here again we see a contrast between the portrayal of Tiberius by a contemporary source and that of later tradition. We see how the discourse surrounding Tiberius' relationship to the legal process at Rome is being defined in very different terms. This difference can be seen as further evidence for the way that later authors were able to subvert the contemporary narrative of Tiberius' rule, turning elements that Velleius presents as virtues of his rule into evidence of his corruption, through the idea that the Princeps was engaged in a display of virtuous qualities he did not possess or could not sustain beyond the beginning of his reign.

While Velleius does not allude to or comment upon Tiberius' direct involvement in the processes of *iustitia* in Rome, further insight can be found in the *SCPP*. Here we see evidence of a contemporary text that focuses on the Princeps' personal interest and involvement in a trial. At the beginning of the text, we are told that Tiberius has 'referred' the case of Piso to the senate and it also records that Tiberius made his thoughts concerning the younger Piso and Plancina known to the senate and encouraged Piso's sons to defend their father in the trial (lines 15-25). This presents a clear picture of Tiberius as the person who has initiated this trial and as having sought to influence the outcome in relation to the fate of Piso's son and wife. Tiberius is also presented as an *exemplum* to the senate of the virtue of *iustitia*, as in lines 90-95 it is stated that the senate has learned justice from its forebears, Augustus and Tiberius himself. The virtue is therefore directly associated with the reigning Princeps

³⁹⁸ Tac. *Ann.* 2. 75 translation J. C. Yardly.

and his predecessor. The Princeps is presented as an *exemplum* of this virtue for his subjects as he is in Velleius' account.

This theme can also be found in the work of Valerius Maximus. In his preface Valerius describes Tiberius in terms that seem to allude to his judicial role- he is the 'surest salvation of the fatherland' under whose reign virtues are fostered and vices severely punished. It should be noted that although Valerius earlier speaks of Tiberius in ways that allude to his position as judge he does not include many examples of autocratic justice in his work. Valerius devotes chapter VI. 5 to the theme of justice, he begins by stating that it is "time to approach the holy sanctuary of justice" where "*cupiditas rationi cedit*" and "nothing is judged expedient that could seem less than honourable" This emphasises for the reader the sanctity of justice and its place in the community, also its dependence upon impartiality and honest practice. According to Valerius Maximus the community of Rome is the chief example of justice among all nations. This claims justice as a specifically Roman virtue and sets the stage for his *exempla*, by characterising Rome, and we might presume here he includes the Rome of his own day as well as during the republic, as the greatest example of justice in action.

The first *exemplum* concerns the schoolmaster who sought to betray the town of Falerii to the Romans by leading his students to the Roman camp. The justice administered here is the choice of the senate to punish the schoolmaster rather than using the students as hostages to end the war. Shackleton- Bailey observes that "all other sources give credit to Camillus" rather than the senate.³⁹⁹ In this light it seems

³⁹⁹ Shackleton-Bailey 2000 53.

significant that here Valerius adapts this story so that what is elsewhere seen as the actions of an individual is here ascribed to the senate, Rome's ruling elite as a whole. This emphasises the idea of justice as a possession of the Roman community, not of any one individual. The concept of the *bellum iustum* can extend to the conduct of generals in war as well as the motivation for the war itself.⁴⁰⁰ For Livy this event provides an example of Camillus' just behaviour in war (V.27-8). Valerius Maximus, in contrast, takes the decision to act justly away from the martial setting and places it in the setting of the senate, a location associated with civil justice.

In the next instance (1d) the senate shows justice by revealing to Pyrrhus a plot to kill him, but not the identity of the man behind it. This is partly because of the familiar sentiment that "Rome was founded by a son of Mars and should wage war by arms, not poisons." Thus, not by underhand methods. They also dispensed justice by not betraying "a man who had been ready to do them a service."

Next (VI.5.2) four tribunes of the plebs act in the spirit of justice when they protest the prosecution of L. Atratinus, under whose command they had served against the Volsci, thus causing the charges to be dropped. At VI.5.3 Tribune of the Plebs P. Popillius summons Ti. Gracchus and C. Claudius before the people on a charge of treason for the extreme severity of their exercise of the censorship (and also due to treatment of one of his relatives) the charge is dropped, because although it is decided that only Claudius should be condemned, Gracchus insists that they share the responsibility and the penalty equally.

⁴⁰⁰ See Lott 1996 269.

At VI.5.4 Tribunes prevent one of their number from using his office to escape paying his debts and at VI.5.5. Tribune of the Plebs Cn. Domitius does not use the evidence of a disloyal slave against M. Scaurus who he wished to bring to trial, instead he hands the slave over to Scaurus. Similar examples are presented at VI.5.6-7. It appears that the fact that these instances of justice take place between “Prosecutors and defendants” increases their power as *exempla* in the eyes of Valerius Maximus “how then do we think justice flourished among friends in those days when we see it stood so strong between prosecutors and defendants?” Valerius asks. We must presume he means to imply it flourished very well.

For justice in a more autocratic context, we must turn to Valerius’ external examples. At ext.1 Pittacus of Mitylene displays similar behaviour to that expected from a Roman Republican dictator. He is made tyrant by election (*suffragiis tyrannidem*) and once he has secured peace, he steps down from his position of extreme power. At. VI.5. ext. 2 the Athenians reject Themistocles’ plan to burn the Spartan fleet and gain mastery of the sea because “what did not seem equitable was not expedient either.” This follows the sentiment already expressed by Valerius in the preface that justice is always conscious of honour.

At ext.3 the example of Zaleucus provides an instance when justice competes with familial obligation. Zaleucus creates “an admirable balance of equality dividing himself between compassionate father and just law giver.”, when he decides to share in the punishment of his son. While the previous example is characterised as compassionate (*misericordem*) by Valerius, the next provides an example of harsh

justice. At ext. 4 when Charondas of Thurii breaks his own law of not bringing weapons into the assembly, he falls on his sword, so that “justice should not be compromised.” In these last two examples we see an individual who is characterised as a law-maker, someone who has control over the law, but who then honours the letter of the law even when it causes personal harm. Thus, the law is shown to hold precedence, even over those who shape it.

During Tiberius’ reign, moving away from civil war and the expansion of the Empire to peace and the continuation of the Principate, we perhaps see the emphasis shift from the concept of the just war to civil justice. While scholarship would suggest that the Principate saw a move away from the promotion of *iustitia* as a virtue of the emperor after Tiberius, here in the early stages of imperial rule it is still a part of the discourse and the presentation of Julio-Claudian rule. The emperor is associated with the promotion of *iustitia* and is shown as having provided the conditions in which *iustitia* may thrive. Yet there is also still an emphasis upon the ‘Republican’ concept of justice as something to which all citizens are subject, with little contemporary acknowledgement of the fact that the Princeps was in effect above the law. This instead emerges in the later accounts which clearly emphasise the problematic nature of Tiberius’s relationship with *iustitia*.

1.6 Liberalitas

During Tiberius’ reign the Princeps had ample opportunity to display and celebrate the Imperial virtue of *liberalitas*. Rogers (1943) provides an extensive account of the

many acts of Tiberius that could be used as evidence of his claim to this virtue.⁴⁰¹ Among these acts there was the paying of legacies and donatives upon his accession, the giving of largess (*congiaria*) to the people, providing financial support to senators, aid to the population of Rome and other cities after fires, accidents or natural disasters and the restoration of public buildings. Yet in spite of this, it has been suggested that Tiberius did not choose to promote *liberalitas* as one of his personal virtues as it is not mentioned on coins or inscriptions for our time period.⁴⁰² Although this is true, the fact that *liberalitas* does not appear on coinage or in inscriptions does not mean that there is no commemoration of Tiberius' acts of generosity. Listed in *RIC* 1 there is a coin that was issued by the senatorial mint, depicting on the obverse the seated figure of Tiberius and the legend "CIVITATIBVS. ASIAE. RESTITVTIS". This is a commemoration of the Princeps' generosity to cities in Asia that had been devastated by an earthquake.⁴⁰³ Tiberius' aid to these cities was also commemorated by the communities in question, in inscriptions.⁴⁰⁴

In this case it should be noted that this commemoration took place outside of Rome, however, there are also a number of direct references to *liberalitas* and the closely related term *munificentia* in contemporary literature. Velleius pays particular attention to the generosity displayed by Tiberius on the occasions outlined above. He states that the munificence of the Princeps encompassed losses inflicted by fortune, not only on private citizens but also entire cities (II.126 *fortuita non civium tantummodo, sed urbium damna principis munificentia vindicate*). Later at II.130 he specifically pays tribute to Tiberius' generosity following the fire on the Caelian hill (*qua*

⁴⁰¹ Rogers 1943 5.

⁴⁰² Rogers 1943 19; Levick 1976 1976 89-90.

⁴⁰³ Mattingly and Sydenham 1968 99; 105; Plate.VI.102.

⁴⁰⁴ See Rogers 1943 16.

liberalitate cum alias, tum proxime incense monte Caelio omnis ordinis hominum iacturae patrimonio succurrit suo).

Velleius also tells how Tiberius would often give largess to the people (II.129 *quotiens populum congiariis honoravit*) and when the Senate allowed, he would prevent senators from losing their rank due to honest poverty by providing the necessary funds. Velleius uses the phrase 'pious munificence' (II.130 *pia munificentia*) to describe Tiberius' building of a temple to Augustus, thus we see that for Velleius public works could also be acts of generosity to the community. Most of the public building work undertaken during Tiberius' reign was restorative and Velleius presents this in a positive light, as a sign of restraint on behalf of Tiberius. This passage (II.130) appears to emphasise that Tiberius' public works were acts of *liberalitas/munificentia* and pious commemoration as opposed to monuments for the purpose of self-aggrandisement.

Valerius Maximus provides several *exempla* that explore the relationship between *liberalitas* and wealthy, powerful individuals. He also provides us with an idea of how the value of an act of generosity should be judged that in part places emphasis upon the financial status of the individual. At the beginning of his chapter on liberality (IV.8.1) Valerius Maximus puts forward two conditions for an effective display of *liberalitas* – the size of the gift and its timeliness.⁴⁰⁵ He also makes it clear that in some circumstances the value of the gift should be judged by what it has cost the giver, as opposed to its actual amount. He highlights as especially commendable

⁴⁰⁵ *Dono autem ipsi gratiam et magnitudine quidem sua, sed efficaciorum aliquanto opportunitas conciliat: accredit enim pretio rei inaestimabile momentum occasionis.* "The amount of the gift itself does produce gratitude, but its timeliness makes this gratitude considerably stronger: to the price of the gift is added the priceless factor of the right circumstances."

the generosity of Fabius Maximus who made himself destitute in order to pay a ransom for Roman prisoners captured by Hannibal (IV.8.1) but presents acts of generosity by individuals of greater means who do not sacrifice their own financial comfort as commendable but less remarkable (IV.8.2). The message appears to be that liberality is always commendable, but it is easier, somewhat less virtuous, if one does not sacrifice one's personal comfort or wealth in order to offer it. In the external examples Hiero, king of Syracuse (ext.1) gives relief to the Romans after the disaster of Lake Trasimene. Hiero also displays *providentia* in that he has his gift presented in the form of Victory so that the Romans' religious scruples prevent them from refusing it. The final *exemplum* (ext.2) concerns Gillias of Agrigentum, who used his wealth for the benefit of the community, providing public buildings, spectacles, banquets and aid to individuals in need. In exchange for this munificence he receives goodwill from his fellow citizens and even further afield (*pro cuius salute et incrementis cum Agragantina civitas tum etiam vicinae regions votis excubabant*). In the case of Gillias, Valerius emphasises that he was not concerned with gaining money for himself but with giving to others. His behaviour is in fact reminiscent of the very acts of generosity we have seen associated with Tiberius. Gillias appears to be acting in the manner of a benevolent leader in the same mould as a *princeps* and is perhaps intended to provide a model of how a powerful individual should behave.

Manning (1985) has explored the reception of the virtue of *liberalitas* in the late Republic and the Augustan principate. Manning argues that there was a change in the way *liberalitas* was viewed in late Republican and Augustan Rome. Although Cicero appears to view acts of generosity in a mostly positive light, he does

acknowledge that it could have negative associations.⁴⁰⁶ Not all acts of *liberalitas* met with approval as the term could also denote extravagance or a self-serving desire to gain favour through benefactions. Manning argues that the negative connotations of *liberalitas* especially came to the fore after the dictatorship of Sulla.⁴⁰⁷ Unfortunately, Manning does not elaborate upon this idea. It is mentioned, however, that in Sallust (*Cat.*52.11-12) Cato states that the generosity of his contemporaries involved giving away the goods of others. So perhaps it can be thought that the proscriptions had a negative influence upon the reception of *liberalitas* during the Republic.

Surveying the context in which the word is used outside philosophical discussion Manning suggests *liberalitas* is a quality shown not between equals but by a superior to an inferior.⁴⁰⁸ Therefore, this was not a virtue that was compatible with the ideals of the republic or with the image Augustus wished to convey of being a republican *princeps*, first among equals.⁴⁰⁹ This illusion, Manning argues, did not last beyond the first century AD leading to a rehabilitation of the term *liberalitas* in a society that was more accepting of the supreme power of the emperor.⁴¹⁰

My findings in this subchapter would suggest that this was perhaps a process that had already begun in Tiberian Rome. My exploration of the representation of the virtue of *liberalitas* during the reign of Tiberius has revealed that although the virtue

⁴⁰⁶ See Manning 1985 76.

⁴⁰⁷ Manning 1985 77.

⁴⁰⁸ See Manning 1985 78-79 for examples of this. Here Manning also highlights the connections drawn between *liberalitas* and other virtues associated with superior status - *clementia* and *miser cordia*.

⁴⁰⁹ Manning 1985 80 Kloft has pointed out that the *Res Gestae* provides details of Augustus' benefactions to the Republic (15-23) but does not use the word *liberalitas* to characterise these actions. Kloft, H. *Liberalitas Principis*, Cologne 1970 75. Cf Manning 1985 78.

⁴¹⁰ Manning 1985 80-82.

itself did not appear on contemporary coinage and inscriptions there is evidence for commemoration of specific acts of generosity attributed to the Princeps both in Rome and in the wider empire. It was also a virtue celebrated by Velleius in direct relation to Tiberius and by Valerius Maximus who in IV.8.ext.2 provided an *exemplum* where a wealthy individual carries out the same kind of acts of generosity that Velleius associates with Tiberius. This presents the virtue of *liberalitas* as a central aspect of the leadership of the benevolent Princeps and suggests that such individuals are expected or encouraged to share their wealth in a way that benefits the wider community.

1.7 Providentia

Providentia was the foresight and good judgement required to plan ahead for the good of the community, or in the case of the Princeps the entire Empire.⁴¹¹ It could be associated with defending against enemies abroad and conspirators at home and with the securing of the Imperial succession.⁴¹² *Providentia* could also be manifest in good governance of issues such as the grain supply.⁴¹³

The *providentia* of Tiberius was commemorated in inscriptions and in Rome an altar was erected during his reign to *Providentia Augusta*.⁴¹⁴ This altar is mentioned in the

⁴¹¹ Levick, 1976, 90 highlights that "In the view of Strabo and Josephus, Tiberius' *providentia* embraced the welfare of provincial peoples as well; and Tacitus use of the verb '*providere*' in connexion with his care for the provinces may echo, consciously or unconsciously, an official speech or document." Strabo, XIII; Jos. AJ XVIII 172; Tac. Ann. IV.6.7.

⁴¹² See Levick 1976 90.

⁴¹³ Rogers 1943 20.

⁴¹⁴ See Rogers 1943 27-28. At Interamna in A.D 32 a dedication was made to the *providentia* of Tiberius. See also Charlesworth 1936 111.

SCPP (line 84).⁴¹⁵ A similar altar was erected in Corinth where there was a priest of *Providentia Augusta*.⁴¹⁶ In Italica in Spain a coin type was issued featuring an altar inscribed with the words *Providentia Augusti*.⁴¹⁷ This perhaps suggests that there may have been a number of altars dedicated to Augustan Providence during the reign of Tiberius. *Providentia* appears to have been a virtue that Tiberius was seen to share with his predecessor.⁴¹⁸ In fact it would seem that this was a virtue that Augustus and his successors were especially keen to lay claim to, to the extent that this new form of *providentia*, *Providentia Augusta*, or the providence of the emperor now becomes part of the language of imperial self-promotion. As Charlesworth (1936) observed, while during the Republic Romans may have viewed divine providence (*providentia deorum*) as protecting Rome, they now also acknowledge the preserving providence of the ruler.⁴¹⁹ However, as seen above, writers still refer to divine providence, and later emperors such as Hadrian would use the notion of divine providence to express the idea that they had been chosen to rule Rome by the will of the gods.⁴²⁰

The concept of Augustan providence also highlights the link that develops in Roman thought between the emperor (and the Imperial family) and the state. Sacrifices were made to *Providentia Augusta* after the resolution of events that were considered to threaten the Imperial house, for example after the downfall of Sejanus.⁴²¹ These threats to the Imperial family could also be viewed as threats to the Roman state as

⁴¹⁵ For more on the altar and the date of its construction see Fishwick 2010; Scott 1982 438-442.

⁴¹⁶ On coins see Rogers 1943 28.

⁴¹⁷ Rogers 1943 28. For a detailed consideration of coin types featuring *Providentia Augusta* see Scott 1982.

⁴¹⁸ For the association of *providentia* with Augustus see Charlesworth 1936.

⁴¹⁹ Charlesworth 1936 120-1

⁴²⁰ See Charlesworth 1936 118

⁴²¹ Schlapbach, *BNP*, s.v. 'providentia'.

the Princeps was seen as protecting the peace, standing between Rome and civil war. Therefore, his *providentia* both preserved the Imperial house and the state as a whole.

Tacitus *Annals* IV. 38.1 shows Tiberius' wish to display this virtue:

Ego me, patres conscripti, mortalem esse et hominum officia fungi satisque habere, si locum principem impleam, et vos testor et meminisse posteros volo; qui satis superque memoriae meae tribuent, ut maioribus meis dignum, rerumstrarum providum, constantem in periculis, offensionum pro utilitate publica non pavidum credant. Haec mihi in animis vestris templa, hae pulcherrimae effigies et mansurae. Nam quae saxo struuntur, si iudicium posterorum in odium vertit, pro sepulchris spernuntur.

As for myself, Conscript Fathers, that I am mortal, that my functions are the functions of men, and that I hold it enough if I fill the foremost place among them—this I call upon you to witness, and I desire those who shall follow us to bear it in mind. For they will do justice, and more, to my memory, if they pronounce me worthy of my ancestry, provident of your interests, firm in dangers, not fearful of offences in the cause of the national welfare. These are my temples in your breasts, these my fairest and abiding effigies: for those that are reared of stone, should the judgement of the future turn to hatred, are scorned as sepulchres!

It is notable that here Tiberius refers to the interests of the senate as the concern of his *providentia*, but also makes reference to dangers to the state and the welfare of the state, reflections of the discourse that presents the Princeps as a protector of the *res publica*. In contemporary literature Velleius Paterculus praises Tiberius' *providentia* in military matters at II.115.5. This provides an example of another

sphere in which *providentia* was valued. By presenting the *providentia* of Tiberius as a military leader Velleius foreshadows his claim to this virtue as Princeps.

In Valerius Maximus' compendium he attributes *providentia* to the gods (I.5.praef; I.5.5; V.3.ext3f; VII.2.5; VII.6.3) with some references to the providence of individuals (IV.8.ext1; V.7.ext.1; VII.4.4) This virtue is also significant in Valerius' work as being one that is attributed to Tiberius himself. In the preface to Book One Valerius Maximus refers to the celestial providence (*caelesti providentia*) of Tiberius, which nurtures virtue and punishes vice. Here Valerius refers specifically to "the virtues of which I shall speak" (*virtutes, de quibus dicturus sum*) thus directly associating Tiberius' role in promoting virtue and punishing vice in Roman society with the subject of his text. His work will detail these virtues and vices that the providence of Tiberius helps to keep in balance. At IX.11.ext, 4 Tiberius' response to the threat of Sejanus is referred to thus "*et in primis auctor ac tutela nostrae in columitatis ne excellentissima merita sua totius orbis ruina collaberentur divino consilio providit.*" Here Valerius provides the reader with an example of how the providence of the *princeps* has prevented nothing less than the ruin of the entire world.

It appears significant that providence is seen as a divine virtue or one attributed to men in positions of authority.⁴²² These two categories merge during the imperial age as some rulers were deified after their deaths and had divine honours paid to them in their lifetime. It is therefore perhaps unsurprising that *providentia* would become an attribute of the Princeps, in the form of *Providentia Augusta*. This began to reflect the

⁴²² For divine providence see also Velleius 2. LXVI. 5; Seneca *Controversiae* 1.3.8, 2.2.1, *Suasoriae* 4.4.

position of the Princeps as seen as the protector of the state, defending it from any crisis that might threaten its stability.

1.8 Conclusion

The discourse of Imperial virtues placed the character of the autocrat at the heart of Roman politics and society. The Princeps is now responsible for overseeing the wellbeing of the Roman empire and its people by promoting virtues and punishing vices. He is himself expected to be an *exemplum* of good moral conduct. This began with Augustus but was developed even further during the Principate of his successor.

The Tiberian Principate was a time when the discourse of virtue and vice appears to have been highly influential not only in literature but also epigraphy and material culture. The Princeps was seen as a source of *exempla* for and as the overseer of the virtues that helped to maintain stability in the Roman world. The cultivation of virtues was not only a matter of personal morality but was seen as having far reaching consequences for the community as a whole. The virtues that were promoted at this time show us what kind of ruler Romans believed they needed to maintain the peace and stability that had been established by Augustus after the civil wars. *Clementia* had an important part to play in this discourse, but there were also other virtues associated with positive autocratic rule that were promoted in the literature and material culture of the era. *Moderatio* was thought essential to avoid the excesses associated with autocratic power and was a virtue closely associated with Tiberius. Yet to Tacitus and Suetonius the moderation of Tiberius is often a

charade, their later accounts of his reign call into question the ability of an autocrat to exercise moderation, when autocratic power was by its very nature beyond the bounds of all control. *Iustitia* was promoted in an attempt to reconcile the increasing influence of the Princeps over legal matters, but in later times this virtue would soon yield to the promotion of *clementia*, as it became clear that the emperor was not governed by the rule of law in the same way as his subjects. *Liberalitas* as a virtue was not promoted to a great extent, perhaps because of its negative associations, but the generosity of the Princeps was still celebrated in coins, inscriptions and literary accounts but was often framed as *munificentia* instead of *liberalitas*. *Providentia* emphasised the care of the Princeps for the Empire and the good of his subjects and also created a discursive link between the position of Princeps and of the gods. His *pietas* helped to strengthen his claim to rule while showing his adherence to traditional Roman values. Finally, all these virtues embodied in the emperor helped to create a state of *concordia*, the political and social unity required to prevent a return to disharmony and civil war.

The Princeps' role as a moral authority can also be related to his position as *pater patriae*, a title Tiberius did not accept but a role that contemporary sources still ascribed to him. This discourse of the Imperial *pater patriae* can be seen as standing in direct opposition to the more established discourse of the tyrant and tyrannicide that I will explore further in Chapter Three. As I will discuss in Chapter Four, the existence of a discourse that positioned the Princeps as the father of the Roman empire and a moral authority allowed for a corresponding discourse that characterised opponents of his rule as immoral parricides. They could be portrayed

as being opposed, not to an oppressive tyranny, but to stability and traditional morality as upheld by the figure of the Princeps.

In the next chapter I will explore another theme that promoted and normalised the autocratic position of the Princeps in Roman society. I will show how Valerius Maximus' accounts of the Roman kings in his *Facta et Dicta Memorabilia* draw links between Julio-Claudian autocracy and that of Romulus and the other kings of Rome and focus upon aspects of early Roman kingship that held contemporary relevance for his readers.

2. CHAPTER TWO: THE ROMAN KINGS IN VALERIUS MAXIMUS'

FACTA ET DICTA MEMORABILIA

2.1 Introduction

The previous chapter has explored how the material and literary culture of the Tiberian Principate made use of a positive discourse of autocracy to present the Princeps as possessing the traits of an ideal ruler. In this chapter I will consider the influence of traditions surrounding the Roman Kings and how these were reinterpreted for readers of the Tiberian Principate by Valerius Maximus in his *Facta et Dicta Memorabilia*.

Previous research has demonstrated the importance of the legends of the Roman Kings to Roman thinking about the concept of autocracy.⁴²³ In this chapter I will add to research upon this subject by exploring the reception of the Regal era in the work of Valerius Maximus. I will present a comparative analysis of how Valerius Maximus adapts the traditions of the legendary Roman Kings to create a version of Rome's Regal past that is distinctly 'Tiberian'. This study will contribute to scholarship upon the reception of the Regal period in the early Principate by illustrating how Valerius' text engages with the memory of the Roman kings through the perspective of his own time and contemporary autocratic discourse. I will show how an association that had been established between Julius Caesar, Augustus and the Lupercalia

⁴²³ See for example Fox 1996, Vasaly 2015.

influenced Valerius' Maximus' choice of *exempla* for the reign of Romulus, along with the association between the death of Romulus and the death of Caesar. I will discuss how Valerius' presentation of the legacy of Numa can be related to the practice of burning contentious literature during the Tiberian Principate. I will also explore how Valerius' presentation of the origins of some of the Roman kings provides further evidence for the idea that a good ruler can be chosen based upon merit as judged by his character and achievements. Finally, I will explore the evidence for an association between the figures of Servius Tullius and Sejanus and how this may have influenced Valerius' portrayal of that kings' reign.

In Roman culture the traditions surrounding the legendary Roman kings provided a basis for thinking about autocratic rule, its merits and disadvantages and its place in Roman history and society. As I have discussed in my introduction Roman ideas of autocracy, and in particular the legends surrounding the last king of Rome, Tarquinius Superbus, were influenced by Greek narratives of tyranny and the expulsion of tyrants. The more benevolent legendary kings such as Numa were by contrast presented as symbolising the characteristics of good leadership, qualities that could be displayed by all Romans in positions of political or military authority. It is therefore unsurprising that after the civil wars and the ascendance of Augustus writers would continue to turn to the memory of the Roman kings to try and understand the place of autocracy at Rome.

To begin my discussion it is important to note that the Roman kings often appear as the first example in a chapter (1.2.1; 1.6.1; 3.4.1-3, 5.3.1; 5.6.1; 5.8.1; 7.4.1; 8.1.absol. 1; 9.12.1;). This could be a chronological choice but, whatever Valerius'

structural intention, the ordering also has the effect of emphasising Rome's origins as an autocracy. In terms of autocratic discourse this could, on the one hand, be seen in a negative light, reminding the reader of the tyranny and eventual expulsion of the last king of Rome Tarquinius Superbus. On the other hand, such emphasis could be a positive technique that reminds the reader that autocracy is not in fact anti-Roman but has its roots in Rome's legendary past. Therefore, a reference to the Roman kings can have the effect of helping to legitimise Julio-Claudian autocracy, especially if those early kings are presented in a positive light and can be shown to possess characteristics shared by their Julio-Claudian 'successors'.

Of the seven legendary kings of Rome only five feature significantly in Valerius' text. Ancus Marcius is only mentioned twice in passing (1.6.1 and 4.3.4). One of these references also appears to be a mistake; chronologically the king in 1.6.1 should in fact be Tarquinius Priscus. This could, however, also be an example of a variant tradition given the legendary nature of Rome's early kings. Tarquinius Superbus also does not feature prominently as an *exemplum*, although again he is mentioned in passing in stories relating to events that happened during his reign. The only story Valerius tells that directly involves Tarquinius Superbus (1.1.13) is one also told by Dionysius of Halicarnassus (*Roman Antiquities* IV.62.4) in which the king punishes a duumvir who allowed the copying of religious texts by having him placed in a sack and thrown into the sea (a punishment that Valerius observes was to become the legal penalty for parricide). This may perhaps appear to comply with the image of the tyrant who inflicts cruel punishments upon his subjects were it not for the fact that Valerius Maximus expresses approval of Superbus' actions, stating that this was just

(*iustissime quidem*) for “violation of parents and gods deserved to be expiated by an equal retribution”.⁴²⁴

This story appears as part of Valerius’ chapter on Roman religion and we see here how his theme leads Valerius to interpret this action not as the cruelty of a tyrant but as the justly severe punishment of an individual who has committed a crime against the gods. This does appear, however, to be a rare positive exception in the tradition of Superbus’ reign and his absence elsewhere in Valerius’ work seems far more significant than that of Ancus Marcius.⁴²⁵ This could be due to the fact that while the other Roman kings are seen to have made important contributions to Rome, Superbus is the only one predominantly viewed as a tyrant. Even his positive contributions (for example his construction of the temple of Capitoline Jupiter and the *Cloaca Maxima*, Livy 1.55-56) are often overshadowed by his crimes. This reputation for tyranny might perhaps make Superbus a problematic figure in an age when Rome was ruled by an autocrat and in particular when that autocrat tried to present themselves as working within the tradition of the Republic. Thus, Valerius has included this one story in which the writer represents Superbus’ extreme severity as justified. It should be noted that the depiction of a tyrannical Roman king does not appear to have been a problem for Livy who was writing during what has often been termed the ‘transition’ from Republic to Principate, and whose account tells the full narrative of Tarquinius Superbus’ tyranny and subsequent exile. This can be related to change in what was considered acceptable discourse, a theme that will be dealt with in greater detail in Chapters Three and Four of this thesis.

⁴²⁴ *Quia pari vindicta parentum ac deorum violatio expianda est.*

⁴²⁵ Especially considering the status of Superbus as the last Roman king and the idea that it was his tyranny that instigated the founding of a Republic at Rome. See for example the focus upon Superbus in Livy 1.46-60.

What follows will be a consideration of Valerius' presentation of the remaining five kings from Romulus to Servius Tullius and his engagement with the wider tradition of the Regal era as it can be seen in other extant texts. Through comparison with earlier and later accounts of the Regal era we can identify what makes Valerius' account unique. This can provide us with an impression of how the kings were remembered in the autocratic discourse of the reign of Tiberius, how Valerius dealt with tensions between Republican tradition and Imperial ideology and how Rome's autocratic past informed contemporary responses to its autocratic present.

2.2 Romulus

Valerius Maximus provides his readers with two *exempla* where he narrates in some detail stories from the legend of Rome's founder and first king, Romulus, that emphasise the links between this figure and Julio-Claudian autocracy.⁴²⁶ At 2.2.9a he describes how the festival of the Lupercalia was instigated by Romulus and Remus as a celebration of their decision to establish a city under the Palatine hill where they were raised. At 5.3.1 Valerius passes judgement upon the death of Romulus at the hands of his senators. Both stories deal in different ways with the subject of precedence, the idea that the Regal past is still relevant in Valerius' own day, because in this time there can be found the origins of Roman culture and of practices with contemporary relevance to readers of the Tiberian Principate. These

⁴²⁶ Romulus is referenced elsewhere in Valerius text at I.4.praef, I.4.1, I.8.11, II.4.4, II.8.praef, III.2.praef, III.2.3, III.2.4, IV.4.11, V.3.1a, V.8.1 VI.5.1d, IX.6.1 but for the purposes of this discussion I have chosen to focus upon those instances where Valerius appears to be drawing direct parallels between Romulus and the Julio-Claudian autocrats. It should, however, be noted that not all references to Romulus make this link, and that in many of these references Romulus is not the focus of the *exemplum* but is only mentioned in passing (for example as founder of Rome).

exempla also recall the association of Romulus with Julius Caesar in Julio-Claudian discourse and create a link between Regal and Julio-Claudian Rome.

Valerius' account of the first Lupercalia (II.2.9) appears as part of a chapter upon ancient institutions (*de institutis antiquis*). In II.1 Valerius has discussed ancient customs regarding the behaviour and treatment of Roman women and the respect shown by the young to their elders. II.2 is concerned with the dignity of the early senate and the commendable deeds of Roman officials. Valerius' reference to Romulus and the Lupercalia forms part of an account of the origins of two different gatherings of the equestrian order (II.2.9a):⁴²⁷

Equestris vero ordinis iuventus omnibus annis bis urbem spectaculo sui sub magnis auctoribus celebrabat: Lupercalium enim mos a Romulo et Remo inchoatus est tunc cum laetitia exsultantes, quod iis avus Numitor, rex Albanorum, eo loco ubi educati erant urbem condere permiserat sub monte Palatino, [hortatu Faustuli educatoris sui], quem Evander Arcas consecraverat, facto sacrificio caesisque capris epularum hilaritate ac vino largiore propecti, divisa pastoralis turba, cincti pellibus immolatarum hostiarum obvios iocantes petiverunt. cuius hilaritatis memoria annuo circuitu feriarum repetitur. trabeatos vero equites idibus Iulii Q. Fabius transvehi instituit.

Twice every year the young men of the equestrian order would fill the city for a display of their skills, and both these displays had been established by great

⁴²⁷ All Latin text from the Loeb edition, edited and translated by D. R. Shackleton Bailey 2000. English text from the translation by Henry John Walker 2004.

men.⁴²⁸ The custom of holding the Lupercalia was started by Romulus and Remus to express their joy when their grandfather, King Numitor of Alba Longa, allowed them to found a city under the Palatine Hill, where they had been reared. Faustulus, the man who had reared them, encouraged them to start the Lupercalia, and Evander the Arcadian had previously consecrated this spot. Goats were killed at a sacrifice, and the shepherds got carried away by the cheerful banquet and the plentiful supply of wine. The shepherds were then divided into two teams, tied the skins of the sacrificial victims around their waist, and jokingly chased anyone they met. This merry event is commemorated in the annual calendar of festivals. It was Quintus Fabius, on the other hand, who started the custom that the equestrians should ride past on the Ides of July wearing purple cloaks.

The context of this passage is that the Lupercalia (celebrated on 15th February) was by Valerius' time a festival celebrated by the younger members of the equestrian order and this connects the festival with a second event, a procession of the order held on the Ides of July. This practice was established by Q. Fabius (Consul in 322 BC, Censor in 304 BC) who when Censor divided the population into four tribes, thus putting an end to sedition during elections, an action for which he was awarded the cognomen 'Maximus'.

The Lupercalia was considered a very ancient Roman institution, one that created a link between the Rome of the present and the time of the city's foundation. This

⁴²⁸ Perhaps a better translation of *magnis auctoribus* would be "great authority" or as Shackleton-Bailey put it "For which they had great authority".

places the Lupercalia within the overall theme of Valerius' chapter. Valerius opens Book Two with the statement that his reader is going to discover the origins of "the happy life we lead under the best of *princeps*." (*opus est enim cognosci huiusce vitae, quam sub optimo principe felicem agimus*).⁴²⁹ This not only sets out his intention to discuss the origins of Roman customs but presents the Princeps Tiberius, as presiding over the prosperity enjoyed by his subjects. Tiberius' predecessors Julius Caesar and Augustus had in different ways associated themselves with the traditions surrounding the Lupercalia and with Romulus the founder and first king of Rome (as discussed below). This suggests that the festival would have a particular resonance for Valerius' contemporary readers. Valerius here provides us with evidence for observance of this festival during the reign of Tiberius and we can compare his passage both with earlier and later accounts of Romulus' involvement in the Lupercalia and to the wider evidence, to discover how it became associated with Julio-Claudian autocracy.

The link between the festival of the Lupercalia and Julius Caesar can be traced back to 44 BC. In this year the festival took place a month before the assassination of Caesar and may have played an important role in his downfall. As I will now discuss, there is evidence that Caesar, then dictator, sought to exploit the festival and its status as an ancient Roman institution for political advantage. The first instance involved the two groups of *Luperci* who took part in the ritual. The one group, the Quinctiani were associated with Romulus and the other, the Fabiani, with Remus. These names are clearly each derived from Roman family names - the Fabii and the

⁴²⁹ II.praef.

Quinctii/Quintili.⁴³⁰ It is not known how these names came to be associated with the two companies (*sodalitates*) of Luperci, but it is clear that their origins were thought to lie in the first Lupercalia celebrated by Romulus and Remus. This is evident in the above passage where Valerius states that Romulus and Remus ‘divide’ the shepherds, a reference to the fact that during the Republic the Luperci consisted of two groups or teams.

In 44 BC Caesar established a new group (a new *sodalitas*) of Luperci to run alongside the two established groups the Fabiani and the Quinctiani.⁴³¹ This third group was named the Luperci Iuliani and their leader was Caesar’s co-consul Marcus Antonius. The festival was also the setting for the famous incident in which Antonius is said to have offered Caesar a diadem.⁴³² North (2008) has highlighted that in the accounts of this incident Caesar was seated upon a throne on the rostra, although nowhere in the evidence for the festival programme is there any indication that this was a traditional part of the ceremonial.⁴³³ He suggests that “in these various ways, Caesar and Antonius, whether by pre-arrangement or not, were evidently seeking advantage from the ritual programme.”⁴³⁴

In a consideration of what it was about the Lupercalia that might inspire them to do this and what their purpose was, North points to the establishment of the original groups of Luperci and suggests that Caesar was “Deliberately placing himself in parallel to the founders, who also had their own group of companions running the

⁴³⁰ North 2008 147.

⁴³¹ Suet. *DJ* 76.1 Dio Cassius 44.6.2 see also Weinstock 1971 332-3.

⁴³² Cicero *Philippics* 2, 85-7; Plutarch, *Caesar*, 60-1; Suetonius, *Caesar*, 79.

⁴³³ North 2008 155.

⁴³⁴ North 2008 147.

course."⁴³⁵ North does not think this was an attempt at a coronation but that it was again designed to associate Caesar with Romulus and Remus as founders of Rome.⁴³⁶ This is a convincing argument as to Caesar's political motives in becoming so closely involved with the festival. The Lupercalia of 44 BC certainly became a central part of the discourse surrounding Caesar's dictatorship for ancient commentators as well as modern scholars.⁴³⁷

Regarding the Lupercalia and the first Julio-Claudian Princeps, Suetonius (*Aug.* 31) states that the Lupercalia was among a number of obsolete rites that Augustus revived during his reign. He also states that Augustus forbade 'beardless' boys from taking part. This comment has led some scholars to believe Augustus conducted some manner of moral reform in relation to the Lupercalia.⁴³⁸ Arguments for and against this view have focused upon references in the primary sources noted above, accounts of the Lupercalia and Luperci found in the work and letters of Cicero and archaeological evidence for the depiction of Luperci upon funeral reliefs.⁴³⁹

I would suggest that our evidence is too incomplete to assert that Augustus did or did not reform the manner in which the Lupercalia was celebrated. One thing we can say is that Suetonius' comment suggests that the festival of the Lupercalia had perhaps suffered a decline in observance during the late Republic and was revived in some way during the reign of Augustus. The Lupercal is among the monuments that

⁴³⁵ North 2008 156.

⁴³⁶ North 2008 158.

⁴³⁷ Cicero *Philippics* 2, 85-7; Plutarch, *Caesar*, 60-1; Suetonius, *Caesar*, 79.

⁴³⁸ For example, Wiseman 1995, 82-3.

⁴³⁹ See Guarisco 2015 224-8 for an overview of the evidence for and against this view, alongside North and Mclynn 2008; For the funeral reliefs see Tortorella, S. *Lastra Campana di rivestimento*, in Caradini, A. Cappelli, R. (eds.) *Roma, Romolo, Remo e la Fondazione della Città*, Milano 2000, 248-51.

Augustus claims to have constructed in his *Res Gestae* which does suggest he showed some interest in this site and its associated rituals.⁴⁴⁰

So far, we have established that the Lupercalia was an event in Roman public life that recalled Rome's ancient past. By the time Valerius was writing it held a particular association with Julius Caesar and served to evoke parallels between Romulus, the founder and first king of Rome and Caesar as founder of Julio-Claudian autocracy. It was also an event that was still being celebrated in Valerius' time. Having established why there are aspects of the Lupercalia that might make it a significant festival for politically engaged readers of the Tiberian Principate, we can examine what it is that makes Valerius' account distinct from those that came before it.

In the above passage Valerius attributes the beginning of the ritual of the Lupercalia to Romulus and Remus, and it is a celebration of the founding of Rome.⁴⁴¹ The site where they built Rome, he says had been consecrated by Evander who is called 'the Arcadian' recalling his links with the Greek world. The first Lupercalia, as it is described here, involved the sacrifice of goats and a drunken feast. During this merry making Romulus and Remus 'divide' the shepherds and dressed in goat skins, they go around accosting all those they encounter.

Firstly, it must be noted that because Valerius chooses to place his account of the first Lupercalia in a discussion of ancient institutions, this lends the event an air of

⁴⁴⁰ *Res Gestae* 1.19.

⁴⁴¹ See Wiseman 1995 for variant traditions concerning the foundation. At 5-6 Wiseman suggests Valerius' text is significant for its reference to a joint foundation of the city by both of the twins.

ancestral dignity despite the frivolity involved in the rite itself. This view of the Lupercalia as a respected tradition does not appear in all our sources. We can find a negative attitude to this event, and its links with Julius Caesar in particular, in the work of Cicero. A passage from Cicero's *Philippics* (13.31) suggests that the funding Caesar provided for his Luperci Iuliani was officially withdrawn from the college after his death. This implies that following Caesar's death this group of Luperci were disbanded, a theory which is perhaps supported by the fact that there are no further references to the Luperci Iuliani after this point.⁴⁴² Valerius, as we have seen, does not provide any information beyond the fact that the Lupercalia was still being celebrated in Tiberian Rome. In his *Pro Caelio* (11.26) Cicero characterises the original Luperci as 'a sort of savage fraternity' (*fera quaedam sodalitas*).⁴⁴³ They existed, he says, in a time before civilisation and laws. It is significant that in the case Cicero was dealing with here both the accuser and the accused were members of the College of Luperci. Cicero's reference to the savage origins of the Lupercalia are rhetorical in nature, intended as a criticism of his client's accuser and cannot necessarily be taken as a straightforward statement of his own or wider contemporary opinion upon the Lupercalia.⁴⁴⁴ North and McLynn (2008) have discussed what they characterise as 'a negative and critical side' to ancient commentary upon the Lupercalia.⁴⁴⁵ Their article provides further evidence that Cicero may have viewed the role of a Lupercus as somewhat shameful, or at least a less than prestigious position in Roman religious life. Cicero's comments in *Philippics* 13.31 present Marcus Antonius as complaining that the funding (the 'Julian funds') had been

⁴⁴² North and McLynn 2008 176.

⁴⁴³ Cicero. *Pro Caelio. De Provinciis Consularibus. Pro Balbo*. Translated by R. Gardner. Loeb Classical Library 447. Cambridge, MA: Harvard University Press, 1958.

⁴⁴⁴ See North and McLynn 2008 177; Guarisco 2015 244 n.9.

⁴⁴⁵ North & McLynn 2008 176.

withdrawn from the Luperci. Cicero's response to this is *Lupercorum mentionem facere audit?* (translated as 'dares he mention the Luperci?'). This comment implies that the Luperci, the Lupercalia and his own part in the events of the Lupercalia of 44 BC are something that Antonius should be ashamed to mention. As we can see from Cicero's comments elsewhere (see *Pro Caelio* above, also North and McLynn 2008) he presented a negative view of the Lupercalia in general and not only because of the festival's role in promoting Caesar during his dictatorship. This is not something we encounter in Valerius' account. His choice to include the Lupercalia in his discussion of ancient institutions lends the festival an air of respect that contrasts with Cicero's censure.

Another distinctive aspect of Valerius' text in comparison to previous accounts of the origins of the Lupercalia is his focus upon Romulus and Remus as founders over other figures associated with the festival and his emphasis upon the Lupercalia's ancient Italian (as opposed to Greek) origins.⁴⁴⁶ Firstly, we see in II.2.9a the separation of Evander from the rites of the Lupercalia. Livy (I.5) states that the festival had already been established before the time of Romulus and Remus. Evander brought the festival with him from Arcadia.⁴⁴⁷ According to Livy the festival is in honour of Pan. The revellers run around naked. The festival is used as the

⁴⁴⁶ An account of the origins of the Lupercalia that also emphasises the ancient Italian setting of the rites can be found in Varro (*Ling.* 6.13). Here Varro states that the Lupercalia is so-called because the Luperci sacrifice in the Lupercal. This was considered to be the site at which Romulus and Remus were discovered being nursed by a she-wolf. Varro also relates an alternate name for the Lupercalia – '*Februatus*'/ '*Februatio*' after a Sabine word for purification. This places the Lupercalia within the ancient Italian setting that is also celebrated in Valerius' account. It associates the shrine and the rites held there with Romulus and Remus and with the wider Italian heritage of Roman culture. For more on Varro's account and its textual and historical context (particularly in relation to the Lupercalia of 44 BC) see Spencer 2019 167-8. For the significance of wolves in Etruscan-Italian culture see Tennant 1988, 81.

⁴⁴⁷ See Fox 1996 103-105 for Livy's use of the Lupercalia and its association with Evander to create 'historical depth' and give Romulus a 'prehistorical precedent'.

backdrop to a story in which Remus is captured and taken to king Amulius.

Dionysius of Halicarnassus (1.80) repeats some information he claims to have taken from an account by Aelius Tubero. Dionysius records that the Lupercalia was being celebrated by Romulus and Remus to honour Pan and that it was an Arcadian festival established by Evander. The revellers are again naked except for goat skins and the rite is described as one of purification. Again, it is the setting for Remus' arrest.

Ovid's account of the Lupercalia in *Fasti* II.267-302 is closest in time to that of Valerius. In contrast to Valerius' text Ovid follows the version of the tradition found in Livy and Dionysius and presents the Lupercalia as a festival that was taken from Arcadia and found a new home in Latium. His account describes how the Lupercalia began as a festival to celebrate the god Pan and was brought to Italy by Evander. Ovid is a writer who consistently celebrates the links between Italian and Greek culture. For example, in the next subchapter we will see that Ovid promotes the idea that Numa, the second king of Rome was a student of Pythagoras. This highlights that Valerius is choosing to present the traditions of the Lupercalia in a way that under plays Greek influence in favour of emphasising the place of the Lupercalia in a uniquely Roman/Italian history and culture.

Although the Arcadian king is still present in Valerius' text as having consecrated the site upon which the Lupercalia took place (and perhaps we can infer from this that he was thought to have founded a shrine on that site at which Romulus and Remus later held their festival), but the actual founding of the festival and the practice of revelry involving the striking of bystanders is linked to Romulus and Remus alone.

This could either be evidence of a deliberate attempt to obscure/deny the role of Greece in the establishment of these rites or it could also be that Valerius was somehow unaware of these connections. More likely, it seems that he is simply choosing to focus upon what it is about the Lupercalia that is important to him as a Roman citizen. It is clear that he considers the Lupercalia to be an important event in the Roman religious and civic calendar that celebrates the founding of Rome and the archaic, rustic roots of Roman culture.

Another point where Valerius differs is that he does not name a god to which the festival is dedicated.⁴⁴⁸ Valerius' omissions serve to emphasise the association of the Lupercalia with Romulus and Remus over that of Evander and the god to whom they were giving worship. The significance here is perhaps the Lupercalia as a link to Romulus and Remus and the founding of Rome and not as a religious ritual in honour of a particular deity or as an aspect of Roman religious practice inherited from Greece. The reasons for Valerius' emphasis upon the role of Romulus and Remus can perhaps be related to the close association between this festival and the dictatorship of Julius Caesar and the ideological significance it acquired following Caesar's involvement in the Lupercalia of 44 BC.

In his account of the origins of the Lupercalia Valerius Maximus emphasises the role of Romulus and Remus as founders, both of Rome and of the customs associated with the festival. He gives the festival the status of an important Roman institution and downplays those details of the tradition relating to Evander's involvement. He also omits the religious purpose of the festival, providing no reference to a god

⁴⁴⁸ For the debate concerning the god of the Lupercal see for example Wiseman 2008 52-83.

worshipped at the Lupercal. In Valerius' version the Lupercalia is a celebration of the promised city of Rome, soon to be founded by Romulus. It could be that the festival acquired a new importance in the early Principate as an event that had strong links to Julius Caesar, and that had perhaps been promoted by his heir Augustus who lists the Lupercal as one of the many monuments restored during his reign. The appropriation by Caesar of a festival that was established by the founder of Rome had the effect of placing Julio-Claudian autocracy at the heart of the religious and cultural life of Rome, associating it with the autocracy of Rome's founder Romulus.

Valerius provides evidence for the Lupercalia as a festival that was still considered important during the reign of Tiberius. Wiseman (1995) has suggested that Valerius' text is significant for its reference to a joint foundation of the city by both Romulus and Remus.⁴⁴⁹ This fact appears to hold particular significance in that (as I have discussed in Chapter One) elsewhere Valerius chooses to praise the fraternal piety of the emperor upon the death of his brother Drusus. That this was one of the rare examples where Valerius chose to provide a contemporary *exemplum*, suggests that bonds of kinship, and especially fraternal kinship were a significant aspect of the discourse of Tiberian autocracy, placing emphasis upon the bonds between the Princeps and other members of the Imperial house. Although Valerius' inclusion of the Lupercalia in his work was perhaps partly due to the Romans' characteristic reverence for their past, its continued observance may also have been a result of its importance to a discourse of Julio-Claudian autocracy that drew strong links between the rule of the Princeps and the legacy of Rome's autocratic founder, Romulus.⁴⁵⁰

⁴⁴⁹ Wiseman 1995 5-6.

⁴⁵⁰ There was of course another tradition that Julio-Claudian discourse drew upon to associate the Julian clan with Rome's origins and foundation, that of their legendary descent from Aeneas.

Further evidence for the desire to draw parallels between Caesar and Romulus in particular, can be found in the next extract I will examine from Valerius' text, in which he deals with the death of Romulus.

Valerius' account of this event appears as the first story of a chapter upon the theme of ingratitude. The stories that follow are concerned with great men of Rome whom Valerius believes should have been honoured for their contributions to the state but who were in fact punished or exiled. The implication here is that the death of Romulus was an act of ingratitude on the part of the Senate, one that Romulus did not deserve (Valerius Maximus V.3.1):

Urbis nostrae parentem senatus, in amplissimo dignitatis gradu ab eo collocatus, in curia laceravit, nec duxit nefas ei vitam adimere qui aeternum Romano imperio spiritum ingeneraverat. rude nimirum illud et ferox saeculum, quod conditoris sui cruore foede maculatum ne summa quidem posteritatis dissimulare pietas potest.

The senators tore the father of our city to pieces in the Senate house, though he had placed them on the highest level of dignity; and they did not think it a crime to take the life of a man who had given immortal life to the Roman Empire. That was indeed a rough and savage generation, and even the profound respect of later ages was not able to conceal the fact that it had stained itself horribly with the blood of its founder.

To a reader of the early Julio-Claudian Principate any reference to a leader being murdered by senators during a meeting of the Senate, then being worshipped as a god after his death would almost certainly have recalled the death and subsequent deification of Julius Caesar. Here Valerius suggests that Romulus gave the Senate no reason to object to his rule as he had placed them 'on the highest level of dignity.' He passes judgement upon the Senate and says that their crime cannot be expiated by the piety of later generations. This last element refers to the fact that Romulus was worshipped after his death as the god Quirinus. Especially significant is the fact that Valerius provides only the account of the story where Romulus is murdered by the senators and does not mention the alternative tradition that Romulus disappeared as part of his apotheosis.

The fact that this story has been chosen as an example of ingratitude also calls to mind the discourse that surrounded the assassins of Caesar which will be explored further in Chapter Four of this thesis. Here it is important to note that Caesar was presented as the father of Rome (*pater patriae*) and as having provided those who plotted against him with favour and opportunity. Therefore, the charge of ingratitude became a key part of a tradition that sought to vilify the memory of those involved in the conspiracy. The charge of ingratitude could also have more contemporary associations, especially if we look forward to IX.11.ext.4 where Valerius deals at length with the ingratitude and attempted treachery of Sejanus. This section of the text and its similarities to the discourse surrounding the assassins of Caesar will also be dealt with in more detail in the final chapter of my thesis. Here it is relevant that the language Valerius used to describe Sejanus' actions echoes that used to describe the assassination of Caesar. Sejanus is accused of parricide, and of

'extinguishing the loyalty of friendship'. Therefore, alongside the allusions to the death of Caesar, Valerius may also be drawing upon a more recent example of ingratitude towards the ruling autocrat.

The fact that Romulus is said to have placed the Senate 'on the highest level of dignity' suggests that he held a deferential attitude to them and may also reflect the rhetoric Tiberius himself used in defining his relationship with the Senate. Sources suggest that at the beginning of his reign Tiberius wanted to encourage the Senate to take responsibility for government and exercise its independence and characterised his role as one of servitude to the Senate and Roman citizens.⁴⁵¹ Velleius Paterculus writes that during Tiberius' rule the Senate was 'invested with majesty' (2.127.1). At *Tib.* 29 Suetonius details the Princeps' courtesy when addressing individual senators and records that Tiberius thought he should regard himself as servant to the Senate, People and individual citizens. At Chapter 30 we are told that Tiberius referred all business to the house asking for their advice. Suetonius also tells of how Tiberius rejected honours such as the title of *pater patriae* (26) and that he despised flattery (27). Tacitus (4.6) states that at the beginning of Tiberius' rule all public business and important private business was referred to the Senate and he attempted to restrain sycophancy. It is generally agreed that Tiberius' senatorial policy was ultimately unsuccessful.⁴⁵² However, the sources do suggest that he attempted to characterise his relationship with the Senate as one in which that body was accorded respect and authority or 'placed upon the highest level of dignity' as Valerius says of the Senate of Romulus' reign.

⁴⁵¹ See Levick 1976, 78, 83; Shotter 1992, 28-29; Newbold 1998, 27.

⁴⁵² See for example Levick 1976 92-115; Shotter 1992 29-36.

This would suggest that Valerius is here drawing upon a discourse that originated with the *Princeps*' own attempts to present a positive relationship between himself and the Senate.

The frequency of references to Romulus' disappearance and reappearance as Quirinus elsewhere in the literary tradition serves to emphasise that Valerius has chosen to omit what was at that time a well-established legend in favour of a version of the story that places an emphasis upon Romulus as the victim of assassination. The earliest surviving narrative account can be found in Cicero's *De Republica* (II.17) where Romulus disappears during an eclipse of the sun.⁴⁵³ At II.14 we are told that Romulus relied on the (proto-)senate's advice to aid him in his royal duties and that he was aware that to rule well a king required the advice of the 'best men'. Cicero explains (through the character of Scipio) that it was because of Romulus' great achievements and his reputation that it was afterwards believed that he had become a god. As I have discussed in my introduction to the literary accounts of the Roman kings that pre-date Valerius, Cicero presents Romulus, not as an autocrat but as a father and founder, a figure that is perhaps closer to that of a *princeps* in the Republican sense.

When we examine our extant sources for the version of Romulus' death that Valerius has chosen to present, the search leads us back only as far as Livy, who is the earliest source to mention that Romulus' death may have been an assassination. Livy provides the reader with both versions of the story of Romulus' death, first the miraculous, then the violent (I.16). Vasaly (2015) has made some relevant

⁴⁵³ For further analysis of Cicero's account of the regal period see Fox 1996 5-29.

observations regarding Livy's account of Romulus' death, pointing to the facts that Livy does not provide the reader with any reason for the Senate's hostility to their king and that after presenting the two accounts of Romulus' death he does not give his opinion as to which is the correct interpretation.⁴⁵⁴ Given the fact that Livy is writing after the death of Julius Caesar it is possible that he is recording a new variant in the tradition of Romulus' death that emerged following the assassination of Caesar, building upon an association that Caesar had established between himself and the figure of Rome's founder. It could also be possible that this element of the story was present in other earlier accounts that do not survive. It is notable that while Livy is reticent in discussing the motives of the Senate or choosing between this and the more miraculous version of Romulus' apotheosis, Valerius' account is entirely lacking in ambiguity as to the nature of Romulus' death or the guilt of the senators who killed him.

Ovid (*Fasti* II.475-512) presents Romulus being taken up to heaven during a storm while going about his business as king. Unlike Livy he expresses an opinion upon the two variant traditions and states that the charge of murder was false. Romulus then appears to Proculus Julius while he is traveling from Alba Longa on a moonlit night and tells him the Romans should now worship Romulus as Quirinus. In an account where Romulus is portrayed in a positive light (as he is in all the aforementioned sources) both interpretations draw positive parallels between the founder of Rome and Julius Caesar. The apotheosis of Romulus recalls the deification of Julius Caesar and writers could choose either to avoid comment on the nature of Romulus' death or to consider Romulus' death at the hands of senators to

⁴⁵⁴ Vasaly 2015 37; 40.

be an inexcusable crime or a malign rumour to be dismissed. This element of choice shows that Valerius has decided to represent the death of Romulus in a particular way, and to condemn his death as a political assassination. By representing the death of Romulus in this way Valerius is presenting his reader with an account of the death of Rome's founder that also comments upon the death of Julius Caesar, and the moral status of those who participated in that act. His condemnation of the senators who killed Romulus is also a condemnation of the conspirators who killed Caesar and of anyone who would oppose the rule of the Princeps in contemporary Rome.

Valerius' portrayal of Romulus as a benevolent ruler is also a choice that appears to exclude aspects of the established tradition. Writing decades later Plutarch states that Romulus had begun to behave in a way that was harsh and arrogant and suggests that the Senate were no longer able to tolerate his rule. This introduces into the tradition of Romulus the rhetoric of tyrannical rule, something that can be seen reflected in the accounts of Dionysius of Halicarnassus (*Ant Rom.* II.56) and Dio Cassius (I). It is significant that these accounts are by authors who are writing in Greek and may perhaps be drawing upon Greek traditions regarding tyrannical rule. However, there is evidence that even Roman writers regarded Romulus with some ambivalence. As we can see from Horace's *Epode* VII, the death of Remus in particular was a problematic tradition for the Romans.⁴⁵⁵ For example in *De Officiis* III.10 Cicero suggests that Romulus killed his brother because he wished to be sole ruler of Rome and explicitly states that the death of Remus was a crime. An aspect

⁴⁵⁵ For an overview of accounts of the death of Remus see Wiseman 1995 9-13; On Horace *Epode* VII 15-16.

of Romulus' reign that could be seen to have tyrannical implications was that he was said to have established a group of cavalry called the *Celeres*.⁴⁵⁶ In his commentary upon Books 1-5 of Livy's history Ogilvie (1965) observed that whether Romulus can be seen as a tyrant depends upon the characterisation of this group as either a proto-equestrian order or as the personal bodyguard of the king.⁴⁵⁷

Comparing these accounts of Romulus' death to that found in Valerius' text reveals that his version is distinctive both in its certainty concerning the manner of Romulus' death and in his judgement upon the senators who took part in the assassination.

The message of Valerius' account is that to kill a benevolent leader is not only an act of ingratitude but also an unforgivable crime. His version of the story is not unique in its portrayal of Romulus as a good king who respected the Senate, as we can find parallels for this, both in Cicero's account of how Romulus depended upon the Senate for advice and in Livy's positive portrayal. There was, however, another tradition that either considered Romulus to have been a tyrant or at least considered him guilty of the murder of his brother. Valerius Maximus does not, however, provide any hint that Romulus may have been a tyrant and appears to ignore this tradition, just as he ignores the tradition of Romulus' disappearance. He is presenting a very specific version of Romulus' death and how the reader should respond to it.

Having examined Valerius Maximus' accounts of the reign of Romulus we can see how contemporary discourse has influenced the presentation of Rome's founder and his demise in Valerius' text. Valerius' Romulus is presented, not as an autocrat but

⁴⁵⁶ Wiseman 1995 127. In Ovid's account of the death of Remus at *Fasti* 4.841-8 it is a follower of Romulus called Celer who strikes Remus dead cf. Wiseman 1995 9-10.

⁴⁵⁷ Ogilvie 1965 83-4 for more on Romulus as a tyrant see Classen 1962 178-92; Miles 1995 153-4; Stem 2007 438-439.

as a *princeps* who treats the senate with respect and dignity. Romulus is a *parens patriae*, a founder who has given life to the Roman state and who deserves the gratitude of those he leads. His founding of the Lupercalia recalls the associations between that festival and the Julio-Claudian house and his death recalls for the reader the death of that other father of Rome, Julius Caesar, and the ingratitude associated with his demise. His manner of leadership recalls the rule of Tiberius, the current Princeps, who sought to present himself as a leader who held great respect for the senate and its place in Roman society and politics. Next, I will consider how Valerius' Maximus chooses to portray Rome's second king, Numa and what aspects of this king's memory he chose to reinterpret for readers of the Tiberian Principate in a manner that recalled the autocratic discourse of their own age.

2.3 Numa

The *Facta et Dicta Memorabilia* includes two *exempla* concerning the second king of Rome. Both stories deal with Numa's status as the founder of many of Rome's religious traditions. At I.1.12 Valerius discusses the alleged discovery in 181 BC of the burial place of Numa and the books that were contained there. While, at I.2.1 Valerius deals with Numa's pretence that he received advice on religious matters from the nymph Egeria. Numa emerges from these stores as a potentially subversive/controversial figure. It is possible to detect a tension between Numa's reputation as a wise and respected religious leader and the implications of his actions. As we will see in this subchapter Numa is responsible for creating Rome's religious laws but some of the documents with which he was allegedly buried are burned by order of the senate because their existence is seen as a threat to religious

tradition. Also, his approach to introducing religious reforms to the early Roman community involves fooling the Roman people into believing he is receiving divine counsel. In this discussion I will examine these two *exempla* and explore how Valerius and other ancient writers interpret these potentially troubling aspects of Numa's legacy. I will consider how this evidence has been interpreted elsewhere in secondary literature and discover what it is that made these stories relevant to Valerius' contemporary audience.

The theme of Valerius' first sub-chapter (I.1.) is the religion of Rome. The stories that precede I.1.12 emphasise the importance of religious obedience and of correct religious observance to the Romans, and the fact that in Rome all individuals and their actions are subject to religious law.⁴⁵⁸ The two stories that directly precede I.1.12 concern the sack of Rome by the Gauls. At I.1.10 L. Albanus offers his cart to transport sacred objects and the Vestal Virgins whilst fleeing the city and at I.1.11 C. Fabius Dorsuo ventures out among the enemy to carry out a family ritual on the Quirinal hill. The story directly following I.1.12 is that of Tarquinius Superbus' punishment of the duumvir who made copies of religious texts as discussed in the introduction to this chapter. In I.1.12 Numa appears to be a controversial figure. On the one hand, he has been buried alongside books of pontifical law, which are carefully preserved and revered as ancient texts of great importance to Roman religion. On the other hand, the chest also contains books pertaining to an unnamed Greek system of wisdom which are deemed a danger to Roman religion and destroyed (I.1.12):

⁴⁵⁸ See for example I.1.9 *omnia namque post religionem ponenda semper nostra civitas duxit, etiam in quibus summae maiestatis conspici decus voluit*. "for our community has ever held that all things must yield to religion, even in the case of personages in whom it wished the splendour of most exalted dignity to be displayed."

Magna conservandae religionis etiam P. Cornelio Baebio Tamphilo consulibus apud maiores nostros acta cura est; si quidem in agro L. Petillii scribae sub Janiculo cultoribus terram altius versantibus, duabus arcis lapideis repertis, quarum in altera scriptura indicabat corpus Numae Pompilii fuisse, in altera libri reconditi erant Latini septem de iure pontificum totidemque Graeci de disciplina sapientiae, Latinos magna diligentia adservandos curaverunt, Graecos, quia aliqua ex parte ad solvendam religionem pertinere existimabantur, Q. Petillius praetor urbanus ex auctoritate senatus per victimarios facto igni in conspectu populi cremavit: noluerunt enim prisca viri quicquam in hac adservari civitate quo animi hominum a deorum cultu avocarentur.

In the consulship of Publius Cornelius and Baebius Tamphilus our ancestors showed great scruples in their respect for religion. When farmhands were digging rather deeply in a field under the Janiculum belonging to a scribe called Lucius Petillius, they found two stone chests. An inscription on one revealed that it contained the body of Numa Pompilius. In the other were found seven Latin books about the law of the pontiffs, and as many Greek books about the discipline of philosophy. They ordered that the Latin books should be preserved with the greatest care, but they felt that the Greek ones might in some way tend to undermine religion. Following Senate instructions, the city praetor, Quintus Petillius, ordered the sacrificial attendants to make a fire and burn the books in public. The men of those days did not want to retain

anything in this state that might take people's minds away from the worship of the gods.

Although Numa does not feature as an active subject in this *exemplum* it is very much concerned with his memory and legacy. The actors here, Valerius introduces as "our ancestors" (*maiores nostros*). This is a group exercise, something enacted by and for the community. The Praetor Q. Petillius burns the books with the authority of the Senate and does so *in conspectu populi* ("in public view"), in sight of the people of Rome. We do not, however, learn how the people may have viewed this incident. This *exemplum* provides a precedent for the community of Rome for how the elite can ensure the correct preservation of religion. The ancestors always put the preservation of religion first, even before the reputation of a respected figure from Rome's past. Through the destruction of the problematic material the religious safety of the community is ensured and Rome's favour with the gods is preserved.

When we compare Valerius' account of the discovery of Numa's books to that found in the other extant sources, it becomes clear that Valerius' account is the only one to state that the books of Greek philosophy were burned, while the Latin books were preserved. In order to examine the earliest sources for the story of Numa's books we must look to the fragmentary accounts preserved in later sources. Varro apparently discussed this episode in his *antiquitates rerum humanarum et divinarum* under *de cultu deorum* (*On the Worship of the Gods*) but his account is only accessible via a discussion in Augustine (*C.D.* 7.31) where the Christian writer makes use of Varro's work as part of his refutation of pagan religion. Although it is important to keep in mind the context of Augustine's use of Varro's text, we can make some observations

about how Varro may have represented the finding of Numa's books and their significance to Roman religion.

From Augustine's account it seems that Varro's version of the story is similar to that found in Valerius' work. One significant detail Varro seems to have included that we don't see in Valerius' account deals with the content of the books. Varro states that the books explained the *reasons* for the religious rites that Numa had introduced (*ubi sacrorum institutorum scriptae erant causae*). Notably there is no mention here of what language these texts were written in. When the senate read the books and discovered these reasons, they decided that the books must be burned and in this act (performed with respect for religion) the senate is described as being in agreement with Numa.⁴⁵⁹ This implies that the senate assumed Numa had been buried with the books in order to prevent them from being read and that by burning the books they were following his wishes. Augustine interprets this to mean that Numa himself knew that the material written in these books should not be made public but that he was too afraid to destroy the books in case this should anger the demons (*daemones*), as Augustine describes the pagan gods.

A number of earlier sources for the story of Numa's books are preserved in fragmentary form in Pliny the Elder's *Natural History*. Pliny (13.87) also discusses the discovery of Numa's sarcophagus and this can be compared with Valerius Maximus' account. Pliny's interest in the story is primarily concerned with the history of the use of paper. He states that Cassius Hemina recorded that the books of Numa were made of paper. This leads Pliny to reflect upon the remarkable nature of their

⁴⁵⁹ Augustine *CD*. 7.31

survival, as they were discovered over 500 years after Numa's reign. Pliny provides Hemina's theory as to how the books could have survived for so long which ends with the assertion that they contained the teachings of Pythagoras (without any mention of Latin texts) and that they were burned. Pliny also summarises other accounts of what the books contained:

hoc idem tradit Piso censorius primo commentariorum, sed libros septem iuris pontificii, totidem Pythagoricos fuisse; Tuditanus tertio decumo Numae decretorum libros xii fuisse; ipse Varro humanarum antiquitatum vii, Antias secundo libros fuisse xii pontificales Latinos, totidem Graecos praecepta philosophiae continentis; idem tertio et SC.

The same story is recorded by Piso the former Censor in his Commentaries, Book I, but he says that there were seven volumes of pontifical law and the same number of Pythagorean philosophy; while Tuditanus in Book XIII says that there were twelve volumes of the Decrees of Numa; Varro himself says that there were seven volumes of Antiquities of Man, and Antias in his Second Book speaks of there having been twelve volumes On Matters Pontifical written in Latin and the same number in Greek containing Doctrines of Philosophy; Antias also quotes in Book III a Resolution of the Senate deciding that these volumes were to be burnt.⁴⁶⁰

⁴⁶⁰ Text and translation from Pliny. *Natural History, Volume IV: Books 12-16*. Translated by H. Rackham. Loeb Classical Library 370. Cambridge, MA: Harvard University Press, 1945.

This passage shows that earlier writers provided different theories as to what was contained in Numa's books. Although we can see here a reflection of the seven Latin volumes concerning pontifical law and seven Greek volumes on "a system of wisdom" described in Valerius' account (information provided by Piso and Antias according to Pliny), there are also accounts (Tuditanus and Varro) that do not explicitly mention Greek texts at all. Pliny provides us with evidence of a varied tradition in which there is a lack of consensus as to what the books of Numa actually contained. The account of Varro has, of course been discussed above and Pliny's claim that Varro talks of *humanarum antiquitatum vii* appears to perhaps reflect the title of the work in which Pliny may have found this information (*antiquitates rerum humanarum et divinarum*).

All these separate fragments are included in *The Fragments of the Roman Historians* (Cornell, ed. 2013), where it is suggested that:

Pliny's citations of Piso, Tuditanus and Antias in *Nat.* 13.87 may perhaps be drawn from the cited passage of Varro⁴⁶¹ rather than directly, but the Hemina quotation at least is surely the result of direct consultation.⁴⁶²

Hemina, whose *floruit* is around 146-149 BC or perhaps later in 130s/20s,⁴⁶³ provides the earliest account of this incident which is reflected in our sources and so also provides early evidence for a link between Numa and Pythagoras being

⁴⁶¹ Natural History 13.84-8 has focused upon Varro's opinion that papyrus began to be used after the conquest of Egypt by Alexander the Great. The books of Numa are an example used by Pliny to refute this idea.

⁴⁶² Cornell (ed.) 2013, Volume 3, 177.

⁴⁶³ Cornell (ed.) 2013, Volume 1, 221-223.

mentioned in connection to the alleged books of Numa. According to the commentary in Cornell (ed.) 2013 the Hemina fragment is from that writer's account of the discovery of the books of Numa, while the book number that Pliny provides for the account of Piso is from Piso's account of Numa's reign.⁴⁶⁴ Valerius Antias discussed the subject of Numa's books both in an account of the reign of Numa and in a discussion of events of the year 181.⁴⁶⁵

Pliny's summary of the accounts of Piso and Valerius Antias come closest to the version we find in Valerius Maximus' work. Piso appears to be the earliest to state that there were two sets of books and that some of them contained Pythagorean philosophy. Livy, in his account of the discovery of Numa's books, states that Valerius Antias also claimed the Greek books were Pythagorean:⁴⁶⁶

Septem Latini de iure pontificio erant, septem Graeci de disciplina sapientiae, quae illius aetatis esse potuit. adicit Antias Valerius Pythagoricos fuisse, volgatae opinioni, qua creditor Pythagorae auditorem fuisse Numam, mendacio probabili accommodata fide.

Seven, in Latin, dealt with pontifical law; the other seven, in Greek, dealt with a branch of philosophy that might have been in vogue in the period of Numa. Valerius Antias adds the detail that they were Pythagorean and by a plausible

⁴⁶⁴ Cornell (ed.) 2013, Volume 3, 177.

⁴⁶⁵ Cornell, (ed.) 2013, Volume 3, 177.

⁴⁶⁶ Livy 40.29.3-14.

piece of fiction lends support to the popular view that Numa had been a student of Pythagoras.⁴⁶⁷

Livy's account can be used as further evidence of what was perhaps written in Antias' version of events. Immediately we see that there is a discrepancy between the number of books in Pliny's summary of Antias (twelve) and that of Livy (seven). We do, however, see again in this account the idea that some of the books were Latin and some Greek and we also see in this version the explicit mention of Pythagorean philosophy. Both the accounts of Piso and Antias appear to have stated that all the books were burned, with Antias apparently including in his text the decree of the senate that sanctioned this act.

Livy's own account of the discovery of the alleged books of Numa (40.29.3-14) is the source closest in time to Valerius Maximus. Livy states that while the chest claiming to contain the body of Numa was empty, in the other chest two sets of scrolls were discovered, seven Latin scrolls on pontifical law and seven in Greek concerning a philosophy popular during the reign of Numa.⁴⁶⁸ The idea that they were Pythagorean he attributes to Antias (as quoted above). Again, in Livy's account all the books are burned and the reason given is that they were thought to undermine Roman religious tradition.⁴⁶⁹ Willi (1998) observes that Livy provides "no explicit comment on how we have to assess the burning of the books."⁴⁷⁰ However, he points out that when the praetor presents the books to be burned the senate "credits

⁴⁶⁷ Text and translation from Livy. *History of Rome, Volume XI: Books 38–40*. Edited and translated by J. C. Yardley. Loeb Classical Library 313. Cambridge, MA: Harvard University Press, 2018.

⁴⁶⁸ 40.29.7-8 *septem Graeci de disciplina sapientiae, quae illius aetatis esse potuit*.

⁴⁶⁹ 40.29.11 *lectis rerum summis cum animum advertisset pleraque dissolvendarum religionum esse*.

⁴⁷⁰ Willi 1998 149.

the praetor with the Roman virtue of fides.” and “the praetor acts with much circumspection and proposes the oath before he knows what the senate will decide.” Willi says that this “suggests that the sacrificial destruction at the end is not seen as contrary to Roman values.”⁴⁷¹

Livy’s account makes it clear that the existence of the books is seen as something that undermines Roman religion and that their destruction is an act of preserving conventional Roman religion. Willi detects an ambiguity in Livy’s account regarding the link with Pythagoras that he attributes to the same nationalism that had led to the expulsion of foreign cults.⁴⁷² This story does appear to contain elements of the Roman distrust of foreign and specifically Greek influence and the need felt by some writers in Latin to assert Roman cultural independence. In this instance, however, we are still dealing with the destruction of all the books found in the alleged burial place of Numa, both the Latin and the Greek. Livy may appear ambivalent regarding the influence of Pythagoras but he does not suggest that there was any difference in the treatment of the books based upon their contents. This is an idea that is only found in the account of Valerius Maximus.

As Willi has already discussed in an extensive examination of the various accounts of this incident, we cannot be sure that Valerius Maximus did not find this idea in his sources.⁴⁷³ We can, however, say that out of all the extant works that reference the discovery of the alleged books of Numa, Valerius is the only one to present the burning of the Greek books and the preservation of the Latin. This discrepancy

⁴⁷¹ Willi 1998 149.

⁴⁷² Willi 1998 150.

⁴⁷³ Willi 1998 152.

presents us with the question of why Valerius has chosen to make a distinction between the books based upon their language and content. Willi sees this as Valerius' "personal attempt at a positive reinterpretation of Numa into Roman, and only Roman, history and tradition."⁴⁷⁴ He suggests that Valerius' focus is not King Numa but the "noble action of the senate that eliminates foreign intrusion."⁴⁷⁵ If we follow this interpretation Valerius Maximus' account, with its burning of the Greek books and preservation of the Latin, emphasises even more clearly than previous versions the idea that Greek philosophy presents a threat to religion in Rome. This is communicated through the fact that Valerius' account places emphasis upon the language of the books as the criteria for judging their value. It could be true that Valerius' assertion that the Latin books were preserved serves to redeem Numa as a historical figure, however, it can also be suggested that Valerius appears to hold a greater reverence for Roman religious law in its written form than is found in previous versions of this story where all the books are deemed to undermine religion and are destroyed.

This emphasis upon the written word as a source for religious authority and the need to destroy written material that could pose a threat to Roman religious tradition, can be related to the wider significance of the written text in the context in which Valerius was writing and in the way that contentious written material was dealt with during the Tiberian Principate. Howley (2017) suggests that the burning of Numa's books may have provided a precedent for an incident in 12 BC where Augustus as Pontifex Maximus oversaw the burning of 'prophetic literature' that was deemed to hold no

⁴⁷⁴ Willi 1998 152.

⁴⁷⁵ Willi 1998 152.

legitimate authority.⁴⁷⁶ In his article Howley uses the ‘lens’ of book history to examine the burning of written material from the Republic until the Christian era. Howley explores how and why the Romans burned written material and the contemporary responses to this practice. He distinguishes between literary material, or what we might call books, and documents, and explores the different attitudes of the Romans to the destruction of each.⁴⁷⁷ Howley identifies book burning as being primarily a phenomenon of the early Principate, which declines dramatically after the reign of Tiberius.⁴⁷⁸

A significant aspect of that phenomenon was that it did not only include texts that were deemed a threat to Roman religion.⁴⁷⁹ In chapter Four I will discuss the discourse that surrounded figures who opposed Julio-Claudian autocracy, in particular the memory of Brutus and Cassius and the response of contemporary writers to individuals who appeared to threaten the reign of Tiberius. This discussion will include an examination of Tacitus’ account of the trial of Cremutius Cordus. Here it is significant to note that Cordus was charged with having praised the assassins of Caesar in a history that he had written and that subsequently his work was burned. This is an example of how in the reign of Tiberius the practice of burning contentious written texts extended beyond the preservation of religion to the suppression of material that could be viewed as challenging the ideology of Julio-Claudian rule. As I will explore further in my final chapter, this included texts that presented a different

⁴⁷⁶ Howley, 2017 219.

⁴⁷⁷ See Howley, 2017 216 for how these two categories are defined.

⁴⁷⁸ Howley 2017 218-9.

⁴⁷⁹ Although it should be noted that Julius Caesar’s divine status meant that his memory was a religious matter as well as one associated with the ideology of Julio-Claudian autocracy.

view of Brutus and Cassius to that promoted by the discourse that supported Julio-Claudian autocracy.

Thus, in this *exemplum* Valerius is demonstrating his (apparent) approval of a practice that was not only utilised in the now distant Republican era, but that was used in more recent times by the early Julio-Claudian emperors to censor potentially subversive religious or political material and to control discourse surrounding the past. The story of Numa's books presents the idea that there are certain discourses that are dangerous and that must be suppressed for the good of Roman society. This also introduces the theme of who should have access to discourse, and who has the authority to decide what is and is not allowed. In this case Valerius presents the Roman elite as a whole as responsible for this decision, but during the Principate there is a sense that such decisions were taken with an eye upon the wishes, actual or assumed of the Princeps. It also raises the question of the motives of those who seek to control discourse. In the example above the motive for the destruction of Numa's books is the preservation of religion, a motive that Valerius presents with approval.

This theme of how and why those in authority attempt to control discourse can be carried forward to the next *exemplum* concerning Numa to feature in Valerius' text, which like the first concerns his wisdom and his influence upon Roman religion

(1.2.1):

(Par.) Numa Pompilius, ut populum Romanum Sacris obligaret, volebat videri sibi cum dea Aegeria congressus esse nocturnes, eiusque monitu se quae acceptissima deis immortalibus sacra fierent instituere.

Paris. Numa Pompilius, wishing to bind the Roman people with rituals, tried to make it appear that he had meetings by night with the goddess Aegeria and that at her prompting he instituted the rituals that would be most acceptable to the immortal gods.

(Nepot.) Numa Popilius, cum efferatos assiduis bellis Romanos adverteret, docuit eos cultum deorum. Atque idem, ut facilius mansuescerent, Egeriam nympham in consuetudine se habere praeceptricem sibi confi<n>xit, quo maior apud feroces sesset autoritas.

Nepotianus. Numa Popilius, observing that the Romans had been brutalized by continual warfare, taught them divine worship. And that they might the more easily become tamer, he made up a story that he had relations with the nymph Egeria as his counsellor, to give him more authority with his fierce subjects.

This part of the text has been taken from the epitomes of Julius Paris and Januarius Nepotianus which have been used in the Loeb edition by Shackleton Bailey to replace a gap in the manuscript.⁴⁸⁰ The variations in the two passages make it difficult to analyse the text itself in great detail. However, this passage clearly

⁴⁸⁰ For further details see Shackleton Bailey 2000 5-6.

concerned the alleged relationship between King Numa and the nymph Egeria and we can deduce something of Valerius' portrayal of Numa from the context and subject matter of the text.

The heading for this subchapter is '*de simulata religione*' and this is the first of a series of stories concerning individuals who make a display of religious observance or of receiving some form of divine council. In I.2.2 Scipio Africanus is presented as always spending time in the sanctuary of Capitoline Jupiter before he conducted public business. At I.2.3 Sulla worships a statue of Apollo in front of his troops before going into battle. I.2.4 describes how Marius always consulted with a Syrian woman upon ritual matters and at I.2.5 Q. Sertorius convinces the Spanish that a white deer gives him advice.

The title of the subchapter and the theme of the associated *exempla* would suggest that Valerius is presenting Numa's claims to receive guidance from the nymph as a deception. Mueller (2002) has examined these passages and has highlighted that what we find here is "a series of leaders and led."⁴⁸¹ All the individuals mentioned above are using a show of divine inspiration to exert authority over their followers. This raises the question of how the contemporary reader is supposed to perceive this deception and what they are expected to learn from these *exempla*.

The early evidence for the story of Numa and Egeria is either very brief or fragmentary. Varro records an extract from Book Two of Ennius which appears to depict a conversation between Numa and the nymph (*Ling.* VIII.42):

⁴⁸¹ Mueller 2002 71.

olli respondit suavis sonus Egeriai

to him answered Egeria's sweet voice.

One observation that can be made about this fragment is that the fact Egeria is shown responding to Numa, implies that Ennius did not present the relationship between Numa and the goddess as a pretense on the part of the king. Augustine (*C. D.* III.9, VIII.34-5) records that Varro dealt with the subject of Numa and Egeria in a dialogue entitled *De cultu deorum* in which he stated that Numa consulted with the gods through the practice of hydromancy and that this was the origin of the legend that Numa consulted with a nymph called Egeria. As Wiseman has summarized: "Because he 'brought out' (*egerere*) water for this purpose....the story arose that Numa had a divine counsellor called 'Egeria'.⁴⁸²

In *Laws* I.4 Cicero uses the example of Numa and Egeria when explaining that there is a difference between history and poetry. While history must tell the truth the purpose of poetry is to entertain. The implication, therefore, is that the poet is free to take the story of Numa and Egeria at face value, while the historian must find the truth behind the legend. The extent sources suggest that the truth was thought to be the scenario described by Valerius, in which Numa pretends to consult with the goddess to give greater authority to his religious reforms, or at least this is how historians chose to rationalise the story to bring it from the realm of legend into history.

⁴⁸² Wiseman 2008 160.

The version of I.2.1 from Nepotianus is very close to the corresponding section in Livy's history, where Livy states that Numa wished to civilise the Romans through religion and details his pretence that he received advice from the goddess Egeria (I.19.5 "*Simulat sibi cum dea Egeria congressus nocturnos esse; eius se monitu, quae acceptissima diis essent sacra instituere*"). A similar version appears in the work of Dionysius of Halicarnassus (II.61). In both *Metamorphoses* Book Fifteen and *Fasti* III.260-280 Ovid uses the poetic licence discussed above and calls Egeria the wife of Numa, in both texts he also echoes the idea that Numa sought to civilise the Roman people with law and religion.

The fact that Numa's deception is described as a civilising influence in the tradition suggests that it should be seen in a positive light, and that Valerius is promoting the idea that sometimes dissimulation is necessary in leadership. There is perhaps also an implication that by 'civilising' the people of early Rome Numa is maintaining his own position as their leader and encouraging them away from the kind of violence that can lead to civil unrest and regicide. This can perhaps be related to the leadership style of Tiberius who, as I have discussed in the previous chapter, cultivated a reputation for moderation that was seen by later commentators such as Tacitus and Suetonius as false. Although the manner of Tiberius' alleged deception is not identical to the situation described here, it can be related to a wider theme of the use of deception in leadership and the forms this can take. Levick (1976) has suggested that Tiberius' reputation for *dissimulatio* can be linked to his preferred style of oratory:

His utterances display a conservative, even archaic vocabulary; many of his expressions have a common history: the comic poets, colloquial speech, and late prose; and he became a byword for obscurity.⁴⁸³

Levick relates this obscurity of speech to Tiberius' personal situation growing up in the household of his stepfather Augustus and the insecure political circumstances of his rule.⁴⁸⁴ His position Levick characterises as "the dilemma of a man who as Princeps must not say too much and as senator is bound to speak."⁴⁸⁵ Levick has suggested that what she characterises as Tiberius' "delight in understatement and irony" was interpreted by those opposed to his rule as the "cultivated dishonesty of a crafty tyrant."⁴⁸⁶

When we view Valerius Maximus' portrayal of Numa in light of this parallel, we see that the leadership style of Tiberius could also be seen in a similar light to that of Numa, as the behaviour of a leader who must use deception as a means of maintaining the prosperity of the community and negotiating the perils of autocratic rule. When taken together both of Valerius' references to Numa perhaps present a discourse in favour of the use of deception and censorship on the part of leaders/prominent citizens in order to promote obedience and preserve peace and correct religious and social customs.

⁴⁸³ Levick 1976 17. Levick also provides an extensive list of references for Tiberius' obscure manner of speaking 230-231. n 33. See also Seager 2005 236 n.46 for references regarding the portrayal of the dissimulation of Tiberius in Tacitus.

⁴⁸⁴ Levick 1976 17.

⁴⁸⁵ Levick 1976 17.

⁴⁸⁶ Levick 1976 17. Seager 2005 236-239 also presents a similar view that Tiberius' style of leadership was 'fettered' by his loyalty to Augustus's wishes and his own insecure position.

Valerius' account of the discovery and burning of Numa's books as I have explored is a positive reflection upon a practice that was used by both Augustus and Tiberius to control the discourse of political dissent. Numa's claim to receive advice from Egeria provides an example of how an autocrat/leader can use deception in a positive way that benefits his subjects. A similar theme can be found in the next *exemplum* I will discuss here, involving Numa's successor Tullus Hostilius.

2.4 Tullus Hostilius

A reference to the third king of Rome Tullus Hostilius appears as the first story in a chapter upon stratagems (VIII.4.1). The preface to this subchapter states that the stratagems Valerius is about to relate are 'a laudable part of cunning far removed from all censure' (*Illa vero pars calliditatis egregia et ab omni reprehensione procul remota*). Therefore, we know that the actions of Tullus Hostilius in this *exemplum* are intended to be viewed in a positive light. The earliest extant Latin version of this story appears in Book One of Livy (I.27.11). Livy does not pass judgement upon whether Tullus' use of guile is right or wrong although he notes that no battle the Romans fought before this was more savage (*non alia ante Romana pugna atrocior fuit.*). Dionysius of Halicarnassus also relates this story (III.24) and in all three extant versions Tullus' lie spurs the Romans on and allows them to obtain victory in the face of defeat. In Valerius' version Tullus' lie helps to inspire his troops and, like the *exemplum* of Numa and his claims to consort with a goddess, this provides an example of how a leader can use deception for a good cause.

Valerius' next reference to Tullus Hostilius deals with his death and appears as the first story in a chapter upon unusual deaths. Here Valerius Maximus focuses closely upon the death itself without providing any explanation of why this occurred

(IX.12.1):

Tullus Hostilius fulmine ictus cum tota domo conflagravit. singularem fati sortem, qua accidit ut columen urbis in ipsa urbe raptum ne supremo quidem funeris honore a civibus decorari posset, caelesti flamma in eam condicione< m> redactum ut eosdem penates et regiam et rogam et sepulcrum haberet!

Tullus Hostilius was struck by a thunderbolt and burnt up with his whole house. A singular fatal lot, through which the city's crown, snatched away in the city itself, could not be glorified by the citizens with the final honour of a funeral and was reduced by celestial fire to a condition such that his household gods, his palace, his pyre, and his sepulchre were all one and the same.

Valerius' account of this event is brief and focuses upon the unusual nature of Tullus' death without passing comment upon his reign or legacy. The mention of the thunderbolt (Jupiter's weapon of choice) in the first sentence, and of 'celestial fire' (*caelesti flamma*) could perhaps be considered as all the information the reader needs in order to presume Tullus' death was the result of divine disapproval. To confirm that this is the interpretation that Valerius may have intended, however, we must examine the wider tradition surrounding this king and his demise.

In contrast to the version we find in Valerius' text, although Livy's account of the death of Tullus is brief (I.22-31), stating simply that he was struck by a thunderbolt, he does provide more context for the event by first detailing Tullus' life and previous actions. For Livy, Tullus provides an example of why it is so important that a ruler ensures the arts of war and peace remain in balance. Tullus Hostilius is "more ferocious than Romulus" (*ferocior etiam quam Romulus fuit.*) embodying the warlike side of Roman culture if left unrestrained by peaceful arts. Although his rule is portrayed as legitimate and is ratified by both people and senate, Tullus also displays the extreme behaviour and cruelty associated with despotic rule. In I.28 in particular Tullus orders an inhuman punishment of the kind often employed by tyrants. Tullus' death is also associated by Livy with the characteristics of a tyrant as he performs impious religious rites to try to save himself from plague and is struck down by Jupiter in his palace (I.31).

The account provided by Valerius Maximus, however, does not pass judgement upon the kings' actions but merely reports his unusual demise. If we compare this passage to another reference Valerius makes to Tullus Hostilius at III.4.1-3 we also see that elsewhere he portrays a positive view of Tullus' reign. This passage will be discussed in greater detail in my next subchapter, but here it is important to note that Tullus is here presented as one of three kings whose humble beginnings led them to the kingship. The emphasis here is upon Tullus' rustic youth which, as I will discuss below (2.5), is reminiscent of the youth of Romulus. Valerius also states that his old age was an illustrious one. This means that to interpret this passage correctly we must examine the other accounts of this story to identify if an interpretation of Tullus' death like that provided by Livy is perhaps the one implied in Valerius' *exemplum*.

Alongside Livy's account an earlier version of the death of Tullus Hostilius appears to have existed in a missing passage from Cicero's *De Republica*. According to Augustine (*C. D.* III.15) Cicero focused on the fact that although Tullus disappeared in a flash of lightning (a natural phenomenon similar to an eclipse of the sun or a sudden storm) it was not assumed that he had become a god like Romulus. This was because the Romans did not think Romulus should share this honour with another king.

Dionysius of Halicarnassus (III.35) gives an account that also places emphasis upon Tullus' death, stating that he lost his life in a fire and emphasising the extent of the destruction by saying that not only his wife and children, but all members of his household died in the blaze. Dionysius states that some people believe the fire was caused by a thunderbolt as a result of his failed attempts to reform religious rites, removing some and introducing others that are described as 'foreign' and unknown to the Romans. This, however, is only one version of the story Dionysius relates. Most people, Dionysius states, believed that the fire was the work of Tullus' successor Ancus Marcius. This appears to be the only extant version of the death of Tullus that attributes his demise to his successor.

It would seem that there were a number of variations in the tradition surrounding the death of Tullus Hostilius. Although Valerius Maximus does not use Tullus as an *exemplum* of a ruler who resorted to impious religious rites and descended into tyranny, this is implied by the fact that he does present his readers with the version

of Tullus' death that states he was struck down by a thunderbolt, suggesting divine disapproval.

There is a suggestion in the accounts that present this interpretation, that Tullus' demise was a result of his failure to successfully follow the precedent of Numa. Pliny the Elder in particular (27.4) draws a direct link between Tullus' death and the religious practices of Numa, stating that when he died Tullus was attempting to perform the same sacrificial ritual that Numa used to bring Jupiter down from heaven. This ritual, Pliny states, Tullus found in one of Numa's books (28.14).⁴⁸⁷

There are clearly some strong thematic links between the stories Valerius tells about Numa and Tullus Hostilius. Valerius shows both kings using a positive deception to achieve their aims, respectively the civilising of the Roman people and success over both the enemy and a traitorous ally. There is also a link in the tradition (unstated in Valerius' text) between the death of Tullus Hostilius and the religious practices of Numa, including in some accounts a reference to his controversial books. Tullus' role in the tradition appears to be partly that of providing a cautionary tale in which his neglect of religion in favour of war early in his reign leads to a dangerous turn to superstition later, when he attempts to take on the peaceful, learned arts of Numa. The story of Numa's encounter with Jupiter is vividly imagined by Ovid in his *Fasti*. At III.300-48 Numa seeks to expiate the curse of Jupiter who has sent thunderbolts to show his displeasure with the Roman people. Numa captures two woodland deities (Picus and Faunus) in a sacred grove below the Aventine and asks for their aid.

⁴⁸⁷ Also referenced in Livy 1.31.1. Fox 1996 112-3 highlights that this can be seen as an example of the common Roman practice of following precedent, and that Numa is as popular a choice of precedent as Romulus in Livy's regal narrative.

They call down Jupiter and there follows an exchange (III.337- 44) between the god and the king in which, after his initial fear at facing the god has passed, Numa appears to bargain with the supreme deity showing his confidence in religious affairs. The passage has a darkly humorous tone. Jupiter appears to wish to taunt Numa by demanding a human sacrifice despite having already granted his request. Numa parries the god's demands offering first an onion, the hair from a man's head, the life of a fish. Amused, Jupiter concedes, finally addressing Numa as "man not prevented from conversing with gods." (*o vir conloquio non abigende deum.*) Although Jupiter allows Numa to have his way there is an echo of the perverse whims of the tyrant in the god's behaviour.

In Valerius' account we see that, although he has chosen to use the version that Tullus' death came about through divine disapproval, the category into which he has placed this story means that he has presented an account that is more concerned with the singularity and cultural significance of the manner of death itself. Not only Tullus himself but his entire household has been destroyed to the extent that there is nothing left to posterity and no funeral rites can be performed to honour him. The context for this choice of emphasis is perhaps given by the preface that precedes this anecdote, where Valerius presents the idea that "the condition of human life is chiefly determined by its first and last days" (*Humanae autem vitae condicionem praecipue primus et ultimus dies continent*) and also the preface of the next chapter which focuses upon individuals who 'crave life' (*De Cupiditate Vitae*).

Skidmore suggests the reader is expected to compare these two chapters to see that "any death, no matter how bizarre, is better than the miserable life of the exemplars

of The Greed for Life".⁴⁸⁸ This idea can be applied to the case of Tullus Hostilius if we consider the circumstances of his death as portrayed elsewhere (Livy I.31) – it is the threat of death by illness that causes Hostilius to perform the impious religious rites that anger Jupiter.

A comparison with the portrayal of Numa in Ovid's poem emphasises the fact that Numa is a king closely associated with the gods and the arts of peace. In contrast Tullus Hostilius is a warlike king whose attempts to intervene in religious affairs end in disaster. The literary tradition explored here places great emphasis upon Tullus' loss of nerve and descent into superstition in the face of illness. This means he was perhaps a clear choice for a writer wishing to discuss the failings of those who in the view of stoic philosophy are too attached to life.

Lawrence has examined chapter IX.13 (on *De Cupiditate Vitae*, 'Lust for Life') of the *Facta et Dicta Memorabilia* in order to highlight the influence of Stoic philosophy upon Valerius' work.⁴⁸⁹ Building upon the work of Franz Römer (1990) who suggested that Valerius' text reflects the Stoic cardinal virtues, Lawrence shows how in this chapter Valerius employs Stoic ideas regarding the need for honour and rationality in the face of death and the importance of recognising when life has run its course. As Lawrence highlights extreme and dishonourable fear of death (often death in the form of retribution for past crimes) is something that Valerius associates with tyrants in some of his anecdotes and is also a characteristic of the tyrant elsewhere.⁴⁹⁰ The tyrant's fear of death is shown to place him in the role of victim in

⁴⁸⁸ Skidmore 1996 78.

⁴⁸⁹ Lawrence 2015.

⁴⁹⁰ Lawrence 2015 150-3

spite of his supreme power.⁴⁹¹ This, Lawrence argues is because unlike the wise Stoic he lives in fear of that which is beyond his control.⁴⁹²

To conclude our discussion of the memory of Tullus Hostilius in Valerius' text, the first story discussed here regarding Hostilius reinforces the message that deception is a positive tool of leadership, while Valerius Maximus' account of the death of Tullus Hostilius frames this event using Stoic ideas of an honourable death to present a cautionary tale of a ruler who has lost control and strayed into the role of the tyrant leading to the annihilation of his household. There is, however, one final reference to Tullus Hostilius in Valerius' text, as I have mentioned above, where he includes this king in a section of text concerning kings of Rome who came from humble origins (III.4.1-3). Here, alongside Tullus he discusses the origins of Tarquinius Priscus and Servius Tullius and this is the only part of Valerius' text to deal with more than one of the Roman kings and to compare and contrast elements of their respective traditions. As such, it is useful to examine this passage in a separate subchapter, while keeping in mind what we have learned regarding Valerius' portrayal of Tullus Hostilius explored above.

2.5 Three Kings of Humble Origins (Tullus Hostilius, Tarquinius Priscus, Servius Tullius)

This passage (III.4.1-3) begins a chapter upon "Those born in a humble station who became illustrious" (*de humili loco natis qui clari evaserunt*). Here Valerius appears

⁴⁹¹ Lawrence 2015 154.

⁴⁹² Lawrence 2015 154.

to ignore Tullus' unfortunate end in order to emphasise the disparity between his origins and his achievements.

Incunabula Tulli Hostilii agreste tugurium cepit; eiusdem adolescentia in pecore pascendo fuit occupata; validior aetas imperium Romanum rexit et duplicavit; senectus excellentissimis <ornamentis> decorata in altissimo maiestatis fastigio fulsit.

Verum Tullus, etsi magnum admirabilis incrementi, domesticum tamen exemplum est: Tarquinius autem ad Romanum imperium occupandum Fortuna in urbem nostram advexit, alienum quod ex Etruria, alieniorem quod ortum Corintho, fastidiendum quod mercatore genitum, erubescendum quod etiam exsule [Demorato] natum patre. ceterum tam prosperum condicionis suae eventum industria sua pro invidioso gloriosum reddidit: dilatavit enim fines, cultum deorum novis sacerdotiis auxit, numerum senatus amplificavit, equestrem ordinem uberiolem reliquit, quaeque laudum eius consummatio est, praeclaris virtutibus effecit ne haec civitas paenitentiam ageret quod regem a finitimis potius mutuata esset quam de suis legisset.

In Tullio vero Fortuna praecipue vires suas ostendit, vernam huic urbi natum regem dando. cui quidem diutissime imperium obtinere, quater lustrum condere, ter triumphare contigit. ad summam autem unde processerit et quo pervenerit statuae ipsius titulus abunde testatur, servili cognomine et regia appellatione perplexis.

A farmer's hut held the cradle of Tullus Hostilius and his youth was passed in feeding a flock. His robust years ruled the Roman domain and doubled it. His old age, decorated with the most splendid ornaments, shone at the highest pinnacle of majesty.

But Tullus, great example of extraordinary development as he was, comes from inside, whereas Fortune brought Tarquinius to our city to take over Roman rule: an alien because he came from Etruria, more alien still as a native of Corinth, to be disdained as the son of a trader, to be blushed for as born of a banished father. But his own energy made the prosperous outcome of his condition productive of glory rather than envy. He extended the frontiers, enlarged the worship of the gods with new priesthoods, increased the numbers in the senate, left a fuller equestrian order, and—the consummation of his achievements—he made this community not sorry to have borrowed a king from its neighbours rather than chosen one of its own.

In Tullius, however, Fortune especially displayed her power by giving this city a slave-born king; he had the happiness to reign for a very long time, to perform the rite of purification four times, and to triumph three times. In sum the inscription on his own statue, mingling a servile surname and a royal title, abundantly attests from whence he came and to what he attained.

This is the only extant Latin description of the childhood of Tullus Hostilius and it shares obvious parallels with that of Romulus and Remus. Livy I.22 records only that Tullus was the grandson of a Hostilius who distinguished himself in the battle against the Sabines and does not describe or place any emphasis upon his rustic origins.

Dionysius of Halicarnassus provides the only other (Greek) account that considers Tullus' background and so his version (III.1-35) can be used in comparison.

Dionysius' account corresponds with that of Livy, mentioned above, with a few added details that further emphasise a connection with Romulus as he states that Tullus' father (rather than his grandfather) was a contemporary of Romulus, who fought beside him in many wars (including, presumably, the Sabine war) and that his mother was one of the Sabine Women.⁴⁹³ This confirms that Tullus' origins were thought to lie in the same rustic Italian setting that characterised Romulus' youth and his reign, even if there was perhaps some variation in the tradition regarding whether it was his father or grandfather who was a contemporary of Rome's founder.

Valerius observes that while Tullus came 'from inside' Rome, other Roman kings came from the wider Greco-Italian world beyond. The emphasis here is upon the guiding figure of Fortune who manifests her power through the choosing of unlikely candidates to rule Rome; a foreigner (Tarquinius Priscus) and a slave (Servius Tullius). This is Valerius' most extensive treatment of the reign of Tarquinius Priscus. Other sources emphasise the fact that Numa was an outsider to Rome when he was appointed as successor to Romulus.⁴⁹⁴ Here, however, Valerius has chosen Priscus as his example of an outsider who became king, perhaps because his status as an exile of Greek origin is more 'other' than Numa's Sabine ancestry. Valerius' discussion of Priscus follows a similar line to other accounts of this king's reign in its focus upon the king's origins and his achievements but he does leave out one key feature of Priscus' rise to power. Cicero begins his account in *De Re Publica* with

⁴⁹³ For further discussion of Dionysius' account of Tullus' reign see Fox 1996 82-92. At 82-3 Fox points to a contrast between Dionysius' account of Tullus as a 'philanthropist' and the warlike king portrayed by Livy, suggesting a divergent tradition of Tullus' nature as a ruler.

⁴⁹⁴ Cicero *De Republica* 2.23-30, Livy 1.18.

Tarquinius Priscus' origins, highlighting his Corinthian and Etruscan ancestry. Cicero states that when Tarquinius came to Rome he became a friend and advisor of Ancus Marcius and nearly a partner in the kingship (II.17.20) (*propter humanitatem atque doctrinam Ancus regi familiaris est factus usque eo, ut consiliorum omnium particeps et socius paene regni putaretur*). It was through this influential role that Tarquinius obtained the throne. Livy also begins his account of Priscus with a discussion of his origins (I.34) in contrast to Cicero's account, Livy gives an important role to Priscus' wife Tanaquil, presenting her as the driving force behind Priscus' ambitious rise to the kingship. Again, Priscus befriends Ancus and uses the influence he gains from this friendship to become king after Ancus' death. A similar story is related by Strabo (V.2.2).

I would suggest that the reason Valerius does not mention the link between Priscus' rise to power and his 'partnership' with king Ancus can perhaps be related to his position regarding the figure of Sejanus. Before his fall from favour the relationship between the *princeps* and Sejanus could be likened to that portrayed between Ancus and Priscus in these accounts, and Tiberius is said to have referred to Sejanus as a 'partner' in his labours as emperor.⁴⁹⁵ If we take it that Valerius Maximus is writing after Sejanus' fall, and in light of his scathing account of this figure and his actions at IX.11.ext.4 (which will be discussed in Chapter Four of this thesis) it is perhaps unsurprising that he would choose to leave out this detail of Priscus' rise to power.

The next figure Valerius discusses at III.4.3 also had close links to the royal house before obtaining the throne, however, in this passage it is the alleged servile origins

⁴⁹⁵ Shotter 1992 48; Seager 2005 152.

of Servius Tullius that are the focus of Valerius' attention and that demonstrate the role of Fortune in his rise to power. In III.4.3 the emphasis is entirely upon Servius' servile origins and the fact that he attained royal status. In Valerius' account the fact that Servius was a slave is presented as fact not only in the above *exemplum* but also at I.6.1 (discussed in subchapter 2.6 below). This is also the case in the account of Cicero at *De Re Publica* II.37-38. Here it is stated that Servius Tullius' mother was a slave from Tarquinii and that his father was a client of King Priscus. He is described as having been raised among the servants and as having waited upon the king's table. Livy (I.39) disputes the story that Servius Tullius was a slave and instead states that he was the son of the leader of Corniculum whose wife was taken prisoner after the fall of that city and who was saved from slavery by the king's wife, Tanaquil due to her noble status. Ovid provides the story that Servius' mother was a slave, but his father was an unknown deity (*Fasti*. VI.628-636). As these accounts show there were various traditions concerning the parentage and servile or noble origins of Servius Tullius, but in this *exemplum* Valerius has chosen to include the version that provides the clearest contrast between Tullus' origins and his rise to autocratic power.⁴⁹⁶

Valerius' emphasis upon the origins and achievements of these kings draws upon the theme of character and its importance in relation to autocracy, especially in the account of Priscus of whom we are told: "his own energy made the prosperous outcome of his condition productive of glory rather than envy" (III.4.2, *ceterum tam prosperum condicionis suae eventum industria sua pro invidioso gloriosum reddidit*).

⁴⁹⁶ There is also another tradition regarding Servius' origins, presented in a speech by the emperor Claudius, that he was in fact an Etruscan warrior named Mastarna who changed his name to Servius Tullius when he became king of Rome. This is discussed by Cornell 1995 130-141 and Thomson 1980 67-103.

In spite of their origins these kings had the personal qualities required to make Rome a great and prosperous state. This theme is relevant to the rule of Tiberius, as it emphasises that the Roman monarchy was not hereditary, and that for most of the Regal period (until the reign of Tarquinius Superbus) the Romans chose as their king the individual whose personal qualities made him the best candidate to lead the state. This is a theme that is particularly relevant to autocratic discourse during the reign of Tiberius, due to the fact that he was not a blood relation of Augustus and so his claim to power rested upon the idea that he had been chosen by Augustus as the person best suited to continue his legacy and preserve the peace and stability Augustus had secured for Rome.

III.4.3 is not the only reference in Valerius' work to Servius Tullius and in the next three extracts from the text I will explore the presentation of this king and his contemporary significance.

2.6 Servius Tullius

The first *exemplum* I will explore here is from Valerius Maximus' chapter on prodigies (*de prodigiis*) and concerns a story from Servius' early childhood (I.6.1):

Servio Tullio etiam tum puerulo dormienti circa caput flammam emicuisse domesticorum oculi adnotaverunt. Quod prodigium Anci regis Marcii uxor Tanaquil admirata serva natum in modum filii educavit et ad regium fastigium evexit.

Household eyes noticed that a flame flashed around the head of Servius Tullius, still a little boy, as he slept. King Ancus Marcius' wife Tanaquil wondered at the prodigy and brought him up like a son, though his mother was a slave, and raised him to royal eminence.

Here again we see an emphasis upon the future king's servile origins, his proximity to the royal house and his regal destiny. The king referenced in this passage should in fact be Tarquinius Priscus and not Ancus Marcius so it is unclear if this is an error on the part of Valerius Maximus or a variant tradition. As noted above, the stories of Tarquinius Priscus' and Servius' Tullius' rise to power both include the detail of a close connection with the reigning king leading to accession to the kingship. Of further significance in the story of Servius is the role of Priscus' wife, Tanaquil, in the story of his rise to power. It was said that when Priscus was assassinated by the sons of Ancus Marcius, Tanaquil kept his death a secret and installed Servius as a temporary monarch, then later announced the death of Priscus, once the people had become used to Servius in the role of king.

Cicero provides an early reference to the above prodigy (*De Divinatione* I.53) asking "*Caput arsisse Servio Tullio dormienti quae historia non prodidit?*" ("What history has failed to record the fact that while Servius Tullius slept his head burst into flame?").⁴⁹⁷ This suggests that this story was widely recorded in accounts of Servius' life and reign. Livy (I.39) begins his account of Servius' rise to power with this prodigy, which just as in Valerius' version above is witnessed by Tanaquil, who recognises from this that he

⁴⁹⁷ Cicero. *On Old Age. On Friendship. On Divination*. Translated by W. A. Falconer. Loeb Classical Library 154. Cambridge, MA: Harvard University Press, 1923.

is destined for greatness and also that he will help to protect the royal house in a time of need (thus foreshadowing the events of Priscus' death). Servius is raised in the royal household as if he were the king's son (cf. Cicero *De Re Publica* II.37). Servius' destiny is presented as the product of divine will. Dionysius of Halicarnassus (IV.2), Ovid (*Fasti* VI.635-6) and Pliny the Elder (XXXVI. 70) also record this event. This story contains two elements that are central to the story of Servius, the idea of his fortune/divinely sanctioned destiny and an association between the king and prodigies involving flames.

It is significant that in III.4.3 Servius Tullius was associated with the goddess Fortune, and his kingship serves as an *exemplum* of her power. The goddess Fortune in some accounts appears as the consort of Servius Tullius, just as Numa was associated with the nymph Egeria (for example Ovid *Fasti* VI.573-80). In Valerius account Servius' future greatness is foretold by a prodigy involving a flame and although Valerius does not explicitly mention Servius' connection with the goddess, he does combine all three of these elements (Servius, Fortuna, fire) at I.8.11:

Quod Servii Tulli statua, cum aedis Fortunae conflagrasset, inviolate mansit.

The statue of Servius Tullius remained undamaged when the temple of Fortuna was destroyed by fire.

In this *exemplum* a statue of Servius remains undamaged in a fire in the Temple of Fortuna (located in the Forum Boarium, cf. Livy XXIV.47, Ovid *Fasti* VI.625,

Dionysius of Halicarnassus IV.40.7). This story appears to emphasise the continued favour shown to the memory of Servius by the goddess Fortuna once again manifest in the form of fire. It can, however, be related to other information provided by later sources regarding the temple of Fortuna, its statues and its subsequent history to help shed light upon one aspect of how the memory of Servius Tullius was utilised during the rule of Tiberius.

Pliny the Elder records that Nero restored and incorporated into his Golden House a Temple of Fortune, known as the shrine of Sejanus but originally consecrated by Servius Tullius (XXXVI.163, *hoc construxerat aedem Fortunae quam Seiani appellant, a Servio rege sacratam, amplexus aurea domo*). He also provides the information that the state robes of Servius Tullius were draped about a statue of Fortune dedicated by the king and that they survived until the death of Sejanus (VIII. 197, *Servi Tulli praetextae quibus signum Fortunae ab eo dicatae coopertum erat, duravere ad Seiani exitum*). These references suggest that the memory of Servius Tullius, his humble origins, his path to the kingship and his status as a favourite of Fortune may have been utilised by Aelius Sejanus in his attempt to gain influence and achieve his ambitions preceding his fall from favour. That the temple came to be associated with Sejanus suggests that he may have had some form of involvement with this building (perhaps through the common practice of funding restoration work). That Pliny uses the death of Sejanus as a point of reference for how long the robes of Servius Tullius survived suggests that they somehow came to be in his possession. Dio Cassius (LVIII.7) records that Sejanus kept in his home an image of Fortuna that had belonged to Servius Tullius, and so it could be that this is the same statue referenced by Pliny. Dio also states that people would 'swear by his (Sejanus')

Fortune' (LVIII.6) and that before his fall he witnessed the statue of Fortuna turn its back upon him while he was making sacrifice (LVIII.7). That the statue referenced by Pliny is the same one Dio mentions is the opinion of Syme (1956) who also suggests that the demise of Sejanus and that of the robe can be linked arguing "It can be taken that the mob assailed and looted the mansion of Sejanus on that October day in 31. The vestments perished then, but not perhaps the statue."⁴⁹⁸ The statue is also referenced by Levick as an 'advertisement of intent' on the part of Sejanus.⁴⁹⁹

This evidence would suggest that during the Tiberian Principate an association had been established between Servius Tullius and Sejanus. It seems very likely from this evidence that this association was instigated by Sejanus himself, through some form of involvement with the shrine of Fortune that was believed to have been consecrated by Servius and which housed the state robes of the king. These robes may have come into the possession of Sejanus, possibly along with a statue of Fortuna. Dio's reference to the practice of swearing by the Fortune of Sejanus, suggests that this association was recognised by others and that they may have responded to the association between Sejanus, Servius Tullius and Fortune in a superstitious or religious manner.

This shines a new light upon the portrayal of Servius Tullius in Valerius' text. As I have already observed above at III.4.3 Valerius makes no reference to the fact that both Priscus and Servius served as 'partners' to the reigning king before they acquired the kingship. However, the two *exempla* I have explored above emphasis

⁴⁹⁸ Syme 1956, 261. Syme also highlights that Juvenal 10.74 refers to Sejanus in connection with Nortia, an Etruscan goddess of fate worshipped at Volsinii 265-266.

⁴⁹⁹ Levick 1976, 171.

the connection between Servius and Fortuna and both the references to Servius in III.4.3 and I.8.11 mention the statue of him in the temple of Fortune, thus framing this as an important aspect of his legacy. Yet it would appear that Valerius has omitted from these accounts one significant way in which the legacy of Servius was relevant to the reign of Tiberius. This contrasts with his interest elsewhere in illuminating precedents from Rome's past that have gained significance in the Julio-Claudian principate. It can be observed, however, that this is consistent with Valerius' approach to the subject of Sejanus in Book Nine of his text, as I have explored in my introduction and will elaborate further in Chapter Four of this thesis, where Sejanus provides the crowning exemplum in a catalogue of nefarious words and deeds but Valerius does not mention him by name.

Significant to this discussion of Valerius' reception of Servius Tullius is the fact that Chapter Nine actually begins with a reference to this king. The final *exemplum* Valerius includes regarding Servius Tullius, is related to the story of his death. At 9.11.1 in his chapter upon 'outrageous words and criminal deeds' Valerius describes how Servius' daughter Tullia (by then the wife of Tarquinius Superbus) drove over him in a carriage:

Unde autem potius quam a Tullia ordiar, quia tempore vetustissimum, conscientia nefarium, voce monstri simile exemplum est? cum carpento veheretur et is qui iumenta agebat succussis frenis constitisset, repentinae morae causam requisivit, et ut comperit corpus patris Servii Tullii occisi ibi iacere, supra id duci vehiculum iussit, quo celerius in complexu interfectoris

eius Tarquinii veniret. Qua tam impia tamque probrosa festinatione non solum se aeterna infamia sed etiam ipsum vicum cognomine Sceleris commaculavit.

Where to begin rather than with Tullia? For in time this is the most ancient example, in conscience nefarious, in word monstrous. She was traveling in a carriage when the driver shook his reins and stopped. Asking the reason for the sudden halt and being told that the body of her murdered father Servius Tullius was lying on the ground, she ordered the vehicle led over it so that she could come the faster to the embraces of his killer, Tarquinius. By that impious and scandalous haste, she not only stained herself with eternal infamy but the street itself with the name of crime.

This is an act Valerius denounces and he draws attention to the fact that the street where it happened was named the *Sceleratus Vicus* (infamous street) after the crime (see Livy I.48, Ovid *Fasti* IV.595-61). Here we see how the memory of a criminal act has become part of the fabric of Rome itself. Although Tullia herself has not murdered her father, she plotted against him with Tarquinius Superbus and here is shown abusing his remains so that the theme of parricide is still implied in her actions. Significantly, this *exemplum* is the first in a procession of immoral words and deeds that will end with Valerius' denunciation of Sejanus at IX.11.ext.4. Thus, the theme of parricide hinted at here follows through to a reference to parricide in that final *exemplum*.

This passage is also significant in light of what we have observed regarding a possible contemporary association between Servius Tullius and Sejanus. Here the

reader is presented with the image of Servius Tullius as the victim of assassination and impiety. A just king murdered by the man who wished to supplant him. This again provides a thematic link with the spectre of regicide/patricide present at IX.11.ext. 4. Through the choice of these two *exempla* Valerius is perhaps placing the unnamed Sejanus into a discourse in which he fulfils the same role as a usurper such as Tarquinius Superbus, and not the ambitious favourite of Fortune Servius Tullius. It is perhaps also significant that Servius' claim to divine favour did not save him from an ignoble death. This can also be said of any claim Sejanus may have made to be a favourite of Fortune like Servius Tullius.

2.7 Conclusion

In this chapter I have explored Valerius Maximus' portrayal of the Roman Kings in the *Facta et Dicta Memorabilia*. I have demonstrated how Valerius draws upon established traditions and contemporary discourse and events to present a version of Rome's Regal past that is distinctly of its time. In these *exempla* Valerius is not simply recording received traditions but is engaging with the legends of the Roman kings in a way that draws out what is most relevant and interesting for a contemporary audience. As we have seen, for Valerius the legends of the Roman kings provide a link between Rome's ancient autocratic past and its autocratic present and his interpretation of events surrounding these figures is influenced by the contemporary discourse surrounding Julio-Claudian rule.

Valerius' engagement with the memory of the kings is informed by the discourse of autocracy developed during the end of the Republic and the Principate of Augustus

and in many ways presents the Regal era as a source of precedent for the Julio-Claudian Principate. Both Julius Caesar and Augustus were associated with the Lupercalia and with Romulus the first king and founder of Rome and Valerius' discussion of the death of Romulus is framed in a way that purposefully recalls the death of Caesar and the discourse of ingratitude that surrounded his assassination. The practice of book burning had occurred under the rule of Augustus but became even more prominent during Tiberius' reign as means of controlling the discourse surrounding Julio-Claudian autocracy and opposition to Julio-Claudian rule. A precedent for the use of this practice could be found in the story of the books of Numa and the decision by those in authority that they should be destroyed.

The presentation of the Roman kings in these *exempla* also appear to reflect a leadership style that prefigures that of the Princeps. Romulus' relationship with the senate is characterised in a way that is comparable to the way in which Tiberius wished to present his own relationship with that body. Valerius' emphasis upon the fact that Roman monarchy was never hereditary serves to reinforce the argument that Tiberius was the most suitable successor to Augustus as he possessed the qualities needed to rule, in spite of the fact he was not related to the first Princeps. We also see in the presentation of Numa and Tullus Hostilius an understanding that the position of an autocrat is one that often requires the use of deception and obfuscation.

The shadow of Sejanus can also be found in references to ingratitude and parricide in relation to the deaths of Romulus and Servius Tullus and in the case of the latter this seems to perhaps be intended to counteract a contemporary association that

had been cultivated by Sejanus between himself and Servius Tullius, a king who was thought to be the favourite of Fortune but who came to a very unfortunate end.

Ultimately, Valerius' engagement with the memory of the Roman kings is rooted in the traditions of past but also deeply influenced by contemporary concerns and events, presenting a distinctly Tiberian account of the Regal era and the origins of Roman autocracy. My discussion of Valerius' *exempla* concerning the Roman kings has also introduced some themes that I will now go on to consider further in the final two chapters of this thesis. In Chapter Four I will consider in greater detail the discourse surrounding figures like Sejanus and the assassins of Caesar who represented both a political threat and a counter discourse to Julio-Claudian autocracy. In the next chapter I will examine the discourse of tyranny and tyrannicide, a theme that was briefly examined in this chapter in relation to the traditions surrounding Romulus and Tullus Hostilius. To do this I will turn to another writer of the Tiberian Principate, Seneca the Elder and the reception of traditions of tyranny and tyrannicide to be found in his collection of *Controversiae*.

3. CHAPTER THREE: THE DISCOURSE OF TYRANNY AND TYRANNICIDE IN SENECA THE ELDER'S *CONTROVERSIAE*

3.1 Introduction

In the Roman tradition the reign of the last Roman king Tarquinius Superbus descended into tyranny and brought about the abolition of the kingship and the establishment of the Republic. In the final two chapters of this thesis, I will explore the subjects of tyranny and resistance to autocratic rule. This chapter will explore the discourse of tyranny and tyrannicide in Seneca the Elder's *Controversiae*.⁵⁰⁰

Like the rhetorical exercises upon which the *Controversiae* are based, these concepts are Greek in origin but also became a part of Roman discourse due to the longstanding interaction between the cultures of Greece and Rome.⁵⁰¹ As I have explored in the introduction to this thesis, the concepts of tyranny and tyrannicide were already influential in Roman discourse during the republic and Seneca's work represents a continued transmission of these ideas into the Imperial age when we would expect such themes to be far more controversial.

In this chapter I will analyse how these exercises engage with earlier discourse and contribute to the transmission of traditions of resistance to tyrannical rule during the

⁵⁰⁰ Specifically, *Controversiae* II.5, III.6, IV.7, V.8, VII.6 and IX.4. All Latin text and translations are from the Loeb edition by Winterbottom 1974. For the life and work of Seneca the Elder see Sussman 1978, Fairweather 1981.

⁵⁰¹ For the Greek background of Roman rhetorical exercises see Bonner 1949:1-26; Sussman 1978:4-5. For examples of Greek influence upon autocratic discourse in Latin see Dunkle 1967, 1971; Gildenhard 2006.

principate. I will also consider what the *Controversiae* can tell us about the limits of anti-autocratic discourse in the Imperial age.

Scholarship on Roman declamation has explored the capacity of the genre to illuminate aspects of Roman culture and society. The agreed view is that expressed by Bloomer (1997), and also echoed by Gunderson (2003) and Pagán (2007/2008) that declamation was a space where social norms and ideals could be tested, challenged and defined. Bloomer has described the practice of declamation as a site where “cultural and societal categories” are defined and contested and taught to the next generation.⁵⁰² Gunderson has suggested that the genre is characterised by “a constant engagement with the ‘rules’ of Romanness, an endless tracing of the contours of the licit and the illicit” and has stated that in declamation it is possible to find that “truly disturbing themes otherwise unapproachable can be handled under the aegis of irrelevance, mere play, and idle fantasy.”⁵⁰³ Pagán suggests that declamation “provides a sheltered venue for the transmission of difficult ideas” with “rules and regulations that keep both speaker and audience from the perils of unsettling realities”⁵⁰⁴ while its transgressive subjects “reinforce basic morality and social attitudes about status and gender.”⁵⁰⁵

This framework helps us to understand the presentation of autocracy and resistance to autocratic rule in these exercises, as well as their increasing appeal during the Imperial age. It was the nature of declamation as a genre and a tool of elite rhetorical education to challenge and re-confirm Roman thinking about contentious moral and

⁵⁰² Bloomer 1997 200.

⁵⁰³ Gunderson 2003 6.

⁵⁰⁴ Pagán 2007/2008 166.

⁵⁰⁵ Pagan 2007/2008 167.

social issues. Therefore, these exercises were the ideal place for elite Romans of the Imperial era to work through and negotiate the concepts of autocratic power and of resistance to autocratic rule. The development of the Principate and the place of the Princeps in Roman society during this era required a re-evaluation of the discourse surrounding these concepts and in particular the figure of the tyrannicide and the concept of violent resistance to autocratic rule.

It is also important to keep in mind the contexts in which the practice of declamation took place. This included the school room, but while legal exercises like those found in the *Controversiae* were designed to prepare students for judicial oratory they were also popular with grown men who continued to practice the rhetorical skills they would require in political life and in the law courts. Therefore, the performance of declamation became a competitive, social occasion with well-known declaimers displaying their skills before an audience which, as I discussed in the introduction to this thesis, would sometimes have included the Princeps and those closely associated with him.

In the case of anti-autocratic discourse, declamation provided a space where the discussion of the archetypal tyrant in the Greek model and his nemesis the tyrannicide allowed for the continued transmission of a kind of anti-autocratic discourse that was becoming more contentious under the principate. Yet it appears that even within the bounds of declamation there were limits to what aspects of anti-autocratic discourse a speaker could explore.

This will become clear as I now consider the central themes of the reception of Greek thought concerning tyranny and tyrannicide in Seneca the Elder's *Controversiae*. My research has led me to two conclusions regarding this text. On the one hand, the transmission of potentially contentious anti-autocratic ideas in the *Conroversiae* was no doubt aided by their formulation within the context of anachronistic Greek subjects and settings typical of the genre and by their longstanding presence in the Roman education system. On the other hand, these exercises cannot be dismissed as fantasies that had no bearing upon wider discourses of autocracy at Rome during the Tiberian principate. Seneca's need to comment on the difference between Greek and Roman views of the status of the tyrannicide and his reference to the leniency of Augustus towards the declaimer Latro (as discussed in the introduction to this thesis, 2.1), show that what was said in practice declamations could carry weight beyond the schoolroom. In the debates dealing with the culpability of those who associate with tyrants we also find an echo of discourses surrounding a distinctly Roman kind of 'tyranny' in the form of the perpetual dictatorships of Sulla and Julius Caesar (Introduction 2.3).

To begin my discussion in Subchapter 3.2 I will examine the figure of the tyrant in the *Controversiae*. Here I will discuss the relationship between the *Controversiae* and Greek rhetoric and show that the traditional traits of the tyrant (as outlined in my introduction) can be found in the portrayal of tyrants in the *Controversiae*. I will also explore how the tyrant is also used in these exercises as a comparison to measure the morality of other characters. This shows the development of a theme that I will explore further in Chapter Four, where the discourse of tyranny is used to denigrate the opponents of Julio-Claudian rule. This phenomenon appears to be related to the

kind of discourse we see here, where the accusation of tyrannical behaviour is not limited to autocratic figures.

Next, I will turn my attention to the figure of the tyrannicide. I will show that Seneca's example declamations draw on the Greek tradition of the tyrant slayer detailed in my introduction and that the arguments of the declaimers are informed by the same concerns reflected there. These exercises wrestle with the question of the motives of the tyrannicide and with the issue of whether such figures should not only be rewarded but also considered state heroes and granted special rights in law. Seneca openly debates the difference between the status of tyrannicides in Greece and in Rome and shows a level of unease with the notion that a tyrant slayer should be granted special rights and privileges. I will suggest that this can be linked not only to differences in Greek and Roman law but to the influence of the Princeps in Roman society, because as I have explored in my introduction, the declaimers and writers of Tiberian Rome lived under the constant threat of Imperial attention.

In the final subchapter I will discuss how the *Controversiae* address the subject of how society should treat those who associate with tyrants and the extent to which such individuals should be viewed as complicit in the tyrant's crimes. Here I will show that these exercises reflect the same discourses found in literature of the Roman Republic when considering the actions of the Republican dictators Sulla and Caesar as well as others who were thought to be aiming at autocratic power. This element of the discourse of tyranny also becomes part of the discourse that seeks to denigrate the opponents of Julio-Claudian rule as I will show in my next chapter.

3.2 The Tyrant in the *Controversiae*

The theme of tyranny appears in only six of Seneca's chosen *Controversiae* (II.5, III.6, IV.7, V.8, VII.6 and IX.4.), this fact alone is perhaps indicative of the contentious nature of this material. Yet the examples he provides of exercises involving this theme adhere closely to the traditional traits of the tyrant as outlined in my Introduction (2.1). As I will now explore these exercises reference the violence and excessive appetites of the tyrant, as well as his tendencies towards sacrilege and disrespect for the traditional mores of his society. These exercises also display the use of tyrannical discourse as a means of emphasising the moral corruption of an individual who is not in fact a tyrant, but whose behaviour can be compared to that traditionally associated with tyrants.

In V.8 we find a scenario in which a tyrant has lost power but now, after an amnesty, is running for public office. A speaker in the text who has chosen to represent the tyrant's opponent promises that there will be no tyrannical behaviour during his term of office:

Candidatus anno meo spondeo: nulla rapietur, nullus occidetur, nullum spoliabitur templum.

For the rival: As candidate, I promise that in my year no-one will be raped, no-one killed, no temple despoiled.

The violence of the tyrant and perhaps his fear of assassination are referenced in IV.7:

Ferrum in arcem ferre periculosum erat, invenire facile.

It was dangerous to take a sword into the castle—but easy to find one there.

Certe semper secum solet habere ferrum tyrannus.

A tyrant generally has a sword about him.

In VII.6 a man who has married his daughter to a slave is compared to a tyrant. Thus, the sample declamations included in VII.6 also draw upon the idea that the tyrant holds no respect for the traditions and moral codes of his society. By marrying his daughter (a free Roman) to a slave the father shows the same disregard for propriety as the deposed tyrant. Here we also see that a figure who is not a tyrant is portrayed as behaving like one. This is an example of how the *Controversiae* also draw upon the image of the tyrant to emphasise the moral failings of other figures who appear in these cases. These comparisons subvert the traditional view of the tyrant to emphasise just how immorally another character in the scenario has behaved. In the case of VII.6 it is a father behaving like a tyrant in the treatment of his daughter and at I.7.4 a speaker declares:

Corrupit frater uxorem meam, quam nec tyrannus violaverat.

My brother violated my wife—whom even the tyrant had not violated.

Here we see the brother's behaviour being criticised in relation to that of a tyrant. Thus, the brother in this scenario is not only deemed to be as corrupt as a tyrant, but an actual tyrant has refrained from committing the crime he chose to commit. A similar theme can be found in IV.7 where we see a scenario where the tyrant-slayer was conducting an affair with the tyrant's wife, allowing a declaimer speaking against him to say:

Novo inauditoque more pugnabant, tyrannicida pro adulterio, tyrannus pro pudicitia.

It was a novel and unprecedented fight they fought, the tyrant-killer defending adultery, the tyrant chastity.

In these two examples we find a tyrant who did not behave as would be expected and another figure who should have behaved virtuously (a brother, a tyrant-slayer) taking on traits of tyrannical behaviour. Here we see the declaimers of the *Conroversiae* playing with the received tradition surrounding the figure of the tyrant in order to discredit another figure in the scenario being debated and to transfer the negative traits of the tyrant to this figure instead. The use of the discourse of tyranny to criticise the morality of an individual will also be explored in Chapter Four where I will explore examples of how this discourse is used to denigrate the opponents of Julio-Claudian rule.

In contrast *Controversiae* II.5 deals extensively and unambiguously with the theme of the cruelty of the tyrant. In this exercise a woman has been tortured by a tyrant while protecting her husband. The husband now wishes to divorce her because they have not been able to have children and she is suing him for ingratitude. The exercise has attracted scholarly attention for what it can tell us about attitudes to torture in ancient Rome. The practice of torture is closely associated with the concept of tyranny as the use of torture is one of the central features of the tyrant's behaviour, an embodiment of his, often irrational and extreme, cruelty and his paranoia regarding possible assassination plots.

Pagán (2007/2008) has examined the portrayal of torture in II.5, arguing that the "sanctioned violence" of torture partly defies the "process of familiarisation, domestication and management" at work in declamation which usually had the effect of distancing the speaker from the disturbing subject matter, making it easier to discuss transgressive or difficult subjects.⁵⁰⁶ She sees in this exercise a growing unease at the lack of distinction between judicial and tyrannical torture during the reign of Tiberius.⁵⁰⁷ Torture can be seen as falling into a morally grey area because it is on the one hand a characteristic of the excesses of the tyrant and on the other an established part of Roman judicial practice. During the reign of Tiberius, Pagán suggests, the boundaries between the two have become blurred.

In Bernstein's brief examination of *Controversiae* II.5. he suggests that for the free Roman audience "the tyrant's subjection of free people to torture represents one of

⁵⁰⁶ Pagán, 2007/2008, 166.

⁵⁰⁷ Pagán, 2007/2008, 178-9.

his many affronts to traditional conceptions of leaderly virtue”.⁵⁰⁸ This focuses upon the idea of the tyrant as the opposite of what a good king, or leader is supposed to be. While the good king will display moderation and, where appropriate, leniency, the tyrant often responds with excessive cruelty. Bernstein also highlights that just like the wife in *Controversiae* 2.5 is presented as a virtuous figure for resisting tyrannical torture “the accounts of the victims of bad emperors in Roman historiography and biography, or of evil officials in the pagan and Christian Martyrologies, similarly make resistance to tyrannical authority the warrant of virtue.”⁵⁰⁹ Bernstein’s examination extends beyond the treatment of torture in Seneca and during the Tiberian Principate, but this comment also highlights the obvious symbolic connection between resistance to tyranny and resistance to the (corrupt) emperor.

As I have discussed in my literature review Schubert (2000) has suggested that the tyrant in the *Controversiae* works both on an ‘overt’ level of reference, an exaggerated stock character that deflects any notions of contemporary relevance, and that of the ‘covert’ tyrant’ who is representative of the controlling power of the *princeps*.⁵¹⁰ Once again this implies some form of commentary is taking place here upon the situation in contemporary Rome, a criticism of Tiberian autocracy. This is a subject that will be explored in greater detail below as I examine the presentation of tyrannicide in these exercises. One point that can be made at this stage, as highlighted by the scholarship above is that references to tyrannical torture in the *Controversiae* may represent a form of commentary upon contemporary Rome, we see that elsewhere in Seneca’s text at X. praef. 6 Seneca explicitly denounces the

⁵⁰⁸ Bernstein, 2012, 172.

⁵⁰⁹ Bernstein 2012, 171 with reference to Tac. *Ann.*15.57; Suet. *Dom* 10.5 as examples of accounts of the victims of tyrannical emperors.

⁵¹⁰ Schubert, 2000, 92-135.

practice of burning literary works, something that, as I discussed in the previous chapter, happened during Tiberius' reign to the work of historians who were deemed to have pro-republican views. It can also be noted that while Valerius Maximus and Velleius Paterculus express very clear approval of the Princeps, Seneca's work as it survives does not contain the same panegyric elements. Declamation was a subject that was of as much interest to the Princeps as it was to his subjects. Of course, the fact that declamation was a pastime enjoyed by the Princeps does not mean that the details of some of these exercises were not considered subversive during the Principate, as I will now explore as I turn my attention to the discourse of tyrannicide.

3.3 The Tyrannicide in the *Controversiae*

Traditions involving tyrannicide were also passed on through declamation and, as this chapter will show, the genre was a successful vehicle for the transference of anti-autocratic ideals. Analysis of the *Controversiae* involving tyranny and tyrannicide reveals an active engagement with the traditions surrounding Greek tyrannicides which shows that these figures still continued to inform Roman discussion of resistance to autocratic rule during the Imperial age. This engagement with earlier anti-autocratic discourse will now be examined more closely as I explore some of the specific themes of the discourse of tyranny and tyrannicide that arise in the *Controversiae*.

The difference between the Greek and Roman concept of the tyrant slayer (the reason why Cicero could present Greek models of tyrannicide commemoration as

commendable but foreign practices) appears to have been centred upon the differing status of the tyrant-slayer in Greek and Roman society and this is something I will now explore as I turn my attention to the discourse of the tyrannicide as representative of the state.

3.4 The Tyrannicide as Representative of the State

Controversiae I.7 features a complicated scenario where a son is on trial for refusing to support his father.⁵¹¹ Although resistance to autocracy is only one of many elements that appear in this scenario, the son's status as a tyrant-slayer means the sample declamations provided for and against him engage extensively with themes surrounding the figures of the tyrant and the tyrannicide. In I.7.1 a speaker for the tyrannicide argues that:

cetera membra mea sunt, manus publicae sunt.

The rest of my limbs belong to me, the hands belong to the people.

In this argument it is as if the tyrannicide's hands no longer belong to him, he has become more than a private citizen and now belongs to or represents the state. This seems to present tyrannicide as a transformative act that turns the tyrant-slayer from an ordinary citizen into something more, just as their act of resistance turned Harmodios and Aristogeiton into symbols of Athenian democracy. The status of the

⁵¹¹ Winterbottom 1974 151: "Children must support their parents or be imprisoned. A man killed one of his brothers, a tyrant. The other brother he caught in adultery and killed despite the pleas of his father. Captured by pirates, he wrote to his father about a ransom. The father wrote a letter to the pirates, saying that he would give double if they cut off his hands. The pirates let him go. The father is in need; the son is not supporting him."

tyrannicide as a public figure is emphasised at I.7.5 where the people are portrayed as having been concerned for the welfare of their hero:

*quicumque pro tyrannicida vestro pependistis,
certum habeo, solliciti optastis ut hae litterae ad patrem pervenirent.*

I am sure that all those of you who were in suspense for your tyrant-killer prayed anxiously that the letter should reach my father.

While at I.7.6 a speaker suggests the public status of the tyrannicide worked to his advantage when he was captured by pirates as they respected his status as a representative, possession or even embodiment of the *res publica*:

Adhuc, iudices, tamquam pro meis manibus egi; verum confitendum: vobis remissae sunt. Exhibeo, res publica, piratarum depositum tibi: manus hae tuae salvae ad te perlatae sunt.

Up to now, judges, I have pleaded as though for my hands. But I must confess it: it was for your sake they were spared. I show you, my country, what was put in safe keeping with the pirates; these are your hands, sent safe to you.

This introduces an even higher status to the figure of the tyrannicide, suggesting that even the most disreputable members of society respect his symbolic status as liberator. However, later at I.7.12 Seneca comments upon and seems to dismiss the

line of argument that suggests the tyrannicide is an inviolate representative of the state:

Graecorum improbam quaestionem satis erit in eiusmodi controversiis semel aut iterum adnotasse: an in tyrannicidam uti pater hac lege possit; quasi sacras et publicas manus esse in quas sibi ne piratae quidem licere quicquam putent. Nostri hoc genus quaestionis submoverunt.

An invalid point raised by the Greeks it will be sufficient to note once or twice in *controversiae* of this sort: Can a father use this law against a tyrant-killer? Those hands over which not even pirates think they have any power are (they say) as it were holy, the possession of the state. Our declaimers have got rid of this type of point.

Here Seneca clearly dismisses this idea expressed by some of his examples.

Fairweather (1981) briefly considers this passage stating:

The basic disagreement lay in the fact that the Greeks assumed that the *tyrannicida* and the *vir fortis* had certain statutory rights whereas the Romans refused to accept that they had more than a strong moral claim for privileged treatment.⁵¹²

⁵¹² Fairweather 1981 163.

Unfortunately, Fairweather does not supply any analysis of why this was the case.

The reference to the rights of the *vir fortis* can be found at I.8.7 which does not involve the themes of tyranny and tyrannicide:

Graeci illam quaestionem primam solent temptare, quam Romanae aures non ferunt: an vir fortis abdicari possit. Non video autem quid adlaturi sint quare non possit: nam quod et vir fortis est et totiens fortiter fecit non plus iuris illi adfert sed plus commendationis.

The Greeks tend to attempt first a question not tolerable to Roman ears: Can a brave man be disinherited? But I don't see what they can adduce in favour of his not being. The fact that he is a brave man and acted bravely so often does not bring him greater rights—merely greater credit.

The figure at the center of *Controversiae* I.8 is a war hero not a tyrannicide and I would suggest that these figures hold different symbolic meaning and should not be considered interchangeable. An argument like that presented at I.7.12 was clearly a legacy of the Greek origins of this type of exercise and so Seneca appears to feel it must be addressed and that its incompatibility with current Roman attitudes must be acknowledged. Yet the comment is vague, leading to the question of when and why this kind of argument fell out of favour with Roman declaimers. Was it, for example, a result of the events of the Late Republic and the establishment of the Principate? As I have explored in my introduction (2.1) in the aftermath of the assassination of Julius

Caesar, Brutus and Cassius were hailed by some as tyrannicides.⁵¹³ In Imperial discourse, however, the death of Caesar was presented as a horrific act of parricide, not one of resistance to tyranny.⁵¹⁴ Seneca's comment frames the idea of the tyrannicide as a champion of the state as a distinctly Greek concept not valid in a Roman context. Thus, Seneca is relegating this idea to the foreign, historically distant Greek past where it is safely denied any relevance in the Roman present. This is similar to the impression we receive from Cicero's account of the treatment of tyrannicides in Greece as discussed in my introduction.

This comment gives the reader a sense of the boundaries of anti-autocratic discourse under the Principate. The idealisation of the figure of the tyrannicide can now only be taken so far before it becomes problematic. The tyrant-slayer still retains his heroic status, but he is no longer unassailable, he possesses no legal immunity. The Greek elements of the *Controversiae* act to create distance between the world of declamation and reality, but the view of the assassination of Julius Caesar presented in the early Imperial age, because of the relationship between Caesar and the Julio-Claudian emperors, complicated Roman anti-autocratic discourse in a way that sometimes sits uncomfortably alongside the anachronistic Greek elements of these rhetorical exercises. As I have explored in my introduction (2.1 & 2.3) during the late Republic the Romans had adapted the discourse of Greek tyranny and tyrannicide to articulate their own opposition to autocratic rule and this was utilised by the opponents of Caesar to characterise him as a tyrant and justify his

⁵¹³ Appian, *BC*, 2.127. This later source highlights the fact that to reward the assassins as tyrannicides was to declare Caesar a tyrant and deals with some of the themes discussed here such as the motives of the assassins and the issue of whether they should be rewarded for their deed.

⁵¹⁴ Examples of this view can be found in Valerius Maximus at I.5.7 and I.8.8. This is also the subject of Chapter Four of this thesis.

assassination. As I will explore in the final chapter of this thesis, during the Tiberian Principate this discourse is opposed by one that characterises Caesar as the first Princeps and father of Rome and his opponents as parricides.

The example of Imperial attention provided in *Controversiae* II.4.12-13 (discussed in my introduction on pages 66-68) also helps to explain why Seneca may wish to stress that in Rome the tyrannicide does not automatically become representative of the *res publica* or obtain rights and privileges in law. In spite of this fact the declamations Seneca provides are still informed by the notion that a tyrannicide holds a privileged position in society, even if that position is based on informal recognition of the tyrant-slayer's heroism and the service he has performed for the state.

3.5 The Rewards of Tyrannicide

Compared to the unease Seneca shows with the public status of tyrannicides in *Controversiae* I.7 the theme of the rewards of tyrannicide is presented in a straightforward manner. This theme also draws upon the cultural memory of the Athenian tyrannicides. Although Harmodios and Aristogeiton did not survive to be rewarded for their deed, their descendants benefited from their association with the heroes as I have discussed in the introduction to this thesis (2.1).⁵¹⁵ Here I also explored the fact that Romans were also clearly aware that in a Greek context tyrannicide was rewarded with privileges and renown for both the tyrannicide and his family. An example of this appears in *Controversiae* I.7.2:

⁵¹⁵ See also Taylor 1981 10.

Quidquid habes, pro redemptione filii mitte; non est quod timeas: non deerunt tibi alimenta, cum dixeris <te> tyrannicidae patrem.

Whatever you have, send it to ransom your son; there is nothing to be afraid of: you will not go short of food if you say you are father of a tyrannicide.

Here it is suggested that the son's deed benefits his father, giving him equal privileges. In *Controversiae* III.6 a man who has burned down the house in which a tyrant sought refuge is also given the reward owed to a tyrannicide. That a tyrannicide has the right to claim a reward for killing the tyrant is not questioned, but there is sometimes controversy over whether the tyrannicide is deserving of his reward. This can be seen in *Controversiae* VI.7:

Tyrannicidae praemium.

In adulterio deprehensus a tyranno gladium extorsit tyranno et occidit eum.

Petit praemium. Contradicitur.

A tyrannicide shall have a reward.

A man who was caught in bed with a tyrant's wife snatched the sword from the tyrant's hand and killed him. He asks for the reward. There is an objection.

The objections provided by the declaimers centre upon the dubious moral character of the tyrannicide and the question of his motive – did the tyrannicide kill the tyrant in self-defence as an adulterer or was his seduction of the tyrant's wife part of a plot to slay the tyrant? This question is in itself related to another theme to be found in

these exercises, that of the motives of the tyrannicide. Before discussing how this theme is interpreted in Seneca's text it is important to note that this moral scrutiny of the motives of the tyrannicide, although not a new aspect of the discourse, has important implications for how the role of the tyrannicide is interpreted in a Tiberian context. Just as the discourse of virtue and vice is used to separate the Princeps from the tyrant, so this same moral discourse can be used to judge if the killing of an autocrat should be considered a heroic act undertaken for the good of the state or the result of less moral private motives that strip the deed of its heroism, or even imply that the assassin has in fact harmed the state by removing its leader.

3.6 The Motives of the Tyrannicide

Whenever the subject of tyrannicide arises there is often debate as to the motives of the tyrant-slayer – was their killing of the tyrant a selfless act in service of the state or an act of revenge for a wrong the tyrant had done to them? In my introduction I have explored this theme in relation to the Athenian Tyrannicides (2.1). This debate often centres on the idea of public and private motivations, whether the tyrant slaying is an act carried out for the good of the *res publica* or an act of personal revenge. The *Controversiae* also address the issue of the tension between the public or private motives of the tyrannicide. In *Controversiae* I.7 a speaker representing the father argues that the assassination was the result of a private family quarrel that happened to turn out well for the state:

Dum inter se pugnant, vicit res publica. Reliqui duo, quia non poterant in nos, inter se tyrannidem exercuerunt.

They fought among themselves—and the commonwealth won. The remaining two, not being able to lord it over us, lorded it over each other.⁵¹⁶

*“Iratuſ” inquit “ob hoc ipſum fui, quod hoc ſcelere etiam tyrannicidium
inquinaveras; adparet te morbo quodam adverſus tuos furere*

“I grew angry,” he ſaid, “juſt becauſe by this crime you had tainted even your killing of a tyrant; it is clear that your mad rage againſt your family is a ſort of diſeaſe.”⁵¹⁷

The ſecond extract emphasises the personal nature of the quarrel and ſuggeſts hatred of his family, poſſibly unnatural and exceſſive, drove the tyrannicide’s actions. This is portrayed as ‘tainting’ his ſtatus as tyrant-ſlayer becauſe he did not act for the right reaſons. Theſe declamations often contrast the public and the private and appear to ſuggeſt that the actions of a virtuous tyrannicide are entirely motivated by public concerns, the concern of what benefits the ſtate. In I.7.4 the tyrannicide is aſſociated with ‘public’ retribution and the term *privatuſ* is uſed in relation to the tyrant. That the tyrant is a private citizen perhaps ſerveſ to emphasise the unofficial, unlawful nature of his poſition:⁵¹⁸

publica vindicta cruentum gladium privato tyranno impreſſi.

⁵¹⁶ I.7.8.

⁵¹⁷ I.7.14.

⁵¹⁸ Schubert 2000 98-99, haſ highlighted that in theſe exerciſeſ the tyrant is portrayed aſ “above, outside of and inimical to the public ſphere, hiſ ſeparation ſymboliſed phyſically by hiſ living *in arce*, fortified and apart.” And that “tyranny is the reſuſal or inability to diſtinguiſh between the public and private domainſ.”

I plunged a sword bloody with a public punishment into a private tyrant.

Similar emphasis upon the contrast between private and public motives and gain can be found in II.5. The motives of the wife who undergoes torture in II.5 were clearly virtuous but there is a focus upon who could be said to have benefited more from her resistance to the tyrant's torture, her husband or the state.⁵¹⁹

In IV.7 the motives of the adulterous tyrannicide are the key issue under dispute. This leads the declaimers to explore in some depth what it is that makes a tyrannicide different from an individual who merely happened to kill a tyrant for their own gain:

*Inputat nobis quod deprehensus in adulterio mori noluit. Tyrannicida vester iure occidi potuit a tyranno. Certamen in pari condicione contractum publica fortuna distraxit.*⁵²⁰

He tries to gain credit with us for being caught in adultery—and not wanting to die.—Your precious tyrant-killer could, legally, have been killed by the tyrant. A contest that was joined on equal terms was parted by the fortune of the state.

⁵¹⁹ See Bernstein 2012 172.

⁵²⁰ IV.7.6-8.

*Tyrannicida noster ne tyrannum inveniret optavit. Ducat tyrannicidam in arcem tyrannus, non uxor, odium, non amor; ascensurus ferat animum, ferat ferrum; eat illo ubi inveniat tyrannum. Omnia honesta opera voluntas inchoat, occasio perficit.*⁵²¹

Our tyrant-killer prayed not to meet the tyrant.—A tyrant-killer should be led to the castle by the thought of the tyrant, not his wife, by hate, not love. When he is to climb up there, let him bring a purpose with him, and a sword: let him go where he can expect to find the tyrant. All good deeds are begun by will, only completed by opportunity.

*nolo tyrannicida imitetur antequam occidat tyrannum.*⁵²²

I don't want the tyrant-killer to behave like the tyrant before he kills him

These passages suggest that in the mind of the speaker the tyrant-slayer has been compromised by his status as adulterer. It appears to be significant that he did not have the moral high ground in his confrontation with the tyrant but was behaving in a manner that was characteristic of a tyrant himself. Therefore, they were 'on equal terms' and for once we see a tyrant who is portrayed as having a legal right to persecute another citizen. The last line of the second passage seems especially significant as it appears succinctly to summarise the view that a tyrannicide is a man

⁵²¹ IV.7.13-16.

⁵²² IV.7.27-28.

who has a greater purpose, who sets out to kill the tyrant for the good of the state not for his own personal gain or in the instinct of self-preservation.

Something this theme makes clear is that even in earlier discourse the tyrannicide was never a figure whose heroism was indisputable. Whether in Athens or Rome, in real life or in declamation the motives of the tyrant-slayer were a subject for debate. This would perhaps have seemed even more relevant in early imperial Rome where the assassination of Julius Caesar had provided Romans with a more recent opportunity to judge the motives of those claiming to have liberated the *res publica* from a tyranny. This theme highlights just how nuanced the ancient discourse of autocracy and resistance to autocratic rule could be. To declaim upon the subject of tyranny and tyrannicide did not necessarily mean to promote resistance to autocratic rule, because the figures in these exercises are involved in complicated legal problems where, depending on the position a speaker chooses to take, a tyrannicide might only be an opportunist concerned with his own self-preservation rather than the good of the state. This discourse was utilised by writers of the Tiberian principate to question the motives of the assassins of Julius Caesar as I will explore in the next chapter of my thesis. Now I will turn my attention to the discourse that surrounded those who associated with tyrants.

3.7 Associating with Tyrants in the *Controversiae*

The final theme I will explore is the problem of how relatives and associates of the tyrant should be regarded after his death. In 1.7.4 the fact that the father of the

tyrannicide was also father to the tyrant is taken to mean that he once had access to the tyrant's wealth:

Unde tantas patrimoni vires habes? Etiamnunc tamquam <de> tyranni arca loqueris?

Where do you get such vast hoards of wealth? Can it be that you speak as though you still controlled a tyrant's coffers?

However, at I.7.8 the father denies benefiting from the rule of his tyrannical son and states:

Testor, iudices, omnes cives meos: una servivimus, nemo tyrannidem me uno sensit magis. Argumentum habeo maximum quod vivo: non pepercissetis mihi si putassetis me patrem tyranni.

I call all my fellow-citizens to witness, judges: we were all slaves together, but no-one felt the tyranny more than I. My strongest proof is that I live; you would not have spared me if you had thought me the father of the tyrant.

The final part of this extract can perhaps be taken to mean they would not have spared him if they thought he had benefitted from his son's tyranny.⁵²³ A later

⁵²³ In the Loeb translation Winterbottom (1974, 161) suggests this reading "A vivid way of saying: if you thought I had profited from my relationship with the tyrant or had any affection for him".

argument suggests the man's status as the father of the tyrant, and the fact he may have benefitted from his son's position made him an enemy of the state (I.7.13):

dixit enim non debere ali hominem perniciosum rei publicae, qui tyrannum filium habuisset, qui non occidisset, qui desideraret amissum, qui vindicare

He said that no support should be given to a man who was a danger to the state, who had had a tyrant for a son, who had failed to kill him, who regretted his loss, who tried to avenge him.

This apparently is not redeemed by his being also the father of the tyrannicide and at I.7.2 a speaker for the man's surviving son expresses the sentiment that suggests the actions of his father and brothers have destroyed any obligation he may have had to them:

<In> magnis sceleribus iura naturae intereunt: non magis tu pater es quam illi fratres.

In great crimes the rights granted by nature perish; you are no more my father than they were my brothers.

The attitude of the tyrannicide is then that tyranny, and other crimes, have erased the bonds of kinship. Thus, it was not fratricide to kill his tyrannical and adulterous brothers and he has no obligation to support the father who attempted to have him

maimed. He has disassociated himself from them through his actions and status as a tyrannicide.

In the *Ad Herennium*, there appears a 'law' that takes for granted the idea of the guilt of the tyrant's family, stating that following the death of a tyrant his five closest relatives should be executed.⁵²⁴ This perhaps reflects knowledge of the often-dynastic nature of tyranny. Tyrants are often portrayed as having dynastic ambitions and placing a higher value on kinship than the good of the state.⁵²⁵ Although *controversiae* based on this 'law' do not appear in Seneca's collection, the fact that the theme of guilt by association also appears in the *Controversiae* shows a continuation of this aspect of anti-autocratic discourse.

The problem of how followers of the tyrant should be regarded is raised by *Controversiae III.6* where a house has been burnt down in order to assassinate a tyrant and its owner demands reparation. The homeowner's possible status as a supporter of the tyrant is used to argue against his right to sue the tyrannicide:

Quem exclusisti et quem recepisti? Quare nullam aliam domum tyrannus petit?

Whom did you shut out, whom did you let in?—Why didn't the tyrant make for some other house?

⁵²⁴ Bonner 1949 27-28.

⁵²⁵ For example Feldherr 1997 142-145 highlights that a characteristic of the Tarquins as portrayed by Livy is that they value familial ties above the state.

Tyranni amicus, tyranni satelles, certe, quod negare non potes, hospes. Diu expectavi an eiceretur tyrannus.

You were his friend, his hireling, at least (and this you cannot deny) his host. I waited for a long time to see if the tyrant would get thrown out.

The tyrant sought refuge in the house and so the homeowner is expected to defend himself against the charge of being a possible associate of the tyrant and benefitting from his friendship. This shows the same unease with the position of those who obey the tyrant as can earlier be found in the speech of Lepidus in Sallust's *Histories*, regarding the followers of the republican dictator Sulla as we have seen previously in the introduction to this thesis (2.3):

Satellites quidem eius, homines maximi nominis, optimis maiorum exemplis, nequeo satis mirari, qui dominationis in vos servitium suum mercedem dant et utrumque per iniuriam malunt quam optimo iure liberi agere.

I cannot wonder enough at Sulla's minions, men bearing very distinguished names and having the excellent models of their ancestors, who submit to their own enslavement as the price of their dominion over you and prefer this double iniquity to living as free men on the securest legal footing.⁵²⁶

⁵²⁶ Sallust *Histories* I.49.2 from Loeb edition edited and translated by John T. Ramsey. Loeb Classical Library 522. Cambridge, MA: Harvard University Press, 2015.

Tyranny appears to taint all those who are associated with it and only the act of tyrannicide can expiate this form of guilt by association. This idea is also a central theme in *Controversiae* IX.4 where a tyrannicide has abused his father upon the tyrant's orders and feigned friendship with the tyrant in order to kill him:

Tyrannus patrem in arcem cum duobus filiis accersit; inperavit adolescentibus ut patrem caederent. Alter ex his praecipitavit se, alter cecidit. Postea in amicitiam tyranni receptus est. Occiso tyranno praemium accepit.

A tyrant summoned a man and his two sons to his castle; he ordered the youths to beat their father. One of them threw himself from the height, the other beat his father. Later he became one of the circle of the tyrant, killed him and received the reward.

There is a suggestion here that by obeying the tyrant's will and beating his father, displaying behaviour in keeping with that of a tyrant, the son is able to convince the tyrant of his allegiance to the extent that he is allowed into his inner circle and has the opportunity to kill him. This emphasises once again the theme of shared guilt between the tyrant and all who associate with him. It is not possible to keep the company of tyrants and not be influenced by their corruption. In my next chapter I will explore how this discourse of associated guilt is transferred in Tiberian discourse to the opponents of Julio-Claudian rule.

3.8 Conclusion

In conclusion, the portrayal of tyrants in Seneca's collection presents a continuation of the traditional discourse inherited from Greece and the Roman Republic. A common factor throughout the *Controversiae* involving tyranny and tyrannicide is just how well the genre of declamation seems to preserve and transmit these traditions. Current scholarship supports the idea that the figure of the tyrant continued to hold symbolic power and could be used to address troubling aspects of contemporary life in Imperial Rome. The very presence of tyrants in declamation – the genre in which Romans regularly confronted those aspects of society they found uncomfortable or alarming – shows us that a preoccupation and uneasiness with the subject of corrupt autocracy still continued into what we now consider the Imperial age. The inclusion of these exercises in Seneca's work is a testament to the fact that it was possible to discuss the themes of tyranny and tyrannicide during the early Principate. Yet the fact that there are so few examples of this kind of exercise in the work and Seneca's dismissal of the idea of the tyrannicide as representative of the state both suggest awareness that this presentation of the tyrant-slayer at least was a contentious issue in an era when the elite, and the Princeps, were aware that there could be thought to be an equivalence between tyrants and emperors. This provides an example of the limits of anti-autocratic discourse during the Principate and suggests that there were some exceptions to what could be said even under the guise of declamation.

Even so, analysis of the *Controversiae* involving tyranny and tyrannicide reveals a high level of continuity with the way these themes are presented in earlier Greek and Latin discourse. In the study of discourse a lack of change is in itself a significant factor. In the case of tyranny and tyrannicide in the *Controversiae* this continuity can perhaps be ascribed to a number of factors. The first and most obvious is that the

use of tyranny and tyrannicide in these exercises is a reflection of the Greek origins of declamation. This does not explain why the exercises were not altered further to reflect Roman reality, or why, apart from some uneasiness about the legal status of the tyrannicide, there is little indication that these exercises were problematic during the Principate of Tiberius, as implied of later reigns by Dio Cassius' accounts of declaimers being persecuted for practicing school exercises upon the theme of tyranny during the reigns of Gaius and Domitian. We must of course, however, note Seneca's disapproval/wariness over the concept of speaking out of turn in front of the Princeps. In spite of this fact, declamation does not appear to have attracted the censure of the authorities that was suffered by an historian such as Cremutius Cordus during Tiberius reign.

The continued transmission of the discourse of tyrannicide found in Greece and Republican Rome was also most likely aided by the fact that just as an autocrat could be a good king or a despotic tyrant, the moral character and motives of the tyrannicide were also an area for debate and the line between the tyrannicide and the assassin/regicide was often unclear. This introduces a theme that will be central to the next and final chapter of my thesis, where I explore the presentation of opposition to Julio-Claudian autocracy. The question surrounding the motives of the tyrannicide shows that it was not immediately assumed that the assassination of an autocrat was a positive event for the state. During the late Republic and early Principate, the debate concerning the guilt or heroism of the assassins of Caesar would evolve into a discourse that vilified those who opposed Julio-Claudian rule and even deployed the discourse of tyranny to denigrate the motives and character of those opponents.

4. CHAPTER FOUR: THE DISCOURSE OF OPPOSITION TO JULIO- CLAUDIAN RULE

4.1 Introduction

In Chapter One I explored the discourse of Imperial virtues and how the virtues of the Princeps were thought to help preserve the state of harmony and social and political unity the Romans aspired to after the civil wars. In this chapter I will conclude my thesis by exploring a complementary discourse, which sought to reinforce the image of the Princeps as the source of stability in Roman society by presenting opposition to Julio-Claudian rule (or autocracy in the form of Julio-Claudian rule⁵²⁷) as synonymous with a desire to bring about a return to civil strife.

As I have discussed in my literature review, previous scholarship has identified a tradition, present in literature of the Tiberian Principate, that presented a negative posthumous assessment of the assassins of Caesar. Most significant are the contributions of Rawson (1986) and Tempest (2017) which I will now briefly reiterate as this research is central to the subject of this chapter and is the foundation upon which I have based my own research. Rawson identified the existence of a negative discourse surrounding Brutus and Cassius that overshadowed the more positive aspects of their posthumous reputations.⁵²⁸ This ‘anti-liberator’ tradition as Rawson

⁵²⁷ These were not necessarily the same thing. While some opponents may have opposed autocracy, some may simply have opposed *Julio-Claudian* autocracy, while not being against the idea of sole rule itself.

⁵²⁸ Rawson 1986 103.

characterised it, sought to emphasise the ingratitude of the assassins and used the titles of ‘parricides’ and ‘plunderers’ (*latrones*) to describe Brutus and Cassius and their actions.⁵²⁹

Tempest, writing specifically about the posthumous reputation of Brutus, also acknowledges this negative discourse and has identified the existence of an “atmosphere of Intolerance” during the reign of Tiberius.⁵³⁰ Tempest has suggested that at this time admiration for Brutus and Cassius was seen as an act of protest against the Imperial system.⁵³¹ In this chapter I will examine the evidence for this discourse and show that not only is this true for the posthumous reputation of Brutus and Cassius but that the same negative discourse was used to denigrate all those who appeared to oppose and threaten Julio-Claudian autocracy.

This chapter is divided into two subchapters. In the first I will explore the discourse that developed around the figures of Brutus and Cassius as the assassins of Julius Caesar in the early Principate. I will show how a negative discourse did indeed surround the memory of Brutus and Cassius in the Tiberian sources and that this represented a break from the earlier, more varied discourse, that surrounded their actions in the civil wars. By the time Tiberius was in power we see those discourses more favourable to the ‘liberators’ have been suppressed until the negative portrayal of them as the murderers of Caesar has taken precedence. Here we can see a struggle taking place over the memory of the assassins/liberators in which interpretations of the late Republic and early Principate that present a positive

⁵²⁹ Rawson 1986 105.

⁵³⁰ Tempest 2017 5.

⁵³¹ Tempest 2017 5. See also 185-188 for Tempest’s discussion of the wider ‘good’ and ‘bad’ posthumous accounts of Brutus beyond Tiberian literature.

picture of the rule of the Princeps and honour the memory of his political ancestor Julius Caesar control the discourse surrounding the events following Caesar's assassination and the individuals involved. In the first subchapter I will explore and define the terms used to describe Brutus and Cassius in Tiberian literature before turning in Subchapter 4.3 to consider the influence of this discourse upon the portrayal of those who oppose Julio-Claudian rule during the Tiberian Principate.

In Subchapter 4.3 I will show that the discourse that surrounds contemporary figures such as Piso and Sejanus echoes that used to denigrate the opponents of Caesar, suggesting that the reception of Brutus and Cassius in Imperial sources has set the tone for all opposition to Julio-Claudian autocracy. In this subchapter I will show how this discourse is utilised in relation to contemporary figures and will also highlight an increasing emphasis upon the role of the Princeps as the guardian of peace and prosperity in Rome and the wider empire. Ultimately, I will argue that the evidence does indeed point to the conclusion that the autocratic discourse of the Tiberian Principate did not tolerate positive assessments of those figures who were seen to oppose Julio-Claudian rule. This discourse served to denigrate the opponents of Julio-Claudian autocracy while also promoting the ideal of the Princeps as protector of Rome and the Empire.

4.2 Opposition to Julius Caesar

Opposition to Caesar came to be embodied by the two principal figures in the conspiracy that led to his assassination, Marcus Junius Brutus and Gaius Cassius

Longinus. The discourse of tyranny and tyrannicide we explored in Chapter Three was readily available to assist those who wished to portray them as liberators and opponents of unjust rule. As I explored in the introduction to this thesis (2.1), in the aftermath of Caesar's assassination parallels were drawn between the assassins and liberators or tyrannicides. In response to this an important feature of the literature of the Imperial era is that the impulse to eulogise Caesar as the divine founder of the Julio-Claudian house created a corresponding tradition that sought to denigrate the assassins of Caesar by denying them the status of tyrannicides or liberators and representatives of the Republic. This was achieved through the domination of a discourse that characterised the assassins as plunderers and parricides. As I will show in this subchapter this discourse was centred in the portrayal of the behaviour of the assassins in the Greek east and by a discourse we have already encountered in the previous chapters of this thesis that characterised the Princeps, and his predecessors, as the 'father' of the Roman state.

First let us consider why there was a need for this anti-tyrannicide tradition. Brutus possessed a more positive posthumous reputation than Cassius. This can perhaps be related to his connections with Cato and Cicero and his writings and philosophical interests. There is also a sense in our sources that his motives were more 'noble' than those of the other conspirators.⁵³² While others were represented as having assassinated Caesar out of personal hatred, Brutus is represented as having killed him for the noble ideal of liberty.⁵³³ A response to this kind of discourse can be found in Velleius (II.58.2):

⁵³² This is explored by Tempest in her monograph which takes its title from this alleged trait of Brutus as 'the Noble Conspirator' this trait also appears in the title of Clark's earlier work on Brutus 'The Noblest Roman' (1981).

⁵³³ See MacMullan 1966 13.

Tum consul Antonius (quem cum simul interimendum censuisset Cassius testamentumque Caesaris abolendum, Brutus repugnaverat dictitans nihil amplius civibus praeter tyranni—ita enim appellari Caesarem facto eius expediebat.

Cassius had been in favour of slaying Antony as well as Caesar, and of destroying Caesar's will, but Brutus had opposed him, insisting that citizens ought not to seek the blood of any but the "tyrant"—for to call Caesar "tyrant" placed his deed in a better light.

Here we see the use of the Roman equivalent of the Greek term *tyrannos*, used to characterise Caesar as a despot in the foreign, Greek mode. Although Velleius does not state here that Brutus is a liberator, this passage engages with the discourse of tyrannicide we saw in Chapter Three, as here Brutus is presented as believing that their motives will be viewed more favourably if they characterise Caesar as a tyrant, and if they restrict their assassination plans to only Caesar himself as tyrant and avoid harming any other Roman citizen. Here Velleius is perhaps subverting the tradition of Brutus as the noble conspirator as he implies that Brutus is acting out of a desire to manipulate the discourse surrounding Caesar's death, rather than in accordance with any form of innate nobility. Thus, this can be seen as a response that seeks to subvert the discourse that represents Brutus as acting due to noble impulses. Cassius is here portrayed as the more strategically ruthless of the two which, as I will discuss below, is a trend in his representation in our surviving sources. This is a theme that can be seen elsewhere, although first it is important to

consider the more positive aspects of Cassius' posthumous reputation which may have caused discomfort for later writers seeking to denigrate his actions against Caesar. Cassius was remembered for his defence of Syria after the defeat of Crassus at Carrhae in 53 BC. He also appears to have received commemoration by his descendants. For example, during the reign of Nero one descendant of Cassius was accused of commemorating his part in the death of Caesar in an inscription upon a portrait, perhaps of the kind Romans kept in the atrium of their homes to advertise their family lineage.⁵³⁴ There are also stories of his earlier inclinations to tyrannicide, such as the examples discussed by Cicero at *Philippics* II.26. There is even a positive tyrannicide story recorded by Valerius Maximus which I will discuss below. In contrast to Brutus, however, Cassius appears to be viewed as the less honourable assassin and the accusations of cruelty levelled against him appear to stick far more than those directed towards Brutus.⁵³⁵ Even so, As I discussed in the introduction there was also a positive tradition that sought to promote Brutus and Cassius both as tyrannicides and heroes of the Republic.

These positive associations were apparently a cause for concern, both for Augustus and Tiberius and for those who supported their rule. Just as Brutus could perhaps be viewed as being inspired by the deeds of his ancestors, Lucius Brutus and Servilius Ahala, when he chose to conspire against Caesar, so the conspirators themselves could serve as an *exemplum* to future plotters. Augustus is often presented by our sources as taking a relatively relaxed approach to this problem and the subject of dissent in general as we have seen in Seneca's assessment of his rule in the

⁵³⁴ See Rawson 1986 105, although Brutus was also remembered in this way see Levick 1976 23 on L. Sestius "a man who cherished portraits of Brutus in his house" cf. Dio L.III.32.4

⁵³⁵ See Rawson 1986, Tempest 2017 6-7.

introduction to this thesis. An example of the (alleged) differing approaches of Augustus and Tiberius to this matter can be found in Tacitus' *Annals* and concerns the trial of the historian Cremutius Cordus. This passage (IV.34) merits detailed re-examination in the context of this chapter. Tacitus begins by presenting the charge against Cordus, that he praised Brutus and Cassius in a history, as 'novel and unheard of' (*novo ac tunc primum audito crimine*) and instigated by the will of Sejanus. He then has Cordus defend himself in a speech (IV.34):⁵³⁶

Verba mea, patres conscripti, arguuntur: adeo factorum innocens sum. Sed neque haec in principem aut principis parentem, quos lex maiestatis amplectitur: Brutum et Cassium laudavisse dicor, quorum res gestas cum plurimi composuerint, nemo sine honore memoravit. Titus Livius, eloquentiae ac fidei praeclarus in primis, Cn. Pompeium tantis laudibus tulit, ut Pompeianum eum Augustus appellaret; neque id amicitiae eorum offecit. Scipionem, Afranium, hunc ipsum Cassium, hunc Brutum nusquam latrones et parricidas, quae nunc vocabula inponuntur, saepe ut insignis viros nominat. Asinii Pollionis scripta egregiam eorundem memoriam tradunt; Messalla Corvinus imperatorem suum Cassium praedicabat: et uterque opibus atque honoribus perviguere. Marci Ciceronis libro, quo Catonem caelo aequavit, quid aliud dictator Caesar quam rescripta oratione, velut apud iudices, respondit? Antonii epistulae, Bruti contiones falsa quidem in Augustum probra, set multa cum acerbitate habent; carmina Bibaculi et Catulli referta contumeliis Caesarum leguntur: sed ipse divus Iulius, ipse divus Augustus et

⁵³⁶ Text and translation adapted from Tacitus. *Annals: Books 4-6, 11-12*. Translated by John Jackson. Loeb Classical Library 312. Cambridge, MA: Harvard University Press, 1937.

tulere ista et reliquere, haud facile dixerim, moderatione magis an sapientia.

Namque spreta exolescunt: si irascere, adgnita videntur.

Conscript Fathers, my words are brought to judgement—so guiltless am I of deeds! Nor are they even words against the sole persons embraced by the law of treason, the princeps or the parent of the princeps: I am said to have praised Brutus and Cassius, whose acts so many pens have recorded, whom not one has mentioned save with honour. Livy, with a fame for eloquence and candour second to none, lavished such eulogies on Pompey that Augustus styled him ‘the Pompeian’: yet it was without prejudice to their friendship. Scipio, Afranius, this very Cassius, this Brutus—not once does he describe them by the now fashionable titles of brigand and parricide, but time and again in such terms as he might apply to any distinguished patriots. The works of Asinius Pollio transmit their character in noble colours; Messalla Corvinus gloried to have served under Cassius: and Pollio and Corvinus lived and died in the fullness of wealth and honour! When Cicero’s book praised Cato to the skies, what did it elicit from the dictator Caesar but a written oration as though at the bar of public opinion? The letters of Antony, the speeches of Brutus, contain invectives against Augustus, false undoubtedly yet bitter in the extreme; the poems— still read—of Bibaculus and Catullus are packed with scurrilities upon the Caesars: yet even the deified Julius, the divine Augustus himself, tolerated them and left them in peace; and I hesitate whether to ascribe their action to forbearance or to wisdom. For things contemned are soon things forgotten: anger is read as a recognition.

Cordus was accused of having called Cassius “the last Roman” (IV.34) but other sources would suggest that he may simply have been quoting the words Brutus is said to have spoken upon hearing of Cassius’ death. The fact that Tacitus describes Cordus’ predicament as a ‘novel’ charge suggests that before the reign of Tiberius no one had been prosecuted for writing a positive assessment of the liberators in an historical account. The association of the charge with Sejanus builds upon the theme of his growing (negative) influence. The manner in which Tacitus has Cordus begin his speech is also significant. The first two words of the speech *verba mea* “my words” emphasise what this controversy is about – the historian’s choice of words when describing Brutus and Cassius, his decision to follow a discourse that was acceptable at the time but has now fallen out of favour with the powers-that-be. Throughout his speech (which follows on to IV.35) Cordus emphasises the fact that his words have not transferred to deeds, to active resistance to Julio-Claudian autocracy, that he is, as he states, guiltless in this regard.

Tacitus, through Cordus’ speech, also implies that Cordus was not alone in having produced words that are unpalatable to current Imperial sensibilities. Other writers have praised the character of the liberators and other opponents of Caesar and Augustus or have written things that might cause offense. Caesar and Augustus, we are told, tolerated all of this, or, if they retaliated, they did so in the form of a written or verbal retort. This passage also gives some idea of which figures from Roman history were potentially controversial in the late Republic and under the early Principate.

Finally, we should turn our attention to how Tacitus (through Cordus) chooses to characterise the portrayal of Brutus and Cassius that was current during Tiberius' reign. He states that others do not describe Brutus and Cassius as plunderers or parricides (*latrones et parricidas*) and implies that this was the discourse writers were now expected to use regarding the assassins. This is a point that was also discussed in Rawson's article as I have referenced previously in the introduction to this chapter and in my Literature Review. Tacitus' observation is in fact supported by the contemporary evidence, which I will now explore.

The title of '*latrones*' appears to have its origins in the actions of the assassins in the east during the civil war. Tempest (2017) has discussed how "their 'defence' of the Republic was remembered as a shocking and aggressive assault on the Greek East".⁵³⁷ Velleius Paterculus describes their actions in the following way (II.62.3):

*profecti urbe atque Italia, intento ac pari animo sine auctoritate publica
provincias exercitusque occupaverant et, ubicumque ipsi essent,
praetextentes esse rem publicam, pecunias etiam, quae ex transmarinis
provinciis Romam ab quaestoribus deportabantur, a volentibus acceperant.*

But, when they had once left Rome and Italy behind them, by deliberate agreement and without government sanction they had taken possession of provinces and armies, and under the pretence that the republic existed wherever they were, they had gone so far as to receive from the quaestors,

⁵³⁷ Tempest 2017 181.

with their own consent, it is true, the moneys which these men were conveying to Rome from the provinces across the sea.

Here the assassins of Caesar are portrayed as acting without the sanction of the Republican government they claimed to be defending. They have begun to act as if they themselves embody the Republic and are using this licence to seize control of provinces and armies. The control of provinces also involved the seizing of wealth from their citizens in order to pay for the resources needed for civil war. In this passage that wealth is destined for Rome itself but has been waylaid by the assassins, the implication is that they are taking this money from Rome itself.

The title of 'parricides' taps into the idea of Julius Caesar, and later the reigning emperor as the *pater patriae*, 'father of the fatherland'.⁵³⁸ An example of the use of this term in anti-Liberator discourse can be found in the *Facta et Dicta Memorabilia* of Valerius Maximus (1.8.8):

Facta mentione urbis e qua primordia civitas nostra traxit, divus Iulius, fausta proles eius, se nobis offert. quem C. Cassius, numquam sine praefatione publici parricidii nominandus, cum <in> acie Philippensi ardentissimo animo perstaret, vidit humano habitu augustiorem, purpureo paludamento amictum, minaci vultu et concitato equo in se impetum facientem. quo aspectu perterritus tergum hosti dedit, voce illa prius emissa: 'quid enim amplius agas, si occidisse parum est?' non occideras tu quidem, Cassi, Caesarem, neque

⁵³⁸ See Wardle 1997 for a discussion of familial titles in relation to the imperial house in Valerius Maximus.

*enim ulla exstingui divinitas potest, sed mortali adhuc corpore utentem
violando meruisti ut tam infestum haberes deum.*

After mention of the city from which our community drew its origin, her auspicious offspring the divine Julius presents himself before us. C. Cassius, never to be named without prefix of public parricide, was standing firm and full of ardour at the battle of Philippi when he saw Caesar, majestic beyond human aspect, robed in a purple commander's cloak, charging at him with threatening countenance and horse at the gallop. Terrified at the apparition, Cassius turned in flight from his enemy, first uttering these words: "What more is a man to do if killing be not enough?" No, Cassius, you had not killed Caesar, for no divinity can be extinguished; but by violating him while he was still in his mortal body you deserved to have the god thus hostile.

Overall Valerius Maximus uses the word 'parricide' to describe Brutus or Cassius in five of the ten *exempla* he provides concerning these individuals.⁵³⁹ Most of the stories he tells are also taken from the period of the civil war. Only one concerns an earlier point in time (II.1.3), specifically Cassius' childhood. Here in I.8.8 not only is Cassius referred to as a parricide but Valerius tells the reader that he is "never to be named without prefix of public parricide". This, Valerius insists, is the way Cassius is to be remembered. He appears to consider the memory of the assassins and their crime as something that must be recalled and routinely censured. The reference to 'public parricide' is related to the idea of Caesar as *pater patriae*, or father of the fatherland. The phrase appears to be used to define a unique crime that is related to,

⁵³⁹ See Bloomer 1992 207-8, Wardle 1997 177.

but not identical to the crime of parricide as it is commonly understood in a family setting. Further context for this can be found in the debates that appear to have taken place in Rome immediately following Caesar's death as recorded by Cicero in his *Philippics* (II.31):⁵⁴⁰

Ego, qui sum illorum, ut ipse fateor, familiaris, ut a te arguor, socius, nego quicquam esse medium: confiteor eos, nisi liberatores populi Romani conservatoresque rei publicae sint, plus quam sicarios, plus quam homicidas, plus etiam quam parricidas esse, si quidem est atrocius patriae parentem quam suum occidere.

I, who am their close friend, as I myself acknowledge—their partner, as you accuse me of being—state that there is no middle ground: if they are not liberators of the Roman people and preservers of the Republic, I confess them to be worse than assassins, worse than murderers, worse even than parricides, if indeed it is a more atrocious crime to kill the “father of the fatherland” than one’s own parent.

Here Cicero is using a reverse argument to defend the assassins of Caesar against the kind of accusation that was still being made against them by later authors such as Valerius Maximus. Leber (2018) has examined this passage in a study of Cicero’s use in his letters and speeches of the term *liberatores* to describe the assassins.⁵⁴¹ As Leber highlights here “Cicero seems to be setting up a false dichotomy in an attempt to reduce the anti-conspirator invective to a *reductio ad absurdum*.”⁵⁴² In Cicero’s view

⁵⁴⁰ Text and translation from Cicero. *Philippics 1-6*. Edited and translated by D. R. Shackleton Bailey. Revised by John T. Ramsey, Gesine Manuwald. Loeb Classical Library 189. Cambridge, MA: Harvard University Press, 2010.

⁵⁴¹ Leber 2018 174.

⁵⁴² Leber 2018 174.

the conspirators are not murderers, and so because there is no third way to describe them (*quando quidem tertium nihil potest esse*, II.31) they are liberators (*liberatores*, II.31). We can see in this argument, however, the notion that to commit a 'public' parricide against the man who holds the title 'father' of the country is somehow worse than a 'private' parricide that takes place within the family. Cicero may be using this argument for rhetorical effect, but it does indeed reflect the idea we see in Valerius' Maximus that the status of the death of Caesar as a 'public' parricide holds a particular significance. It could be that Valerius has chosen to use this term because he was aware of the essential difference between the killing of a political leader and the killing of a father, or it could be a way to express the benevolence of Caesar's rule and therefore the injustice of his death. Finally, there could be an implication that the killing of the *pater patriae* was in some way more terrible than familial parricide, as it can be considered a crime against not only an individual to whom the assassins owed gratitude akin to that owed to a father by his children, but also against the Roman state. Which has been deprived of the leader, the father, who protected it from the chaos of civil war.

To return to Valerius Maximus I.8.8, in this passage Caesar is an arresting figure who commands the reader's attention. His appearance brings about a change in Cassius' demeanour, at first, he is "standing firm and full of ardour" but the sight of Caesar causes him to flee. Valerius presents Caesar as a god in accordance with the now established tradition of his deification. His indignation over the death of Caesar causes an outburst where he addresses Cassius directly, admonishing him for his crime and emphasising Caesar's status as deity. Valerius does not use the word *latrones* to describe the assassins, but he does provide one story that reflects

this tradition with a negative presentation of Cassius' actions during the civil war (1.5.8):

Consentaneo vocis iactu C. Cassii aurem Fortuna pervellit, quem orantibus Rhodiis ne ab eo cunctis deorum simulacris spoliarentur Solem a se relinqui respondere voluit, ut rapacissimi victoris insolentiam dicti timore protraheret, abiectumque Macedonica pugna non effigiem Solis, quam tantummodo supplicibus cesserat, sed ipsum solem re vera relinquere cogeret.

By a similar utterance Fortune pinched the ear of C. Cassius. When the Rhodians begged him not to despoil them of all their statues of the gods, she made him reply that he was leaving the Sun, compounding the insolence of a rapacious conqueror by the arrogance of the speech. Cast down by the battle in Macedonia, she obliged him to leave, not the effigy of the Sun, which was all he had granted to the suppliants, but the sun itself in very deed.

In this passage Cassius is in the process of despoiling the religious sanctuaries of the Rhodians, he is insolent, rapacious and arrogant. All of this reflects the tradition that the assassins plundered Greek and Asian communities and committed acts of brutality during the civil war. There is also an element of tyrannical discourse here as the despoiling of religious sites is something associated with the behaviour of the tyrant and his lack of respect and piety in the face of religious and cultural traditions. A conflicting version of this event can be found in the narrative of Velleius Paterculus who writes of Cassius at Rhodes (2.69.6):

Cum per omnia repugnans naturae suae Cassius etiam Bruti clementiam uinceret.

Cassius in all circumstances defied his own nature and outdid even Brutus in clemency.

This suggests that Cassius' clemency in this instance was uncharacteristic, an unusual occurrence and such a positive portrayal cannot be found elsewhere, for example the later account of Appian (B.C. 4.73) echoes Valerius' negative account of Cassius' conduct. Note also how Valerius' version of the story emphasises Cassius' fate. Here Cassius' harsh and impious joke turns out to be an omen of his fate provided to him by the goddess Fortune. This brings us to another theme in Valerius' accounts of the liberators, the fact that Valerius' *exempla* concerning the assassins of Caesar are also particularly concerned with portents of their destiny (I.5.7):

M. etiam Bruti dignus admisso parricidio eventus omine designatus est, si quidem post illud nefarium opus natalem suum celebrans, cum Graecum versum expromere vellet, ad illud potissimum Homericum referendum animo tetendit: ἀλλά με Μοῖρ' ὀλοή καὶ Λητοῦς ἔκτανεν υἱός. qui deus, Philippensi acie a Caesare et Antonio signo datus, in eum tela convertit.

An outcome worthy of the parricide committed by M. Brutus was designated by an omen. As he was celebrating his birthday after that evil work, he wanted to speak a line of Greek and his mind turned to recall this of Homer: "But

baneful Fate and Leto's son have slain me." That god, given as a password by Caesar and Antony at the battle of Philippi, turned his darts against Brutus.

Here again we find the term parricide used to describe Caesar's murder. Here Valerius brings the discourse of divine disapproval to his presentation of the assassins, who have been punished by the gods for their crimes against the 'father' of the Roman state. This is not the only passage that records an omen connected to the defeat and deaths of Brutus and Cassius. Earlier at 1.4.7 Valerius relates another:

(Par.) M. Brutus cum reliquias exercitus sui adversus Caesarem et Antonium eduxisset, duae aquilae ex diversis castris advolaverunt, et, edita inter se pugna, ea quae a parte Bruti fuerat, male mulcata fugit.

(Nepot.) M. Brutus, collega Cassii, de exitu belli est civilis admonitus. nam duae aquilae, advolantes super eum campum in quo pugnavit ex diversis castris convenere et inter se conflixerunt. victrix profecta ad Caesarem est Augustum, fugata illa quae ex Bruti advolaverat parte.

Paris. When M. Brutus led out the remnants of his army against Caesar and Antony, two eagles flew up from the two camps and put on a fight. The eagle from Brutus' side was badly worsted and fled.

Nepotianus. M. Brutus, colleague of Cassius, was warned about the outcome of the civil war. For two eagles flying above the field on which he fought came together from the two camps and clashed with each other. The winner went

off to Caesar Augustus, whereas the one which had flown up from Brutus' side was put to flight.

Augury was essential to the religious and public life of the Romans and so it is perhaps unsurprising that the fate of Brutus and Cassius, a major turning point in the civil war, apparently attracted many stories of this nature (a similar catalogue of portents can be seen in accounts of the assassination of Caesar). The effect this has in Valerius' text is to provide a sense of predestination and divine will to the fate of the assassins and to further emphasise their guilt and the divine disapproval their actions cause.

Tempest has suggested that the use of portents to show divine disapproval of the assassins may be a response to the conspirators' own use of religious imagery (especially on coinage) to promote their cause.⁵⁴³ Woolf put forward the idea regarding portents that "Stories like this gave meaning to Caesar's death, confirmed its cosmic significance and imbued the story of his life with special value."⁵⁴⁴ To these assessments I would add that Caesar's status as a divinity during the Julio-Claudian era can explain the use of religious themes/ portents in the descriptions of his death. Although the assassins may have attempted to utilize religious imagery it was the supporters of Caesar and his legacy who were ultimately able to use religious belief to further their cause with the discourse of Caesar's apotheosis.

Two final examples of the hostile memory of Brutus and Cassius exhibited in sources dating from the Tiberian Principate can be found in the work of Seneca the Elder. As

⁵⁴³ Tempest 2017 178.

⁵⁴⁴ Woolf 2006 44. Woolf later also highlights that omens also surround accounts of the death of Domitian 2006 144.

stated above Brutus generally had a more positive reputation among later writers than Cassius. There is, however, one reference to Brutus that contrasts with the idea of his nobility of character. In Seneca the Elder's *Controversiae* X.1.8 Porcius Latro describes Brutus as a wicked slanderer, a comment that we do not find elsewhere. In *Suesoriae* IV.14 we also see another example of what were considered to be the negative character traits of Brutus and Cassius and Sextus Pompeius. In this exercise Cicero deliberates whether to beg Antony's pardon. When declaiming on the topic of whether Cicero should choose to flee from Rome Varius Geminus states that Cicero will be a slave wherever he decides to go, because he will have to endure either the violence (*violentiam*) of Cassius, the pride (*superbiam*) of Brutus or the stupidity (*stultitiam*) of Sextus Pompeius. It appears significant that violence and pride are both characteristics of the tyrant, so that again we see the discourse of tyranny being used to denigrate the opponents of Caesar. The use of the traits of the tyrant to denigrate the opponents of Julio-Claudian autocracy is also a feature of the discourse surrounding opponents of Tiberius as I will discuss in my next subchapter.

In the accounts of Valerius Maximus and Velleius Paterculus we see that the predominant discourse surrounding Brutus and Cassius in the Tiberian Principate does indeed appear to be one that portrays them as plunderers and parricides. Their status as plunderers is suggested in the cruelty of their actions and the fact that it is suggested that they did not have the authority to acquire wealth from the cities of the Greek East. Caesar is portrayed as the father of the Roman state and his death is presented as an act of 'public parricide' a crime against Rome which ultimately brings about their deaths as divine punishment for their crime.

In spite of the many negative assessments detailed above, those writing under the reign of Tiberius were not relentlessly critical in their presentation of Brutus and Cassius. In fact, even those who opposed their actions could not, or did not want to, entirely deny the positive traditions that had developed around these figures. While they seek to defame them as parricides and *latrones* and to present their downfall as the predestined will of the gods, they also struggle openly with the positive traits of the assassins, reinforced and made more difficult to navigate by the anti-autocratic discourse inherited from the culture of the Republic, the reliance of the Julio-Claudian emperors on descent from Caesar and the equivalence between Dictator for Life and Princeps. Valerius presents positive *exempla* of resistance to autocratic rule, including one involving Cassius (III.1.3):

*Cuius filium Faustum C. Cassius, condiscipulum suum, in schola
proscriptionem paternam laudantem, ipsumque, cum per aetatem potuisset,
idem facturum minitantem, colapho percussit. dignam manum quae publico
parricidio se non contaminaret!*

Sulla's son Faustus at school was lauding his father's proscription and threatening to do the same himself when he was old enough, at which a schoolfellow, C. Cassius, boxed his ears. Such a hand ought never to have defiled itself with a public parricide.

The characterisation of Cassius in this story is essentially the same as that of Cato which preceded it at III.1.2b in that even as a child Cassius was dedicated to the idea of freedom from tyranny and stood up to the young would-be tyrant Faustus,

just as the boy Cato wished to assassinate Sulla during the proscriptions.⁵⁴⁵ The term 'parricide' is used to disassociate this act of resistance to tyranny from the assassination of Caesar. This allows Valerius to celebrate the ideal of the tyrannicide and condemn the assassination of Caesar in the same *exemplum* because, he implies, Caesar was not a tyrant and so the impulse to tyrannicide and opposition to Caesar are two separate ideas. As we have seen above the predominant discourse presented Caesar as the father of Rome and the assassins as 'public parricides' a phrase used once more here. Valerius does not entirely succeed in promoting this distinction, because his use of what may be termed 'pro-Caesarian' discourse only highlights the unspoken alternative discourse of Caesar the tyrant. The paradox in Valerius' characterisation of acts of resistance against the former dictator Sulla (or in this case his son) and the assassination of ('dictator for life') Caesar is that it only serves to remind the reader of the alternative interpretation of Caesar's rule and his death.

This is an example of how *exempla* typically provoke 'controversial thinking', a concept explored by Langlands (2018) in her monograph upon exemplary ethics in ancient Rome.⁵⁴⁶ Langlands shows that this kind of moral complexity is a characteristic of Roman *exempla*. Highlighting "the capacity of exempla to incorporate and communicate contradiction and moral complexity" she challenges the idea that *exempla* are "highly directive" and communicate "a clear and unambiguous message."⁵⁴⁷ Instead Langlands shows that *exempla* are "multivalent" and can be interpreted in different ways, conveying different, sometimes

⁵⁴⁵ The story is also told at greater length by Plutarch (Brutus 9.1-4) who considers it an example of Cassius' longstanding hatred of tyrants, which motivated him to oppose Caesar.

⁵⁴⁶ Langlands 2018 59.

⁵⁴⁷ Langlands 2018 59.

contradictory messages.⁵⁴⁸ This can involve what Langlands classifies as either ‘simultaneous’ or ‘serial’ multivalence, *exempla* can either be interpreted in different ways or they can acquire different meanings over time. Simultaneous multivalence, the possibility of different interpretations of the same text, encourages what Langlands identifies as “controversial thinking.”

It is important to remember, however, that there is still room for the directive in *exempla* as Langlands states “At the moment of citation in an argument the indeterminacy of meaning may need to be shut down.”⁵⁴⁹ The writer/orator will decide to give an *exemplum* a definite interpretation for a particular time, to suit a particular argument. This can be seen in Valerius Maximus’ work when he passes judgement upon a particular *exemplum* and guides the reader with what he considers the correct interpretation of actions and motives. As we see when he considers Caesar’s assassination as a ‘public parricide’, thus denying any other interpretation the reader may draw from this *exemplum*.

Velleius Paterculus also wrestles with the positive legacy of the liberators. At II.46.5 he relates the story of how Cassius saved the remnants of Crassus’ army and saved Syria, but he adds that Cassius would later go on to commit a terrible crime. When discussing Brutus he provides a detailed consideration of his character, including a comparison between Brutus and Cassius (II.72.1-2):

Hunc exitum M. Bruti partium septimum et tricesimum annum agentis fortuna esse voluit, incorrupto animo eius in diem, quae illi omnes virtutes unius

⁵⁴⁸ Langlands 2018 62-3.

⁵⁴⁹ Langlands 2018 164.

temeritate facti abstulit. Fuit autem dux Cassius melior, quanto vir Brutus: e quibus Brutum amicum habere mallet, inimicum magis timeres Cassium; in altero maior vis, in altero virtus: qui si vicissent, quantum rei publicae interfuit Caesarem potius habere quam Antonium principem, tantum retulisset habere Brutum quam Cassium.

This was the end reserved by fortune for the party of Marcus Brutus. He was in his thirty-seventh year and had kept his soul free from corruption until this day, which, through the rashness of a single act, bereft him, together with his life, of all his virtuous qualities. Cassius was as much the better general as Brutus was the better man. Of the two, one would rather have Brutus as a friend, but would stand more in fear of Cassius as an enemy. The one had more vigour, the other more virtue. As it was better for the state to have Caesar rather than Antony as princeps, so, had Brutus and Cassius been the conquerors, it would have been better for it to be ruled by Brutus rather than by Cassius.

This brief digression into alternate history is interesting because it provides an example of how autocratic rule had become an accepted norm in Roman culture, for Velleius ignores the desire of the conspirators to preserve the republic and considers instead, that if Brutus and Cassius had won the civil war one of them would eventually have become the sole ruler of Rome. Essentially Velleius is here comparing Brutus to Octavian and entertaining the idea that the latter's victory and domination of the state was not inevitable even though it appears that Velleius believed the change from republic to autocracy was. A similar idea can be found in

Seneca the Elder's collection of *Suasoriae*. At VI.11 while debating if Cicero should beg for clemency from Antony, Varius Geminus states that the Republic also has its own Triumvirs. This we can interpret to mean that Brutus, Cassius and perhaps Sextus Pompeius could be seen as alternative leaders of Rome equivalent to the Triumvirate of Octavian, Antony and Lepidus. Also, of note in the passage quoted above is the fact that Velleius Paterculus states that until a certain day (presumably the day of Caesar's assassination) Brutus' soul remained uncorrupted. This illustrates the view prevalent in the sources that Brutus' moral character exceeded that of Cassius. This fits with Velleius' allusion to Brutus as on a par with Octavian and Cassius with Antony.

In this discussion we have seen that the Tiberian Principate was the site of a continuing struggle over the posthumous reputation of Brutus and Cassius. This struggle dated back to the assassination of Caesar. During the Principate, the dominant discourse became that which condemned the assassins of Caesar and characterised them as plunderers and parricides. Having explored the discourse that surrounded the figures of Brutus and Cassius I will now turn my attention to the way in which this discourse influenced the portrayal of opposition to Tiberian autocracy.

4.3 Opposition to Tiberius

In Velleius' account of the accession of Tiberius (II.123-124) Augustus transfers his burden of responsibility for peace and stability in the empire to his stepson. Velleius states that "his worries were gone" as he embraced Tiberius. Now in Velleius'

narrative it is Tiberius who represents the *concordia* Rome requires to thrive. At II.124 Velleius makes it clear that this is a time of great fear and tension, that the fate of Rome and its empire hangs in the balance. This fear is soon resolved, however, by the presence of Tiberius (2.124):

Cuius orbis ruinam timueramus, eum ne commotum quidem sensit, tantaque unius viri maiestas fuit, ut nec pro bonis neque contra malos opus armis foret.

We had feared the destruction of the world but did not even feel it shaken, and so great was the majesty of one man that there was no need of arms either to protect good men or to fight the bad.

This shows an awareness of the fact that the death of Augustus was a potentially destabilising event for the Principate he created. Velleius leaves no doubt in his narrative as to who is to thank for the peaceful transition between rulers. He cannot, however, ignore the instances of opposition experienced by Tiberius from within Rome and without. When the legions in Germany and Illyricum revolt Velleius claims that they (II.125.1):

rabie quadam et profunda confundendi omnia cupiditate novum ducem, novum statum, novam quaerebant rem publicam.

Fell prey to some kind of madness and a profound desire to create general mayhem. They wanted a new commander, a new political system, a new state.

This frames their rebellion as an act of opposition to the Princeps and a desire to overthrow the peaceful regime of a 'restored Republic' established by Augustus, a wish Velleius characterises as insane. At II.130.3 Velleius deals with several alleged opponents of Tiberius' rule. This he does in the form of a 'complaint to the gods' in which he asks what Tiberius could have done to deserve all the conspiracies against him (II.130.3)

Si aut natura patitur aut mediocritas recipit hominum, audeo cum deis queri: quid hic meruit, primum ut scelerata Drusus Libo iniret consilia? Deinde ut Silium Pisonemque tam infestos haberet, quorum alterius dignitatem constituit, auxit alterius?

If nature permits, or man's humble status allows it, then I take the liberty of making a complaint to the gods. What did this man do to deserve, first having Drusus Libo embark upon his nefarious plans? And then to have Silius and Piso so hostile to him after he gave one his political status and raised the other's?

Here Tiberius is portrayed as undeserving of the strife inflicted upon him which also includes the deaths of his sons (Drusus and his nephew and adopted son, Germanicus), his grandson and his mother Livia. Velleius also complains of the alleged conspiracy of Agrippina, the wife of Germanicus, and her son Nero (II.130.4):

Quantis hoc triennium, M. Vinici, doloribus laceravit animum eius! Quam diu abstruso, quod miserrimum est, pectus eius flagravat incendio, quod ex nuru, quod ex nepote dolere, indignari, erubescere coactus est.

How his heart has burned with a flame long kept secret – the most miserable thing of all – over the pain, the indignity, and the shame that he has been forced to endure because of his daughter-in-law, and because of his grandson.

Again, in II.130.3, we see the discourse of ingratitude that is also found in negative portrayals of Caesar's assassins. Not only is Tiberius presented as undeserving of the treachery of Silius and Piso but both had benefitted from his favour, compounding their crimes. The language used to describe the actions of Drusus Libo (*scelerata*) recalls the death of Servius Tullius as portrayed by Valerius Maximus and discussed in Chapter Two of this thesis.⁵⁵⁰ The trials of Tiberius as portrayed here by Velleius also include familial treachery in the form of Agrippina and Nero. Here Velleius provides only a (characteristically) brief account of the alleged conspiracies against Tiberius.⁵⁵¹ We can, however, further explore another contemporary account of one of these incidents, the alleged plot of Gnaeus Calpurnius Piso which is the subject of the inscription known as the *Senatus Consultum de Cn. Pisone Patre* (*SCPP*) an official account that presents the outcome of the trial of Piso as the Senate and Princeps wished for it to be seen across the provinces.

In my previous subchapter I observed that the discourse of tyrannical vices was used when describing Caesar's assassins. This was particularly prevalent in the

⁵⁵⁰ For an in-depth consideration of the Drusus Libo affair see Pettinger 2012.

⁵⁵¹ He also appears to be writing before the fall of Sejanus (discussed below) and so no mention is made of the most important alleged conspiracy of Tiberius' reign.

characterisation of Cassius. In the *SCPP* we see that Piso is also characterised in this way as I will now explore. This begins with a description that enforces his status as an opponent of the peace ensured by the leadership of the Princeps (Lines 10-14):

*Senatum populumque Romanum ante omnia dis immortalibus gratis agere,
quod nefas consilis Cn. Pisonis Patris tranquillitatem praesentis status rei
publicae, quo melior optari non pote et quo beneficio principis nostril frui
contigit, turbary passi non sunt*

The Senate and Roman People, before all else, expressed gratitude to the immortal gods because they did not allow the tranquillity of the present state of the Republic – than which nothing better can be desired and which it has fallen to our lot to enjoy by the favour of our princeps – to be disturbed by the wicked plans of the elder Piso.

Here the Princeps is again to be thanked for the ‘tranquillity’ Rome currently enjoys and the plans of the elder Piso to disrupt this state of harmony are criticised in emotive, morally charged language. This characterisation of Piso and his actions continues throughout the text. In lines 25-29 Piso is described as behaving with savagery (*feritate*) and Germanicus is described as having renounced his friendship with Piso, something which recalls the discourse of ingratitude and broken friendships/obligations that we have observed elsewhere. In lines 45-50 Piso is directly accused of having attempted to provoke civil war and line 50 also contains an accusation of cruelty, that Piso had subjected to capital punishment those whose

cases had not been heard and had also crucified a Roman citizen. Again, we see a reflection of the anti-liberator discourse where Cassius in particular is characterised as cruel (like a tyrant) in his actions during the civil war and even the previously virtuous Brutus is deemed to have destroyed his previous good character through his decision to assassinate Caesar.

Cooley highlights that in the *SCPP* the senate: “sets up a conflict between Germanicus’ virtues and Piso’s vices” and she emphasises that the term used to describe Piso at the beginning of the text (*feritas*) is used elsewhere to describe wild beasts and mythical monsters, thus it reduces Piso to “subhuman status” and shows him as having alienated himself from civilised society.⁵⁵² Cooley believes that Piso is represented in this way because “he had presented a real threat to Tiberius’ authority.”⁵⁵³ She concludes that the ‘moralising message’ of the *SCPP* was didactic in nature, aiming to encourage “the right sort of behaviour in present and future generations by presenting to the world the virtues of the *domus Augusta* and the vices of Cn. Piso.”⁵⁵⁴

It does indeed seem from this text that Piso was presented as having attempted to challenge Julio-Claudian dominance of the State and his case could perhaps be seen as a cautionary tale of what happens to individuals who do so. Strikingly we also see here not only the discourse of virtue and vice but the discourse of tyrannical vices in particular once again being used to characterise a figure who appeared to pose a threat to Julio-Claudian autocracy, as well as details that are highly

⁵⁵² Cooley 1998 200.

⁵⁵³ Cooley 1998 201 see also 203-205 for further evidence as to why Piso and his relatives may have seemed a threat to the authority of the Princeps.

⁵⁵⁴ Cooley 1998 209.

suggestive of a desire to obtain autocratic power. In lines 60-65 we learn that Piso allegedly corrupted military discipline, used the Princeps' funds to give donatives in his own name and vied with Tiberius for the loyalty of the armies. He is also accused of making impious sacrifices and it is implied that he held more than one banquet to celebrate the death of Germanicus. Here we see cruelty, sacrilege and a disregard for law combined with a desire to take control of Rome's military might and the celebration of the death of Tiberius' potential successor. What we can see in this text is a determined attempt to portray Piso as a danger to the stability of Rome and its empire. In many ways this discourse feels like a precursor to that which would later surround the figure of Sejanus, whose reception in contemporary sources will be discussed below.

It must be noted that Piso had by this time already committed suicide and so this is an attempt to control the memory of this individual and to establish how his alleged actions should impact upon his family. Piso is described as having exacted punishment on himself (line 19) and now it must be shown that this punishment was correct. The concern for the appropriate treatment of his relatives also recalls the discourse of the associates of the tyrant we saw in Chapter Three. Overall, it appears that the discourse of tyranny is being utilised against the memory of Piso and in the defence of the Principate.

Another threat to Julio-Claudian autocracy we encounter in the Tiberian sources is that of Sejanus. Velleius's text was written before Sejanus' fall from power. He devotes part of his text to an encomium of Sejanus (II.127-128) in which he seeks to justify Tiberius' reliance upon Sejanus by listing previous great men who relied upon

'great assistants'. This includes men who did not come from distinguished backgrounds, although Velleius also emphasises the distinguished elements in Sejanus' ancestry. Here Velleius appears to be keen to establish that there is precedent for Sejanus' rise and his current position in the state. It has been observed that his approach to Sejanus suggests he in fact feels some unease at the man's position, or the necessity of treating this subject in his text or is aware that this is a subject that may cause unease in his readers.⁵⁵⁵ Here the positive statements made about Sejanus appear to perhaps show Velleius seeking to find a way to justify the position of Sejanus and pre-empt any contemporary criticism. As has already been mentioned in my introduction Velleius does not make any mention in his text of the emperor's retirement from Rome. This suggests that Velleius has chosen to ignore the fact that the emperor has left Rome (a detail that would perhaps cast doubt upon the validity of his praise of Tiberius' leadership), but he was unable to ignore the increasing power of Sejanus in the emperor's absence.

In the work of Seneca the Elder we find two references to Sejanus' power and fall from grace. In *Suasoriae* II.12 Seneca states that Attalus the Stoic was banished from Rome as a result of Sejanus' scheming, while in *Controversiae* Seneca includes a quote from a declaimer named Asilius Sabinus who found himself imprisoned alongside followers of Sejanus:

Et cum dixisset Seianianos locupletes in carcere esse: homo, inquit, adhuc indemnatu, ut possim vivere parricidas panem rogo.

⁵⁵⁵ Woodman 1977.

Saying that there were rich followers of Sejanus in the jail, he added:

“I haven’t yet been convicted—yet I have to ask parricides for bread to keep me alive.”

This quote provides an example of a group of people being described as parricides because of their allegiance to an individual who was seen as a threat to the *princeps* and therefore the state. This recalls the discourse of association explored in Chapter Three. There it was the associates of the tyrant who came under scrutiny, here it is those allied with an individual who was believed to be attempting to usurp the rule of the *princeps*. Thus, the accusation of parricide can be applied to a group of people as well as to individuals. It is not only Sejanus who is a parricide but anyone who may have supported him.

Finally, we can examine an account of Sejanus written after his fall from power in the work of Valerius Maximus (IX.11.ext 4):

Sed quid ego ista consector aut quid his immoror, cum unius parricidii cogitatione cuncta scelera superata cernam? omni igitur impetu mentis, omnibus indignationis viribus ad id lacerandum pio magis quam valido adfectu ravior: quis enim amicitiae fide extincta genus humanum cruentis in tenebris sepelire conatum profundo debitae exsecrationis satis efficacibus verbis adegerit? tu videlicet efferatae barbariae immanitate truculentior habenas Romani imperii, quas princeps parensque noster salutari dextera continet, capere potuisti? aut te compote furoris mundus in suo statu mansisset? urbem a Gallis captam, e trecentorum inclitae gentis virorum strage

*foedatum< amnem Cremeram et> Alliensem diem, et oppressos in Hispania
Scipiones et Trasumennum lacum et Cannas, bellorumque civilium domestico
sanguine manantes mucrones amentibus propositis furoris tui repraesentare
et vincere voluisti. sed vigilarunt oculi deorum, sidera suum vigorem
obtinuerunt, arae pulvinaria templa praesenti numine vallata sunt, nihilque
quod pro capite augusto ac patria excubare debuit torporem sibi permisit, 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 obtritus etiam apud inferos, si tamen illuc receptus est, quae meretur
supplicia pendit.*

But why do I upbraid these doings or dwell on them when I see all crimes surpassed by the thought of a single parricide? So I am swept by an emotion more pious than potent, with all the energy of my mind, all the forces of indignation, to rend that deed. For who with words of due execration sufficiently effectual could drive into the abyss an attempt to bury the human race in bloody darkness, extinguishing the loyalty of friendship? Could you, more ferocious than the brutality of savage barbarity, have taken the reins of Roman empire which our leader and father holds in his saving hand? Or if you had achieved your madness, would the world have stayed in place? Rome captured by the Gauls, the river Cremera disfigured by the slaughter of three hundred warriors of a famous clan, the day of the Allia, the Scipios destroyed in Spain, Trasimene lake, Cannae, the blades of the civil wars streaming with

domestic blood: all these you wished to manifest and surpass by the crazy designs of your delirium. But the eyes of the gods were awake, the stars maintained their potency, the altars, sacred couches, temples were fenced with present deity, and nothing that was in duty bound to watch over that august life and our fatherland permitted itself torpor. And above all the author and guardian of our safety saw to it in his divine policy that his most excellent benefactions should not collapse amid the ruins of the whole world. So peace stands, the laws are valid, the course of private and public duty remains unimpaired. But he who essayed to subvert all this, violating the bonds of friendship, was trampled down along with all his race by the might of the Roman people, and in the underworld too, that is if it takes him in, he suffers the punishment he deserves.

This passage is located at the end of a series of external *exempla* in chapter IX.11, thus separating Sejanus from domestic *exempla*. Book IX is also a book mostly devoted to stories of vice and Sejanus appears as the climax of a long catalogue of misdeeds. Unlike Cassius and Brutus, Sejanus is never named, but here again Valerius takes a rhetorical stance of righteous anger, directly addressing and rebuking his subject as if he is present. However, in bringing up this event Valerius is relying on the reader's prior knowledge of the unnamed Sejanus and his deeds. He is bringing him to mind/ to light even as he denounces him and consigns him to oblivion.⁵⁵⁶

⁵⁵⁶ Gunderson 2013 200-203 also discusses the 'erasure' and 'exile' of Sejanus in Valerius' text in an examination of IX.11 informed by Lacan's concept of the discourse of the hysteric.

Once more the crime discussed here is framed as ‘parricide’, only now Tiberius has taken the place of Caesar as the ‘father’ of the Roman state. As I have discussed in the introduction to this thesis (2.4), this role is assigned to Tiberius despite the fact that unlike Caesar and Augustus he did not accept *pater patriae* as his official title. In this discourse we see that in the view of Valerius (and also Velleius) the role of ‘father’ appears to have been inherited by Tiberius when he succeeded Augustus as Princeps. This in turn allows for the continuation of the corresponding discourse in which the opponents of the Princeps are portrayed as ‘public parricides’.

The charge of ingratitude also appears again in this account of Sejanus’ crimes. Sejanus has ‘extinguished the loyalty of friendship’ and ‘violated the bonds of friendship’. Valerius’ account of what Sejanus would have done is apocalyptic, reiterating the idea we have explored above that the crime of ‘public parricide’ is an especially terrible one.⁵⁵⁷ He is a threat far worse than any Rome has faced in the past. Gowing has highlighted that Valerius communicates this threat by envisioning a reversal of events in Roman history.⁵⁵⁸ Valerius’ reaction can perhaps be related to the deep psychological scars the civil wars have left upon Roman culture, wars that Augustus ended, and Tiberius now prevents, using his power to stop Sejanus from plunging the state back into disharmony.

We also have to take into account Valerius’ preface which is addressed to Tiberius and thus appoints him as a potential audience of the text. However, in Valerius’ account it is not only Tiberius who overcame Sejanus. The gods are supporting him

⁵⁵⁷ This is also the term Gunderson 2013 204 uses to describe Valerius’ narrative, stating “the narrator imagines an apocalyptic scenario....the death of Caesar doubles for the death of the cosmos.”

⁵⁵⁸ Gowing 2005 53.

in their vigilance and the Roman people are presented as united with the emperor in the purpose of ‘trampling’ not only Sejanus himself but his ‘entire race’. Sejanus is also not only expelled from Rome (literally in the text through his placement after the external *exempla*) and from life but potentially even from the underworld, which may not accept him, even to punish him for his crime.⁵⁵⁹ This passage is conspicuous within the structure of Valerius’ work and this invites questions regarding its purpose within the text, especially as there is elsewhere a lack of contemporary *exempla*.⁵⁶⁰ It is possible to suggest that this passage originates from an impulse towards panegyric, of the kind clearly visible in Velleius’ history. It also serves as a forceful climax to Valerius’ section upon vice in its many forms, providing a contemporary crime to sit alongside and surpass the crimes of the more distant past. Finally, this passage provides a strong illustration of the place the Princeps had begun to occupy in contemporary discourse. Tiberius is the ‘father’, ‘guardian’ and ‘saviour’ of the wider Roman family that is the state. Those who threaten the Princeps are also threatening the Roman people, the gods, and the whole of civilisation.

4.4 Conclusion

In this chapter I have explored the discourse used by my chosen sources to characterise those who oppose Julio-Claudian autocracy. I have considered how the discourse that developed around the figures of Brutus and Cassius as the assassins of Caesar created a kind of ‘template’ for the portrayal of later opposition to Julio-Claudian rule. I have identified the terms used to describe Brutus and Cassius and

⁵⁵⁹ See also Gunderson 2013 205.

⁵⁶⁰ There are other contemporary references in Valerius’ text however, something that has been discussed in my introduction.

their opposition to the domination of Julius Caesar and have considered the cultural and historical significance of these terms for a Tiberian audience. Examining the portrayal of the assassins in extant texts of the Tiberian principate illuminates how the dialogue surrounding Brutus and Cassius in the Tiberian Principate became dominated by a negative discourse that characterises them as parricides and plunderers. The discourse the assassins themselves sought to promote, of Caesar as tyrant and themselves as liberators of the Republic is suppressed in favour of a discourse that sees Julius Caesar as the divine predecessor of the Julio-Claudian Princes, who protects Rome from a return to the civil wars that were caused by Caesar's death.

This contrasts with the more positive responses found elsewhere, as is made clear by the account of the trial of Cremutius Cordus provided by Tacitus. With Cordus' speech in this text Tacitus appears to have been exposing a debate surrounding the memory of the assassins that was current in the Tiberian Principate, and to be dramatizing for a later audience the moment at which the 'Republican' interpretation of the demise of Caesar ceased to be acceptable in Julio-Claudian culture. This repression of discourse he locates in the Tiberian Principate, not that of his predecessor Augustus.

By examining the discourse that surrounded Brutus and Cassius as the assassins of Julius Caesar I have identified there did indeed exist at this time a discourse that sought to eulogise Caesar and to deny his assassins the status of tyrannicides or liberators of the Republic. This is achieved characterising Brutus and Cassius as parricides and plunderers and by doing so at every opportunity. These charges were

made possible by the status of Caesar as 'father' of Rome and by the behaviour of the liberators in the Greek East during the civil wars. Our sources also accuse them of ingratitude and Cassius especially is portrayed as immoral and as possessing traits associated with tyranny. Valerius Maximus in particular makes much use of portents of their fate and of the divine nature of Caesar in his portrayal to express divine disapproval.

It is, however, impossible for the Tiberian writers to completely ignore and devalue the positive discourses surrounding Brutus and Cassius. They are forced to acknowledge that there was nobility in Brutus' character and that Cassius' impulse towards tyrannicide was not in itself something to be condemned. The problem, in their eyes, is that in Caesar he chose the wrong target for his anti-tyrannical impulses, because Caesar was not a tyrant. The positive traditions surrounding figures from the past cannot be easily erased but in the case of Brutus and Cassius both Velleius Paterculus and Valerius Maximus qualify their praise with condemnation for the crime of Caesar's assassination. As Valerius states, Brutus and Cassius must always be associated with this act of 'public parricide'.

A continuation of the discourse used to denigrate Brutus and Cassius can be found in the discourse that surrounds the alleged opponents of Tiberius. The title of parricide is used to characterise Sejanus and both he and Piso are portrayed as being barbaric and morally deficient and desiring to plunge the empire back into the horrors of civil war. This again is a discourse of virtue and vice where the princeps and *Domus Augusta* possess all the virtues that their opponents lack. The vices of their opponents also recall those of the tyrant as explored in Chapter Three, making

the desire for power attributed to these individuals even more sinister. The charge of ingratitude also appears here with the implication that these individuals owe loyalty to the Princeps for the status he has granted to them. The discourse of divine disapproval is once more utilised by Valerius Maximus, this time against Sejanus, a figure so abhorrent that there is no place for him even in the underworld. The most important aspect of this discourse is that it positions the Princeps as the saviour and protector of the Empire, standing between the Roman people and a resurgence of civil unrest. Those who oppose the Princeps also oppose peace and liberty for Rome and the Empire.

CONCLUSION

In this thesis I have examined and synthesised the findings of past scholarship on the discourse of autocratic rule in Tiberian literature and similar studies of autocratic discourse in the Republic, the reign of Augustus and later emperors, to identify the themes and developments that past research has identified as central to the development of autocratic discourse during the Principate. In my four case studies, I have tested the findings of this past research and provided further insight into the words, phrases and intellectual concepts used in Latin texts of the Tiberian Principate to characterise autocratic rule and individual autocrats. While past scholarship has explored the different themes that created this discourse, in my study I have illustrated how these themes combined to create a discourse of autocratic rule that was in many ways distinct from that which had existed in Rome prior to the Principate but was at the same time deeply rooted in this past discourse.

Writers of the Tiberian Principate did not abandon the discourse of the Republic or the models of autocracy that the Romans had adopted from Greek culture, but instead they adapted the existing discourse to suit the changing political and social realities of the Principate, developing it further to form new concepts of autocracy and resistance to autocratic rule. My research has revealed a discourse of positive autocratic rule that helped to promote the rule of the Princeps as standing between Rome and a return to civil war. This discourse had many related strands that worked to reinforce the idea that the rule of the Princeps was a positive development in Roman politics.

Firstly, the Princeps is characterised as a father figure or *pater patriae*. This status was established by the official granting of this title to Augustus but appears to have been attributed to his successor, even though Tiberius did not accept the title when it was offered to him. Both Valerius Maximus and Velleius Paterculus describe Tiberius in terms that position him as the father of Rome, suggesting that the view of the Princeps as *pater patriae* was already well established by this time, to the extent that this discourse was able to continue regardless of the official position of Tiberius.

The discourse of the Princeps as father was central to the idea that he is a protector or saviour of the Roman state who guards Rome and the Empire from the existential threat of civil war. It also allowed for a corresponding discourse that characterised the opponents of his rule, not as opponents of autocracy, but of stability for the Roman state. By placing the Princeps in the role of 'father' it was possible to accuse his opponents of being guilty of the crime of 'public parricide', which our sources suggest was even more heinous than familial parricide. This was because it was a crime against not only an individual but the Roman state, as it threatened to deprive the state of the peace and stability brought by the rule of the Princeps.

If the removal of the Princeps was seen as an act that will precipitate a return to civil war, then it was necessary for those in favour of his rule to present this figure in a way that expresses what separates him from other autocrats, especially the figure of the tyrant. This is communicated through discussion and praise of the virtues of the Princeps, those manifestations of his positive character and fitness to rule. This emphasis upon the character of the autocrat can be seen as part of a wider interest

in the subject of virtue and vice in Tiberian literature. Here we see the Princeps as an *exemplum* to his subjects of the virtues that are required to ensure the stability of Rome and the Empire. Virtue discourse can also be seen as an attempt to influence the behaviour of the Princeps, as the cultivation of these virtues will enable an autocrat to avoid the vices associated with tyranny. Later sources such as Tacitus and Suetonius chose this as the point at which to criticise the rule of Tiberius, perhaps picking up on the importance of virtue discourse during his reign.

The developments we see in the discourse of autocracy in Roman literature of the Principate of Tiberius were made possible by the already well-established complexity of Roman thought about autocracy. The Roman kings were not only tyrants like Tarquinius Superbus but also examples of positive leadership, who provided a precedent for autocracy at Rome. An emphasis upon the character of autocrats also connects to the idea that autocracy at Rome was always based upon the idea of merit. Even the Roman kings were for the most part chosen due to their ability to rule and the only exceptions to this (Servius Tullius and Tarquinius Superbus) eventually led to the abolition of the monarchy. This reflects positively on the rule of Tiberius who was not a blood relation of Augustus but who our sources (Velleius in particular) suggest was chosen to succeed the first Princeps due to his ability to rule.

In the sources I have analysed in this thesis we also see that the control and suppression of discourses around autocracy was a characteristic of the Tiberian Principate. Valerius Maximus presents a positive assessment of practice of book burning, something that appears to have been more prevalent in the reign of Tiberius than at any other time in the Julio-Claudian age. In contrast Seneca the Elder

disapproves of this practice, suggesting that there was some contemporary debate around the subject of how to deal with contentious literary material. I have also demonstrated that there is truth in Tacitus' portrayal of the Tiberian Principate as a time when the previous tolerance of dissenting views regarding the events of the late Republic turned to a more severe stance, especially in relation to the assassins of Julius Caesar. The discourse that became prevalent at this time characterised Brutus and Cassius in particular as parricides and suppressed other views of their actions. This became a template for how contemporary opponents of Julio-Claudian autocracy should be portrayed.

During the Principate of Tiberius, the discourse of tyrannicide is challenged by the discourse of parricide and ingratitude. Indeed, as I have shown, the motives of the tyrannicide were always a matter for debate, even before the Imperial age and so this was a further development in an existing trend that questioned the motives of those who oppose autocracy. The discourse of tyranny is also employed in literature of the Tiberian Principate, not to criticise the Princeps, but to denigrate those who appear to pose a threat to his reign. Now figures like Piso and Sejanus are portrayed as possessing the vices of the tyrant. The theme of guilt by association that we find in accounts of tyranny is also transferred to the associates of those who oppose Julio-Claudian autocracy.

My study has been restricted by my chosen texts and historical context, but it has also brought to light areas for further research into autocratic discourse in Imperial Rome. One potential avenue for further research would be to explore how different elements of the discourse I have discussed here evolve over the course of the Julio-

Claudian Principate. For example, in this thesis I have examined how the discourse of Imperial virtues was utilised during the reign of Tiberius and this model can also be applied to later emperors and may yield further insights into how ideals of leadership evolved during the Imperial era. The subject of opposition to Julio-Claudian rule is also an area where it would be illuminating to compare the discourse of the Tiberian Principate to the discourse that existed during the reigns of the later Julio-Claudian emperors, especially the reigns of Caligula and Nero, where one might expect to see a return to the earlier discourse of the ruler as tyrant, instead of father, and his opponents as tyrannicides or liberators, rather than parricides. Another area for future research is regarding the discourse of tyranny and tyrannicide in declamation. My research into the reception of this discourse in the *Controversiae* of Seneca the Elder could be enhanced by being expanded to include a wider range of earlier and later texts upon the study of rhetoric such as the *Rhetorica ad Herennium* and the work of Quintilian. The evidence for the persecution of declaimers during the reigns of Caligula and Domitian also suggest further scope to explore how declaimers dealt with the continued threat of imperial attention.

My findings are particularly relevant for the study of the reign of Tiberius' successor Gaius Caligula. The positive discourse that surrounded the Princeps helped to cement his authority as the protector of Rome and the Empire, it also promoted the Princeps as the model of the good autocrat and the antithesis of the embodiment of corrupt autocracy that was the tyrant. Caligula's behaviour during his reign did not live up to this ideal model of the Imperial Princeps and his characterisation as a tyrant after his death appears to be a significant factor in the continuation of the Principate under his successor Claudius. The antithesis between tyrant and

Princeps, the focus upon the character of the individual as the source of good or bad autocracy, perhaps helped to promote the idea that what was needed was a change of ruler and not a return to Republican government.

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