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THE EMPEROR AS "FATHER" IN THE IDEOLOGY OF THE ROMAN PRINCIPATE.

by

Thomas R. Stevenson.

A thesis submitted in fulfilment of the requirements for the degree of Doctor of Philosophy.

DEPARTMENT OF HISTORY UNIVERSITY OF SYDNEY

March 1989.
This thesis is dedicated to the memory of my own father.
I would like to thank my supervisor, Dr. P.M. Brennan, for his friendly guidance and patience, and for his unflagging encouragement during the time taken to complete this thesis. In addition, while visiting Oxford for a year in 1985-86 on a Worcester College Scholarship and a Frazer Travelling Scholarship from the University of Sydney, I was most fortunate to receive the benefit of supervision from Dr. B. Levick and Dr. A. Lintott. Their assistance on top of heavy commitments was deeply appreciated. On a more informal basis, Dr. S. Price, Dr. M. Griffin and Dr. O. Murray also gave of their time, offering valuable advice. This study would no doubt be much improved if I had been able to assimilate fully the knowledge which these people imparted to me. It should not be taken that they agree with all that is expressed herein. Misconceptions and errors are entirely my own.
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CHAPTER 1. THE SELFLESS BENEFACtor: RELIGIOUS ASPECTS.

This study arose out of a consideration of various conceptions of the Roman Emperor, which seemed to be the product of differing viewpoints within the Roman Empire and in the books of modern commentators. It was especially striking that the time and energy spent on learning the details and significance of the "settlements" of Augustus did not help greatly in understanding the "divine" Augustus represented in the inscriptions set up throughout the Empire, both during his reign and afterwards. Yet it seems that the "divine" and "Republican" images can in fact be reconciled with the same basic conception, a conception which is "fatherly". The adjective "paternal" is avoided at this point because of its primary connotation of "kindliness", which does not sufficiently cover the positive characteristics of the father emperor. In attempting to understand the Emperor as "father", the focus in particular is upon figures to whom the father analogy is applied explicitly, viz. figures called pater/parens. Yet a further intention is to relate these to "father"-figures in the more general sense of figures who possess certain characteristics of fathers of families but are not necessarily named as such in the given context.

The first three chapters of this thesis will be concerned with a general set of ideas relating to fathers in the ancient Graeco-Roman world. The fourth chapter will delineate the Greek background, and the remaining four chapters will examine the father emperor at Rome. More specifically, the first three
chapters are designed to set up the religious, socio-cultural, legal and philosophical background against which to understand better the application of the father analogy to the Roman Emperors. During the course of this discussion some attempt will be made to substantiate the proposition that the ideal Roman father had a streak of harshness, or a greater propensity to use force, than his counterpart in Greek thought. Hence, although we seem to be dealing with the same basic ideal in general terms, the ideal may be understood slightly differently in a "Roman" as against a "Greek" context. This streak of harshness tends to be lost in works of the developed Principate, but it seems incorrect to conceive of a "Roman" ideal being supplanted by a "Greek" one; it is more a case of specific "Roman" connotations to the same basic ideal receding in importance as the process of acculturation advances. In this chapter the primary focus will be upon procreative/tutelary figures, i.e. figures of power who were thought to have some influence over the basic elements for life and a tolerable, prolonged existence.

Alfoldi has already studied the "father" emperor (1). However, it is implicit in his work that the pater patriae is to be set against the legalistic/constititutional emperor, in

effect an exceptional Republican magistrate, who emerges from the works of Mommsen and a succession of English scholars (2). In other words, Alfoldi sees his "father" emperor as a superior conception of the Roman Emperor to that which is given by the other writers. He does not dwell upon the relationship between the two conceptions or consider that they may be compatible. This is an area in which the present study hopes to make some contribution.

Alfoldi’s penetrating study draws the conclusion that pater (or parens) patriae, as used in the late Republic, always has connotations of "saviour of the state", apart from the obvious elements of guardianship and authority; and this links the title not only with the world of the Hellenistic kings, who were often called "Saviour", but also with both the ideal Roman statesman, the conservator or rector rei publicae sought by Ciceronian political theory, and the actual achievement of Augustus commemorated by the oak-wreath bestowed on him in 27 BC for "saving the citizens" (3). During the course of his study, Alfoldi goes to lengths to establish a close association between the parens/pater and the soter/conservator. In fact, the father-emperor appears more commonly as a saviour-emperor in Alfoldi’s pages. A variety of epithets, such as soter, conservator, pater, conditor, ktistes, and so on, are aligned in Alfoldi’s work. By the late Republic these epithets were apparently used in evocation of a general construct which in


3: Augustus, Res Gestae 34.2; Cassius Dio 53.16.4.
large measure is implicit.

Alfoldi and Weinstock tend to be concerned with religious aspects, the new Romulus, the new Golden Age, the charismatic saviour, deification and so on. Christianizing assumptions permeate the works of both writers, especially in their belief that the central aim of prominent mortals was to be acknowledged as a god. The present study stresses efforts to structure power relationships according to moral bonds which subsist in the ideal sphere. The appeal of the ideal lies in the fact that it satisfies the interests of both benefactor and beneficiaries by negating self-interest as a factor. Power is understood in procreative/tutelary terms and individual pre-eminence is justified and accepted in line with the ideal scenario.

A basic scenario, not emphasized as fundamental by Alfoldi, underlies this ideal construct. It can be seen already in Homer and is attendant upon the initiation of a benefactor-beneficiary relationship. At a number of points, Odysseus addresses unknown potential benefactors as *xenie pater* (4). In a similar situation he asks a stranger, who proves to be Athena in disguise, to save him (5). Sentiments expressed to Nausicaa resemble those directed towards Athena (6). A slightly different usage, being the opinion of a commentator, comes when Odysseus himself, a king of

extraordinary justice, is called a father to his people (7). The scenario requires interpretation on two levels, the psychological and the social. The first takes the language at face value. A life and death situation is alluded to, whether or not the predicament is in fact so serious, and it can only be that the extreme allusion is to be identified with the ideal. The potential benefactor is afforded the opportunity of saving or giving life. On the second level, particularly where the service might reasonably be said to be somewhat less than the giving or preservation of life, the point is to stress that the resultant relationship is conceived as though life had been at issue. In other words, the language of honour is not here to be interpreted at face value: what is at issue is the reciprocal social relationship which this language calls into play. Odysseus is in effect saying: "there shall exist between us that relationship which exists between a father and a son" or "it shall be between us as if you gave me life". The relationship between Odysseus and his people is assimilated to that which exists between a father and his dependants. Moreover, and quite dramatically, the sense of forced or unwelcome submission to authority is in no way implied. There is an attitude of mind on display according to which the beneficiary shows no reticence in expressing his subservience within the framework of a filial or familial relationship. He freely acknowledges his inferior position, despite the authority which the benefactor would apparently then have over

him. This authority is couched in acceptable terms through the
father analogy.

If the situation was in fact an extreme one, such as
rescue from the point of a sword, the compulsion to honour your
rescuer as a "saviour" or "father" might readily be
comprehensible at face value. Yet the language is often
repeated in our sources where the situation is not extreme in
this fashion and where the justification is more indirect than
direct. The Roman Emperor, for instance, may be hailed as a
saviour after a successful military operation; but he may
equally be accorded the honour in simple recognition of his
beneficent nature (Chapters 6-8 below). It seems that an ideal
is alluded to in which the benefactor not only gives life, but
does so with no thought of personal gain so that any notional
authority is irrelevant to him (though the beneficiary for his
part is only too willing to acknowledge his moral obligation).
The ideal set of reciprocal moral obligations seems to be
characterized by selflessness; both parties are envisioned as
acting appropriately. There is no concern for exploitation or a
failure to repay since these are concerns of the selfish. A
hostile commentator might be moved immediately to characterize
the scenario as excessive flattery, something to be described
in terms of parasitic behaviour - the use of flattery to
achieve a benefit. It might be especially difficult for such a
commentator to contemplate the survival of this ideal in a
political context where self-interest is frequently assumed as
a matter of course. Nevertheless, the ideal seems to have been
very important in Roman Imperial ideology (8). We should not underestimate the degree of hypocrisy and self-deception practised in political circles.

On a broad conceptual level, it would seem that the ideal was the product of common hopes and aspirations relating to power-holders in the Graeco-Roman world, which form part of a general concern for proper conduct in the matter of reciprocal obligations. The ideal seems to have been especially poignant in an environment which emphasized theories of decline from a Golden Age or the image of a world beset by debilitating forces. A procreative/tutelary figure who acts from unselfish motives is postulated. In particular he is not motivated by thoughts of reciprocity, though beneficiaries will be only too willing to acknowledge their moral obligation to him. This ideal is applied to individual gods, but it is developed most fully around human benefactors and was perhaps engendered at first instance by the power of such mortals. Selflessness is not readily associated with maintenance of the pax deorum according to the do ut des formula, where correct observance of ritual form was of primary importance because the gods were conceived of as beings or powers who brought blessings and gave benefits if properly treated (9). Literary sources give a

8: For the definition of ideology as "political mythology", along with references to modern discussions, see J.R.Fears, "The Cult of Jupiter and Roman Imperial Ideology", ANRW II.17.1 (1981), p.7ff.

number of analogies which were used to characterize this ideal power-holder (e.g. good shepherd, pilot, saviour). Of these analogies, that of pater (or pares) seems to have been especially potent at Rome, where images of the paterfamilias exercising patria potestas and operating with his consilium captured the ambivalence between the autocratic reality of the Principate and behaviour designed to describe the Republican magistrate. Henceforward this ideal figure will be referred to as the selfless benefactor, though in doing so it is not implied that the titles evergetes or patronus should be taken as basic, or that other terms are merely amplifications of these titles without significance in their own right.

The conception of the selfless benefactor that is put forward here is something more fundamental than Alfoldi's saviour, who is the product of a Messianic fervour in late Republican society which was engendered by the troubled times and influenced by Greek and Oriental ideas and forms. Alfoldi unshakeably sees a belief in the coming of a new age as the central theme of propaganda of the end of the Republic. This new age would be ushered in by a saviour who would become the father emperor (10). It can be conceded that these factors played an important role in the characterization of the emperor as a father, but exceptional Messianic fervour is not of vital importance. There remains a considerable degree of background to be described. In particular, the element of selflessness and the articulation of power through procreative/tutelary figures.

is prominent in what follows. Furthermore, Alfoldi's saviour is described more as an outside imposition upon Roman society than as an indigenous invention. Yet there was much that was common to the Greek and Roman outlooks (11), although again it is important to distinguish between them and to give each its due. This study attempts to account for the great process of acculturation which is often characterized in terms of the gradual fusion of, and friction between, "Greek" and "Roman" elements. It is hoped that something of the dynamism of the process can be captured. Numerous differences in the interpretation of detail arise between this analysis and that of Alfoldi, and it emerges that theories of a new age, despite their prominence in the late Republic and reign of Augustus, must be set against a wider background of thought relating to ideal benefactors.

In the first few chapters of this study, the aim is to delineate as closely as possible the characteristics of the selfless benefactor. Fundamentally, we are dealing with a procreative/tutelary figure, a fact which is understandable firstly in terms of ancient Graeco-Roman religious thought and the articulation of power therein. In fact, it seems that we can envisage a general system for articulating power in the Graeco-Roman world, a system into which gods, rulers, human benefactors and fathers of families can be fitted as

11: M.P. Charlesworth (1935), p.8 (re. Greek benefactor cult as a prelude to Roman imperial cult) - "certain common fundamental elements which are constant throughout ancient civilization".
procreative/tutelary figures. In other words, the power of these figures can be framed with reference to ideas of conception, growth, regeneration, protection and so on. Furthermore, it must be stressed that such power carried moral implications because the forces of decay which produced decline or retarded growth were also forces of immorality that produced sexual licence, adultery, childlessness, and other behaviour detrimental to the existence and importance of the family. Augustus' moral legislation, concern for the birth rate, and so on, is consistent with what the society would have expected from the ideal benefactor. Such common expectations produce an impulse for these types of measures which need bear no particular relation to the sincerity of the proposer.

Interpretation of the system should be on the two levels expounded above in relation to the Odysseus passages, the psychological and the social. A cursory examination of private and public religion, benefactor and ruler cult, will serve to outline the system in operation.

One of the striking features of family ritual, such as that observed during the Lemuria (12), is the high level of insecurity which seems apparent. A concern for propitiation, protection, generation, sustenance, renewal, and so on, is prominent. This concern produced a focus upon procreative/tutelary figures. In Greece and at Rome, for instance, the hearth fire stood at the centre of household worship. It was seen as a beneficent deity, which maintained

12: Ovid, Fasti 5.419ff.
the life of man; a rich deity, which nourished him with gifts; a powerful deity, which protected his house and family (13). Furthermore, it was a pure, chaste fire. Men prayed to it not only for riches and health, but also for purity of heart, temperance, and wisdom. Thus, there was a moral element in worship of the hearth fire. Vesta as the virgin goddess was not a deity of fecundity or power. She was moral order (14).

In the continuing battle against malevolent forces, Vesta was honoured daily (15) and received support from the Penates, the Lares and the Genius. Hestia was supported similarly in the Greek household. However, whereas the Romans showed a preference for strictly specialized deities (e.g. Penates, Genius), the Greeks attributed the protection of special items to the great gods or to aspects of them (e.g. Zeus Ktesios) (16). The paterfamilias often took the leading role in cult


14: Fustel de Coulanges p.32.

15: Horace, Satires 2.6.66; Ovid, Fasti 2.631; Petronius 60.

ceremonies, acting as intermediary in the propitiation of harmful forces or in enlisting the special protection of particular deities or guardian spirits (17). He is recognized himself as a figure of procreative/tutelary significance for the family - his Genius, for instance, watches over the father's reproductive power, ensuring fertility and the continuity of the family nomen and gens from one generation to another (18). The Genius was worshipped on the birthday of the paterfamilias, which was his chief festival, and also when the paterfamilias was married (19). Members of the household swore by it (20). Likewise, worship of the Genius of an emperor is consistent with recognition of the emperor as a procreative/tutelary figure who can use the protection of a guardian spirit. Such worship need not be predicated upon the image of a father in particular, although this image certainly should not be discounted as an analogy. The recognition of procreative/tutelary power is fundamental, not the image of a father. L.R. Taylor (21) is inclined to give primary emphasis to the father image in discussing worship of the emperor's

17: For the role of the paterfamilias in family religion, see references in n.13 above.
19: CIL X.860; X.861; Tibullus 2.2.1; Censorinus 2.2.
20: Tibullus 4.5.9; Plaut. Curculio 628: me et genium; Aulularia 724.
Of course, family religion was not simply a matter of psychological insecurity. Fustel de Coulanges understood long ago that ancient family religion also had an important role to play in the maintenance and cohesion of the family and state units. The family was not simply a product of natural affection or the superior physical strength of the father. In fact, the father's authority owed much to the family religion which highlighted his procreative/tutelary power and made him the pivotal intermediary between the living and the dead. The members of the family were united by the religion of the sacred fire and their dead ancestors. This caused the family to form a single body, both in this life and in the next (22).

There was in particular a very powerful bond between the father and his son. The father's destiny after this life depended upon the care that the son took over the appropriate rites. It was the son's duty to make the libations and the sacrifices to the spirits of his father and ancestors. Worship of the dead in general hence came to be designated by the words patriazdein/parentage. To fail in this duty was to commit the grossest act of impiety possible, since the interruption of this worship caused the dead to fall from their happy state. This negligence was nothing less than the crime of parricide, multiplied as many times as there were ancestors in the family. Ancestors were good and beneficent to their own families. Thus a powerful bond was established among all the generations of

22: Fustel de Coulanges p.42.
the same family, which made it a body forever inseparable (23).

The concerns and consequences of public religion may be envisaged in terms similar to those of family religion. Analyses of the public religion of Rome usually begin with the "naturalistic" religion, viz. the gods, rituals, prayers and beliefs that seem to have been a part of the religious calendar of early Rome (24). This is the religion whereby man attempts to come to terms with the forces he sees in the world around him—Jupiter, god of the sky, thunder and rain, and supreme god of all; Mars the god of the settlement who promotes and protects the life of the land and those who live in it; Ceres the earth-mother deity who guaranteed the life of the seed-corn. It was the religion of the Parilia, the festival where shepherds and their flocks were purified at the start of the pastoral season, of the Robigalia, where sacrifices were offered to prevent rust, of the Consualia, where the seed-corn was stored underground for its safety, of the Ambarvalia, and the Saturnalia. It was above all the religion of the community whose life was consonant with the light of Vesta's fire which was ritually rekindled each year, and whose security seemed to depend very much on the purificatory rituals of the Salian priests who carried the ancilia around the streets of Rome in March.

Modern commentators have thought that such gods and

23: ibid, p.34ff.
rituals, so vital and relevant to the life and well-being of a fragile little agricultural community, were seen by Romans of the late Republic and early Empire as old-fashioned, even crude, and no longer capable of fulfilling the spiritual needs of more sophisticated people. Hence the proliferation of "foreign" deities in which these people could in fact believe. This view forms part of an overall picture, expressed thus by John North: "that there was in the State religion a core of genuine old Roman worship which can be distinguished from 'polluting' foreign influences; that religion in the late republican period was in deep decline or 'paralysis'; that a ready distinction can be found between elite and popular beliefs; and that religion in Rome was a separate, autonomous area of life, with its own history and exercising its own influence on social change (25)". Scholars now question each of these ideas. The point is forcefully made that it is wrong to judge ancient religion according to its emotional content and the extent to which it was "believed" on the psychological plane. To do so is inherently "Christianizing" (26). Ancient religion was a group experience rather than an individual one. It had more to do with behaviour than belief (27).

Much attention has been focused of late upon the idea that Roman religion was in a state of decline. It is now

increasingly accepted that notes of scepticism in Cicero and Varro have been amplified in importance. Alan Wardman argues that the normal healthy state of Graeco-Roman city-based paganism was one of constant renewal and innovation, combined with a related loss of older rituals, procedures, knowledge and even gods and goddesses (28). Such innovation, he argues, should be expected in an extremely complex religious system, not held together by strong doctrinal or even mythical interpretations of ritual action; and it should be seen as the means by which religious life could adjust itself to changing social conditions and ensure its continuity and relevance. The adoption of this viewpoint invalidates the approach which seeks to identify a "core" of good, honest, rural Italic religion, representing the true Roman tradition. Furthermore, we can no longer assume that change and "decline" are unequivocally the same thing. John North pictures religious change in the Roman world over a period of centuries in terms of the differentiation of religious groups - that is, the growth of autonomous, structured, inherently religious communities, bringing with them new needs to be fulfilled, new patterns of behaviour, new value-systems incompatible with the civic tradition (29).

Following Durkheim and Geertz, religion has come to be

looked upon as a social rather than a psychological phenomenon, and the evocative power of ritual and symbolism is stressed. Liebeschuetz (30), for example, argues that the procuration of prodigies had an important social function in the prevention of panic at times of stress within the community, when it was vitally important that the pax deorum should be seen publicly to be restored. This perception is then developed to suggest that an act of divination, for example before a battle, would result in public awareness that responsibility for a particular enterprise was shared between the commander and the gods. It was, therefore, a manifestation of that co-operation between men and the gods which was vital to Roman success.

Liebeschuetz, who believes that public religion and political life were related as a matter of course, not as a symptom of decline, does not accept the view that a sceptical elite manipulated augury and omens in the late Republic for the "deception of the credulous masses", pointing out that "the persons restrained by divine prohibitions were as a rule not the public in general, but members of the most sophisticated part of it, the nobility itself (31)". The degree of chicanery and scepticism has been exaggerated. Public business (at least before the first century BC) was not frequently interrupted on religious grounds and the very fact that such methods, when applied, continued to be effective to the end of the Republic.

is proof of the enduring strength of the traditional religion. Moreover, there is no reason to believe that the areas of scepticism in the writings of Varro and Cicero (themselves over-estimated) were mirrored outside a very small circle of the Hellenized elite. The point is that "the political exploitation of divination was not a symptom of decay (32)". Mary Beard carries the attack further: "...it was only a very narrow Christianizing approach that ever allowed scholars to deduce 'decline' from the involvement of religion in politics (33)". Religion and politics can both be seen as "ways of systematically constructing power (34)". The gap between the religious and political spheres in modern western society is, from the historical viewpoint, exceptional rather than normal. In fact, religion has a place in virtually all spheres of human activity in primitive societies. Thus the problem of the "pollution" of Roman religion with politics was one largely of our own making. It is clear from a consideration of the social dimension that the old notion of the "decay" of Roman paganism, which is paralleled in scholarly work on Greek religion, is seriously flawed.

Furthermore, the notion of decay in Greek and Roman religion is no explanation for cult honours paid to mortals. There is a strong relationship between the honouring of benefactors in the Greek world and the Hellenistic ruler and Roman imperial cults. In particular, the central figures all

32: ibid, p.29.
33: M.Beard (1981), pp.204-5.
seem to have been envisaged in the same basic terms, i.e. as procreative/tutelary figures of singular virtue - along the lines of our selfless benefactor ideal. The wording of honorific inscriptions supports this conclusion.

In classical Athens, a number of foreign benefactors were honoured as "proxenos and benefactor" and as being "a good man" (35). During the 4th Century BC, the "excellence (arete) and goodwill towards the people" of a number of benefactors is mentioned (36). Others are spoken of as being "friendly and well-disposed" and as "striving for the salvation" of the beneficiaries (37). In fact, it almost seems that there was a general blueprint for these honorific inscriptions in the Greek world. The man's name is mentioned, his outstanding character, his benefaction which preserves or saves those concerned, and then a statement about how the benefactor will be repaid with gratitude befitting the size of his service (38). The elements

35: e.g. IG II (2).8 [IG I (3).227] = R. Meiggs and D. Lewis, Greek Historical Inscriptions, no. 70, 201-3; IG I (2).118

36: e.g. IG II (2).212+ = M. Tod, Greek Historical Inscriptions, 167, pp. 193-8; IG II (2).351+, p. 624 = Tod 198, pp. 270-281; IG II (2).448; IG II (2).467. English translation: P. Harding (ed.), From the end of the Peloponnesian War to the battle of Ipsus: Translated Documents, Cambridge etc.: Cambridge U.P., 1985, nos. 92, 116, 123A and B.


38: ibid, e.g. nos. 123A, 127, 139 [= IG II (2).448; Syll. (3).312; IG II (2).505].
of this "blueprint" are discernible also in the Hellenistic period. Inscriptions of this period, on the other hand, tend to be more fulsome in their praise, enumerating a number of virtues which explain the man's arete and make him agathos (39). Furthermore, with the new and growing dependence on wealthy benefactors in the Hellenistic age, there is a new emphasis on the unselfishness of the benefactor. In contrast to the picture of heavy obligations imposed on richer citizens in the democratic polis, Veyne has noticed the apparently voluntary benefactions of notables in the Hellenistic age, viewed in public documents as spontaneous expressions of their beneficence and condescension (40). Though there were elements of spontaneous munificence and display earlier, and elements of compulsion and constraint which remained, prominent benefactors could now be accommodated within the polis framework in terms of the selfless ideal. This signals a new willingness to countenance an individual's primacy - but as he too was a Greek from a polis environment there had to be a muting of that primacy in accord with sensibilities arising from the polis tradition. Especially striking in this context are those inscriptions which talk of benefactors subsidizing grain prices

39: M.M.Austin (ed.), The Hellenistic world from Alexander to the Roman conquest. A selection of ancient sources in translation, Cambridge etc.: Cambridge U.P., 1981, e.g. nos. 26, 32, 34, 97, 98, 102, 110, etc. = Syll. (3). 317 / IG II (2). 448; 0815 6; Plut. Dem. 8-10; Syll. (3). 495; Moretti II. 131 / cf. SEG xxiv. 1095; Moretti II. 130; IG xii. 5. 1291; cf. S. M. Burstein (ed.), The Hellenistic Age from the battle of Ipsos to the death of Cleopatra VII. Translated Documents, Cambridge etc.: Cambridge U.P., 1985, "benefactors" s.v.

or remedying shortages of corn with no thought of private gain (41).

Of course, for our purposes the major development of the Hellenistic age was the institution of ruler cult. There has been a tendency to see a whole line of hubristic egomaniacs striving to assert their godhead, and flatterers ready to accommodate them, but it seems preferable to envisage a system with a common ideal against which all were measured. Our ideas on Graeco-Roman cult practice have been heavily influenced by Christianizing assumptions about the omnipotence and unapproachability of God. Hence we have assumed that benefactors and rulers longed ultimately to be called gods. Alfoldi appears to make this assumption when giving inordinate prominence to Cicero’s statement that Lentulus Spinther was parens ac deus nostrae vitae (42). In the ancient world, however, it seems that men could receive honours due to gods if their services and power were envisaged in like terms. Even the appellation theos need not necessarily entail an expression of living or incipient divinity, though it would be unwise to deny that this inference was sometimes made in flattery or as a basis for criticism (43). We need to think that such a term could be applied as a predicature of a certain type of power of a ruler or emperor (44). A number of inscriptions analysed by

41: M.M.Austin (1981), e.g.nos.97, 110, 112, 114, 115.
43: S.Price, Rituals (1984), p.29 n.23, p.222 n.71 for strong initial reservations about the offering of divine cult to mortals.
Simon Price help to illustrate the recognition of procreative/tutelary power in Hellenistic ruler and Roman imperial cult (45).

The first was set up by Teos in honour of Antiochus III and his wife Laodice after the city had received from Antiochus the privileges of being sacred, inviolable and free from tribute (46). Among other honours, cult statues of the king and queen were dedicated beside the cult statue of Dionysos, the chief god of the city, in his temple. The explanation ran as follows:

"so that having made the city and its territory sacred and inviolable and having freed us from tribute and having conferred these favours on the people and the association of artists of Dionysos, they should receive honours from everyone to the greatest possible extent and, by sharing in the temple and other matters with Dionysos, should become the common saviours of our city and should give us benefits in common".

A striking provision is that an offering of the first fruits of the trees was to be made each year to the cult statue of the king and that the priest of the king was to ensure that the statue be crowned with the produce of the seasons. There are parallels for such a provision, but Price prefers to explain this instance via the association of the king and queen with Dionysos, rather than by giving any credence to the Frazerian notion of the association of the king with crop

46: ibid, pp.30-1.
fertility (47). The reason given by the text, that the benefactions of Antiochus had included the bringing of peace and the lightening of taxes on the land, which resulted in more profitable agricultural production, seems quite consistent with a view of the king as a procreative/tutelary figure.

The second inscription (48) was set up following the decision by the assembly of the province of Asia in about 29 BC to offer a crown "for the person who devised the greatest honours for the god" [sc. Augustus]. When the crown was finally awarded in 9 BC the assembly explained the reasons for its desire to honour Augustus:

"Whereas the providence which divinely ordered our lives created with zeal and munificence the most perfect good for our lives by producing Augustus and filling him with virtue for the benefaction of mankind, sending us and those after us a saviour who put an end to war and established all things; and whereas Caesar [sc. Augustus] when he appeared exceeded the hopes of all who had anticipated good tidings, not only by surpassing the benefactors born before him, but not even leaving those to come any hope of surpassing him; and whereas the birthday of the god marked for the world the beginning of good tidings through his coming...[sc. we have decided to honour him]."

The assembly were reacting to the proposal of the Roman

47: ibid, p.31. For the parallels, see OGIS 56, 68; Plutarch, Gaius Gracchus 18.2.
governor Paullus Fabius Maximus that the new year begin on Augustus' birthday. The governor himself expressed similar sentiments about the crucial importance of the Emperor's birth (49):

"[It is hard to tell] whether the birthday of the most divine Caesar is a matter of greater pleasure or benefit. We could justly hold it to be equivalent to the beginning of all things, and he has restored at least to serviceability, if not to its natural state, every form that had become imperfect and fallen into misfortune; and he has given a different aspect to the whole world, which blithely would have embraced its own destruction if Caesar had not been born for the common benefit of all. Therefore people would be right to consider this to have been the beginning of the breath of life for them, which has set a limit to regrets for having been born. And since no one could receive more auspicious beginnings for the common and individual good from any other day than this day which has been fortunate for all...; and since it is difficult to render thanks in due measure for his great benefactions unless in each case we should devise some new method of repayment, but people would celebrate with greater pleasure his birthday as a day common to all if some special pleasure has come to them through his rule; therefore it seems proper to me that the birthday of the most divine Caesar shall serve as the same New Year's Day for all citizens..."

As Price shows (50), such effusive expressions of gratitude and enthusiasm for imperial benefactions are characteristic of the time of Augustus. The Hellenistic royal cults were tied to specific royal interventions in the affairs of the cities; the assembly of Asia, on the other hand, were reacting to the mere existence of Augustus along with the general peace and well-being which attended the longed-for end of the civil wars. The circumstances of his remoteness and the dramatic nature of his benefactions account for the fulsome praise and elaboration in the Augustan decree. Yet the terms of honour for both the Hellenistic kings and Augustus remained constant: in the ideology of the cult they are procreative/tutelary figures of singular virtue whose power is responsible for the regeneration, sustenance, protection etc. of the beneficiaries.

One further inscription from the time of Antoninus Pius is illustrative of the same network of ideas (51). When the Ephesians decided to mark the beginning of Antoninus' reign, they issued a decree which is considerably less elaborate than those of the Augustan period but in which the Emperor is still a saviour. The decree says simply:

"Since in accordance with the joint prayers of the whole world the most divine and most pious emperor Titus Aelius Antoninus by taking over the kingdom given him by his divine father preserves the whole human race and since he has

50: *ibid*, p.55.
51: *ibid*, p.57. OGIS 493 = Forsch.in Eph.II.19 = I.Ephesos Ia.21.
particularly promoted the standing of our city, being responsible for many great benefits for us when he was governor of Asia...[sc.it has been decided to celebrate his birthday].

Price draws a number of conclusions which are of importance here. It should firstly be understood that he sees religion as a symbolic language which uses a complex system of ritual to describe the social structure of a society, as well as its relations with other societies and the supernatural world. Hence we are urged to see the cults as reactions to a new type of power which was to be accommodated within the city framework despite being external to it (52). This view has much to recommend it. It will be difficult henceforward to view imperial cult as a system of empty political honours devoid of any religious meaning. On the other hand, he notes that honours for kings and emperors were modelled on those for the gods and, in consequence, states emphatically at one point that "Kings are gods not heroes (53)". In fact he believes that the ritual of imperial cult located the emperor "at the focal point between human and divine (54)", and shows clearly that sacrifices in imperial cult were generally conducted on behalf of rather than to the emperor (55). Given his primary concentration on divine ritual, Price opposes the view which characterizes gods, rulers and benefactors alike as benefactors.

52: *ibid*, pp.29-30, 52.
53: *ibid*, p.32.
54: *ibid*, p.233.
in essence who were (or at least could be) subject to conceptual distinction in the minds of men (56). This is part of a general tendency to dismiss altogether interpretations of ancient religion on the psychological plane as "Christianizing". It is admitted that the cults "were formulated by the Greeks as the giving of thanks to benefactors (57)", but "to paraphrase the terms employed is to be seduced by the ideology of the cult (58)". This is a flagrant rejection of the psychological level of interpretation. Yet the existence of cults of individual Greeks in the Hellenistic period is not easily reconciled with a view of the cults as solutions to a problem of otherwise unmanageable power (59). Cults to kings may be explicable in these terms, but C.E.Nixon is justified in questioning the model when applied to cults of prominent citizens who perform services for their city in troubled times (60). This does look like a cult of benefactors, even conceding Price's point that one must go beyond the formulation of the actors themselves. Nock's distinction between "homage" and "worship", which allowed that scholar to equate the honours for gods and rulers while maintaining the unapproachable distance between them, is opposed too (61). It is perfectly true that

58: ibid, p.52.
59: ibid, p.47ff.
the ancients knew no comparable distinction, and the assumptions behind Nock's reasoning are covertly Christianizing, but this is not to say that the underlying idea of a conceptual distinction between gods and human recipients of cult is completely without merit, even though it seems that the unbridgeable gap which exists between man and God in Christian thought was not so apparent in the Graeco-Roman world. Liebeschuetz continues to see ruler cult in terms of a language of submission and loyalty (62). It was modelled on religion because religious ritual is designed to make the same kind of demonstration to a comparable class of remote and powerful beings, namely the gods. He points to the significant psychological difference which seems to have existed between worship of the gods and of the emperors (63). The emperors unambiguously asserted their humanity in a manner which implies a figurative interpretation of the cult, viz. that the honours were not divine but equal to divine. In addition, Greek writers fully understood the difference between deus and divus, and laid primary stress upon virtue (64). King Agesilaus invited envoys from Thasos to make themselves into gods first, before making him into one (65). Price has powerful replies for those who find only a limited place for ex_votos and prayers in

imperial cult (66), but even in the presence of these it appears possible to make a conceptual distinction between divine and human recipients of cult. The crux of the problem is the demeaning of the psychological level of interpretation in favour of the social. Should they not go together instead?

The conclusion remains that mortal benefactors, including rulers, were honoured according to a fundamental system which came to embody the selfless benefactor ideal. In an environment which envisages significant negative forces, power is articulated through procreative/tutelary figures who are subject to conceptual distinctions, as between "man" and "god". The *pater patriae* is such a figure for the Romans; he is the Roman version, or a version for consumption at Rome, of the type of procreative/tutelary figure envisaged by the above inscriptions. An Augustan inscription from Halicarnassos, which echoes the tone and sentiments of the decree passed by the assembly of the province of Asia, appears to illustrate this point:

"...since the eternal and immortal nature of everything has bestowed upon mankind the greatest good with extraordinary benefactions by bringing Caesar Augustus in our blessed time the father of his own country, divine Rome, and ancestral Zeus, saviour of the common race of men, whose providence has not only fulfilled but actually exceeded the prayers of all. For land and sea are at peace and the cities flourish with good order, concord and prosperity - it is the prime crop of all

good, as mankind, filled with high hopes for the future and high spirits for the present, with festivals, dedications, sacrifices and hymns...(67)'.

It will be noticed that Augustus has been called pater _tes _ heautou patridos, which Braund has rendered "father of his own country". The implication appears to be that the title pater _tes _ patridos connotes for the Romans the type of procreative/tutelary figure envisaged by the Greeks. It is seen as a title distinctive for the Romans. Notable also is the identification of the patria with Thea Roma, and of Augustus with Zeus Patroios (68). We might be tempted to think that this implies that the Emperor was an incarnation of the deity in question, but incarnation is a concept which only becomes important with the birth of Christ (69). It needs to be understood that the collocation of two names establishes a relationship between two separate beings (70). "Zeus" is of course the familiar name for an individual anthropomorphic deity, but it can also operate as a predicate referring to a certain type of divine power. In the light of Vernant's view that we need to think of the Greek gods as powers not persons,

68: These identifications are not quite captured by Braund's translation but are clear from the text in Ehrenberg-Jones (98a): patera men tes heautou patridos theas Romes, Dia de patroion kai sotera tou koinou ton anthropogenous. For Augustus as Zeus Patroios, see W.H.Buckler, "Auguste, Zeus Patroos", Rev.Phil.9 (3) (1933), pp.177-188; J.M.Reynolds, "The Origins and Beginning of Imperial Cult at Aphrodisias", FCPhs 206 (n.s.26) (1980), pp.70-84.
it becomes possible to understand the addition of "Zeus Patroios" to the emperor's name as the predication of divine power of him (71). This reasoning equally explains the link between the patria and Thea Roma, and the decline of Thea Roma under the Empire. Henceforward, as the Greeks looked toward Rome, they would have most readily perceived the Emperor rather than the patria as the fundamental power of the Roman state.

On the psychological plane, the system manifests an overwhelming concern for life and well-being. However, as many scholars have come to realise, the system is also to be interpreted with regard to its social ramifications. This was precisely what we saw in our examination of the passages relating to Odysseus above. A brief consideration of the psychological level of understanding will serve as the conclusion to this chapter; social and political implications will be dealt with more fully in Chapter 2.

In what follows, an attempt will be made to put the procreative/tutelary figures into some sort of perspective, primarily on the psychological plane. The trend in recent scholarship, as has been shown, is to emphasize social ramifications but a total exclusion of psychology and emotion seems unwarranted.

Numerous representations of ancient gods and goddesses show them with attributes suggesting fecundity—for example

the cornucopia. This is to be understood firstly in the context of a world whose economy was always based on agriculture, and in which the failure of crops was a catastrophe of extreme proportions. Life itself was a wondrous quantity, and appreciably more fragile in the absence of modern medicine than it is today. In addition, much empirical scientific data that was unavailable to the ancients now allows us to make different sense of what we would see as natural phenomena, such as weather conditions, the rotation of the seasons, and earthquakes. A substantial body of scholarship has attempted to understand the religious and philosophical environment of classical antiquity. Some commentators have thought that progress as a concept and a reality in the Graeco-Roman world was severely (even completely) restrained by the unscientific feeling that something supernatural lay behind natural phenomena. Hence it was not up to man to interfere. There is no incentive to study natural science if it is accepted that there is a meaning built into things from the start. In this light, man can scarcely create new things which are better. J.B.Bury and others stressed that the ancients envisaged a utopia in the past rather than in the future, in the Age of Gold when in Seneca’s view people lived in harmony with themselves and each other, when they had all things in common and the best members of society as their leaders - not as leaders who exercised power, but leaders who served the people. The idea of man’s continual decay was frequently propounded by classical writers
(72), a fact which has induced one modern commentator to claim that the Greeks and Romans "had no conception of progress,...they did not even entertain the idea (73)".

In this view, extreme as it is, the propitiatory nature of ancient worship is interpreted in the light of paranoid worshippers engaged upon a holding operation. Malevolent forces are taken for granted, and it is not a question of doing away with them but of keeping them at bay. The gods controlled the physical environment. Decline was a factor of overriding importance, taken for granted on the evidence of natural phenomena such as plant cycles and the process of human and animal aging. Fertility, productivity, procreation etc., needed continual augmentation, renewal, promotion, and protection. The continual emphasis upon life, well-being, safety, health etc., is understood against this emotional background of paranoia. It is essentially a primitivist picture.

More recent work has shown the flaws in this extreme view

There was, in the historical period, a limited concept of "progress" in the form of theories about man's physical, cultural and intellectual development from a lower state. These were balanced by the idea that man had fallen from a higher divine state, the view which tends to accord with the notion of overwhelming decline. In some cases, elements of both views are combined.

Sue Blundell finds it impossible to say whether theories of decline predominated over those of progress, or vice versa. The important thing is to recognise the coexistence of both, rather than to draw a line between "rational" and "irrational" views and infer the developing importance of the former. In combination they described a world in which mankind occupied an intermediate status between animals and the gods. Blundell sees no contradiction. Man's intermediate and ambiguous position in the universe is the fundamental point to be grasped. It is a question of perspective: "...when human beings were looking at themselves as members of a particular political or social group, and were asserting their claims over possible rivals, then they were more inclined to be conscious of human

capacities and achievements and hence to adopt the optimistic perspective which emphasized their rise from an animal status; whereas when they were assessing themselves as members of a species, they were more disposed to be pessimistic, and to ponder on their fall from divine grace (75)"). Recognition of this intermediate and somewhat uncertain status allows for a superior understanding of the cyclical theories of human and cultural development too. After all, cyclical theories are not really very conclusive. Critics may take them to mean whatever they desire: some stress the circular pattern, believing that the ancients laid emphasis upon flux, inconstancy, and motion; others emphasize the end of cyclic periods, deducing that the ancients holding such a doctrine endorsed pessimism, destruction, and decay; and still others turn their attention to the beginning of individual cyclic periods, arguing that the ancients embracing such a belief advocated re-creation, renascence, and growth (76). Interestingly, Blundell finds that the theory of cosmic and cultural cycles is not as common in Greek and Roman thought as is often suggested (77).

The resultant picture from all these theories is an equivocal one in which there is room for some optimism but in which negative forces are to be accounted for. It is a viewpoint which allows for a plethora of tutelary spirits in an environment that was not wholly on the defensive against

besieging hostile forces. It allows for fluctuating optimism and pessimism in the minds of individuals, and does not deny a certain level of emotion behind the worship of procreative/tutelary figures. In times of great danger and uncertainty (such as during the first century BC) it is especially hard to accept the devaluation of emotion. Furthermore, there is some room for man to "interfere" in his own destiny. He is not simply an instrument of the gods. The Romans acknowledged supernatural backing throughout their history (78), but they also claimed credit for their own hard work.

The constant concern for life and well-being which is evident in ancient worship is at least partially understandable against this background. It was not a case of extreme emotional paranoia, but of recognizing negative forces which were still considerable. Most recent work on Graeco-Roman religion describes it as a rather alien phenomenon. The charge of "Christianizing" has been forcefully levelled, with justification, against those who seek to measure ancient religion exclusively in terms of personal belief and emotional content. Some have asked whether this trend has gone too far (79). It has to be conceded that rituals and appropriate forms are of major importance in ancient worship. However, Ogilvie's

description of domestic worship as "naive" perhaps conveys an impression of some simple faith (80); and Theophrastus' story of the fussy pietist apparently makes an implicit judgment on the mental state of the central character. This absurd little man overdoes all the things his ordinary decent neighbours do. They take some account of omens; he takes counter-measures every time he hears an owl hoot. They show respect to holy objects; he goes down on his knees whenever he comes to a stone at a cross-roads whose oily surface shows that it has some sacral significance. They know that gods sometimes appear in the guise of, or are attended by, sacred snakes; if he sees one of the snakes called hiecoi, he is sure it is a ghost, and builds it a hero shrine; if it is the sort known as pareia, he at once identifies it with the god Sabazios himself (81). The fussy pietist is a man who exceeds the norm. His extraordinary insecurity leads him to treat a variety of situations as if they were critical - and he sees religious service as the way to ensure his own well-being and that of his family. To overlook completely the emotional content in ancient worship is perhaps to overlook the fundamental importance of life and well-being, along with considerations of context and perspective. An otherwise "rational" man might well have second thoughts about the supernatural when alone in the wilderness.

Consider yourself in the setting which Nilsson draws:

"Untamed nature may be lovely and beneficent, but, on the

other hand, it may be terrible and frightful. The desert wilderness, the rugged mountains, the deep ravines, the precipitous torrents, and the thick forests inspire awe in man. Among them he feels himself subject to unknown and dangerous powers (82)."

This is not an attempt to say that the honouring of benefactors as "saviours" or "fathers" should be understood primarily in psychological or emotional terms. Far from it. Yet it can be seen that an examination of the psychological plane does add considerably to our understanding. On the other hand, as scholars are increasingly concerned to point out, the honouring of a benefactor as a procreative/tutelary figure must also be understood in terms of the social and political implications which ensue from the model for structuring power provided by the religious/philosophical environment. These implications are centred upon considerations of loyalty and obligation, and they will be addressed more fully in the following chapters. The relationship between the psychological dimension on the one hand and the social and political dimensions on the other is often uneasy; friction manifests itself in charges of flattery and adulation.

CHAPTER 2. THE SELFLESS BENEFACtor: SOCIAL AND POLITICAL ASPECTS.

The coniuratio Italiae (RG.25.2) struck me as a school student. Augustus emphasizes that the oath was taken by tota Italia of its own free will (Iuravit in mea verba tota Italia sponte sua...), but it seemed that only subjection could ensue for the Italians. Could it be believed that they were prepared to countenance this of their own free will? In those days, therefore, the oath was purely a matter of hypocrisy, coercion, self-interest and politics (and it still is, to a considerable degree). Now, however, Augustus' presentation of the Italian oath seems quite consistent with the selfless benefactor ideal as envisaged in this study, or at least there appears to be scope for understanding it in terms of this ideal. Subjection is not contemplated in the ideal situation, although in spite of the selfless benefactor duties and obligations are involved because of the response of the ideal beneficiary. The scenario is a congenial one for both benefactor and beneficiaries: mutual love and respect in an atmosphere marked by the absence of either exploitation or ingratitude. A moral bond is forged between the two parties; it is not imposed from above. As such, the ideal adds a further dimension to our understanding of social and political relationships between power-holders and their dependants, and it would seem to be a worthwhile construct to keep in mind when considering the relationship between a Roman emperor and his subjects.
In the first chapter the primary concern was with procreative/tutelary power and with religious thought which produced the focus upon it. Benefactors of various types, including parents, seem to have been envisaged in terms of such power. The aim now is to substantiate my belief that there was a moral bond attendant upon this power which has significant social and political implications for relationships between benefactors and dependants. The ideal power-holder was not motivated by thoughts of recompense in spite of the prevailing environment in which reciprocity was the norm. He used his power in a kindly, selfless manner; beneficiaries, for their part, responded willingly with unreserved commitment. The moral bond is often described in works about parents and children. The ideal selfless benefactor, who appears largely as an implicit construct in the honouring of benefactors, is made explicit in philosophical works on duties and obligations, along with the figure of the ideal dependant. Seneca's *De Beneficiis* is particularly informative.

Scholars still see the viewpoint of Fustel de Coulanges as fundamental for understanding family solidarity (1). The religion which emphasized ancestors and descendants, family tombs, and rites for fertility and well-being served to unite the family through time. On the other hand, it was supplemented by the notions of reciprocal obligation and natural affection. There was a moral dimension to the parent-child relationship.

In the first part of this chapter a range of Greek and Roman thought relating to parents and children will be examined with a view to understanding the distinctive nature of the familial bond. Certain features recur frequently as being characteristic of parents, in particular fathers, in the Graeco-Roman world. These features appear in a variety of sources, including dramatic, rhetorical, and historical works, as well as sepulchral inscriptions and honorific language.

The sweep is very broad but fathers emerge as procreative/tutelary figures who exercise their power in a gentle manner born of selflessness. It is fundamental to my analysis that this broad characterization applies equally to the ideal benefactor, the abstract outcome of common hopes and aspirations relating to power-holders. For this reason, it is argued that the father analogy is frequently applied to a power-holder such as the Roman emperor, not just in mere recognition of his power, but with reference to personal qualities perceived (on a subjective judgment) in the way he uses his power.

In the second part of this chapter it is argued further that the father analogy is not the product of a simple extension of the idea of the state as a family - with the leader being a father - though this is not to deny subsequent reciprocal stimuli between the images. The image of the state as a family often implies an equality between citizens or at least their common membership of a single political entity, perhaps based on citizenship. It is an image appropriate to a
context which emphasizes the primacy of the state rather than of an individual political leader.

Parents and Children.

A number of points about the ideal benefactor and the ideal dependant, as gleaned from the Odysseus passages examined in Chapter 1, require attention. Initially, it seems that the selfless ideal implicitly denotes some sensitivity over the subversive influence of selfish attitudes and behaviour upon a relationship which entails rights and obligations. From the viewpoint of the ideal benefactor, recompense seems not to be required. Duties and obligations are not at issue for him. Some might think that the ideal benefaction - life - could not possibly be repaid, despite the willingness of the beneficiary to make recompense. It might also be thought that the ideal benefactor, in the sense of a figure totally devoid of self-interest, would neither expect nor accept repayment.

On the other hand, the ideal beneficiary seems to think exclusively in terms of duties and obligations. His response involves a willingness to acknowledge complete subordination, perhaps with an oath or some ritual act. The ideal beneficiary does not accept that the ideal benefactor is beyond recompense. Instead, the latter is owed total loyalty and goodwill, and has the right to expect wholehearted support in thought and deed. Evocation of the ideal situation in practice, therefore,
involves an inherent ambiguity, but it is one which entails congenial ideas for both parties to the relationship. As Seneca comments: "When you have considered the sort of person a father ought to be, you will find that there remains the not less great task of discovering the sort that a son should be (Ben.2.18.1)".

The range of evidence discussed below deals more with "good" rather than "ideal" parents and children in the above sense. The "good" parent-child relationship is not envisaged in extreme terms. Repayment was important and there was a limit to the selflessness of even the good parent. Correspondingly, even good sons could show that they were somewhat less than totally willing to make unrestrained recompense. The resultant picture represents a modification of the ideal in line with the reality of reciprocity and self-interest.

The philosophers identified two factors which motivated parental love, namely nature and expectation of recompense (2). There was a certain tension between these two factors, and it is noticeable that (with respect to parents at least) the expectation of recompense was not of itself incompatible with the picture of the good parent. The theme of the naturalness of parental love is commonly found in literature, often implicitly in drama, and explicitly in philosophical writers, such as

Plato and Aristotle (3). Even before Plato, Democritus had voiced ideas that were to recur frequently in philosophical works from the fifth century BC on: all animals, including man, have a natural or instinctive love for offspring, evidenced in their great care for them and willingness to die for them; but man alone, with his advance to civilization, now is motivated by the expectation of an advantage (4).

Plutarch, in his essay *On Affection for Offspring*, argues, as Democritus had done, that man shares with the rest of the animal kingdom a natural love for his offspring, and that if ever man is prompted by some motive other than nature (such as profit or advantage), he parts company with the rest of the animals. Yet Plutarch is sure that parents in his day do not procreate, love and rear children with the expectation of return. After all, children are troublesome to rear and slow to mature, and fathers often die before sons reach maturity (5). In addition, "it is ridiculous if anyone thinks that the rich sacrifice and rejoice when sons are born to them because they will have someone to support them and bury them (497A)", since it is the childless rich men who gain more attention from


5: Plutarch, *De Amore Prolis* 496F-497A; transl. Wm. Helmbold (Loeb).
strangers (6) than fathers do from sons, "for sons feel no
gratitude, nor, for the sake of inheriting, do they pay court
or show favour, knowing that they receive the inheritance as
their due (497B)". Plutarch continues with an attack on Epicurus for his view
that it is for pay that a father loves his son, a mother her
child, children their parents (495A). He cites a line of comedy
which, he says, was applauded in the theatre: "What man will
love his fellow man for pay? (495A)". Plutarch, and apparently
the general public also, strongly believes that parental
affection is demeaned when motivated by expectation of
financial or other return. On the other hand, it seems to be
his view that the expectation of such return is not unnatural
in itself because, in his essay On Brotherly Love, he
subscribes to the concept of creditor-debtor relationship in
parent-child love and points out that men consider it unholy to
transgress this relationship (479F-480A).

For Plutarch, therefore, it is natural or instinctive for
man to share with the animals a disinterested or unselfish
affection and concern for his young; it is also natural for man
to expect and receive a return as "wages of rearing"; what is
not natural evidently is for man to let this expectation of
return act as the primary motivation for loving and caring for
his offspring. As Lambert concludes, the distinction is subtle
and perhaps impossible (7), and it lies at the heart of much

6: This is a common theme in Roman satire, e.g. Horace,
Satires 2.5.27ff, 45ff; Juvenal 6.40, 12.98ff.
that is to follow in this study. It seems that the ancients found it very difficult to think of a relationship which did not entail obligation for the parties involved. The parent's love for a child should be disinterested and unselfish (even though the parent can expect to receive honour and support from the child). As Plutarch says in another work, if the child suffers an untimely death, the parent should not experience a selfish grief in contemplation of lost services (8).

On the other hand, parents do seem to have expected recompense, especially in old age, for bringing up children, and found in this nothing unnatural or incompatible with natural love. They were thinking in terms of an old age security plan and this was at times openly declared to be a motivation for marrying and rearing children, not merely a post hoc bonus.

In a string of philosophical and rhetorical works, the principle of reciprocal obligations underlies the relationship between parents and their children. Children owed their parents respect, obedience, and care in old age in return for their existence and nurture. This duty was enshrined in ancient education, social practice and legislation. From as early as Homer there was expressed in ancient literature the commonplace that an important reason for having children was the help they could render their parents. This idea supported Aristotle's point that one of the bases of "friendship", a broad concept that includes parental love, was utility (9). Parental love and

8: Consolation ad Apollonium 111E.
care given to children implied an obligation to love parents in turn and render them aid, not least in their old age. Such reciprocity, seemingly "natural" and entrenched in social belief and practice, persisted throughout antiquity.

Plato presents a definitive statement of this ethic and gives a divine sanction to it. He argues that children must feel obligation for the loans of care and pain spent on them by those who suffered on their behalf. There is a remarkable lack of any mention of love in this analysis. It reads painfully like a balance sheet. Children repay their parents with reverent speech, constant obedience, readiness to pardon even in the face of the father's temper tantrums, and care in old age or infirmity (10). The father can curse or bless his descendants as he sees fit according to the treatment he receives from his children, and he can rest assured that the gods will fulfill his wishes (witness Oedipus' curse on his sons). Services of requital to parents also continue after death: sons should offer modest funeral rites to the dead and yearly attentions (11). A reward of lifelong happiness follows faithful repayment of the divinely sanctioned filial obligation (12).

Xenophon in the Memorabilia (2.2.1-13) illustrates and dramatizes the points of this ethic when he pictures Socrates remonstrating with his son Lamprocles for breaking the moral code. The young man is reminded in some detail of the debt he

10: Republic 538B-C; Laws 930E-931A.
11: Laws 717E-718A.
12: 718A.
owes his parents for birth, rearing and education: "Don't you know that even the state ignores all other forms of ingratitude and pronounces no judgment on them, caring nothing if the recipient of a favour neglects to thank his benefactor, but inflicts penalties on the man who is discourteous to his parents and rejects him as unworthy of office, holding that it would be wrong for him to offer sacrifices on behalf of the state and that he is unlikely to do anything else honorably and rightly? (13)". Xenophon also shows Socrates and Hippias agreeing that the duty of honouring parents, like that of fearing the gods, is an unwritten law, observed in all countries, and made by the gods for men (14).

The roots of this ethic go deep in Greek culture (15). It can be shown operating through the stages of a man's life. Parents might carefully plan to beget children as a help in old age (16). Home and school training of the child follows, then adult-life opportunities to repay the aged parent, caring for him when bed-ridden and burying him (17). Moral maxims played no small part in inculcating and transmitting the ethic.

13: Xenophon, Memorabilia 2.2.13-14; transl.E.C.Marchant.
14: ibid, 4.4.19-20.
15: For the 'debt of rearing' idea in Homer, see Iliad 17.301-303, cf.4.477-479; Odyssey 2.113-114, 130-131; Hesiod, Works and Days 182, 185-188.
16: e.g.Xenophon, Oeconomicus 7.12, cf.7.18-19, 7.30-31; Simonides or Simias in the Palatine Anthology 7.647; Euripides, Andromache 24-28; Lucretius, De Rerum Natura 4.1254-1256.
17: Sophocles, Oedipus Coloneus 441-449; Euripides, Iphigeneia Aulidensis 1220-1230, Supplices 1098-1103, Phoenissae 834-837, Hecuba 277-281, Hercules Furens 1419-1421; cf.Seneca, De_Ira 3.16.3-4, and Plutarch, Mulierum_Virtutes 263A-B, for fathers' requests that one of several sons be spared from military service as a comfort for the fathers' old age; Plutarch, De_Fraterno_Amore 480A-C.
collection of about a thousand such maxims, associated with the name of Menander, was gradually built up and used in schools for over a millennium. They urged children to honour their parents as they would the gods, or honour parents second only to God, and tend their aged parents (18). What the Maxims of Menander were to Greek-speaking children, the sententiae of Publilius Syrus were in Latin countries, at least after the first century BC. The same function developed also for the Sayings of Cato (Dicta_Catonis), which, despite the attribution to Cato the Elder, were probably not formulated into a collection before the second or third century AD (19). Neither of the Latin collections has quite so much emphasis on honouring parents as the Maxims of Menander. Publilius urges the student: "Love your parent, if he is just: if not, bear with him (20)". In the first group of Sayings of Cato (sententiae_breviores), the student is told to love his parents (parentes_ama: 2) and to love his wife (conjugem_ama: 20); we might expect the balancing admonition to love his children, but instead the advice is to train them (liberos_erudi: 28). This training, in fact, seemed to consist precisely of lessons such as that: "one ought to revere the gods, to honour one's parents etc... (21)".

Therefore, filial return of affection and care was

21: Plutarch, De_Liberis_Educandis 7E; cf.Elder Seneca, Controversiae 1.1; 1.7; 7.4.
natural, sanctioned by the gods and enshrined within the education system and the laws of the state. Even the best parents would expect and accept such recompense. The best children would reciprocate in the manner expected, even if they had misgivings. Yet expectation of recompense was not to be the primary motivation for having and raising children.

In the later Roman Republic and during the Empire, the ethic of natural reciprocal obligation gained its most definitive formulation in Stoicism. This is perhaps surprising given that early Stoics were hostile to affection between parents and children and to reciprocal obligation. In his Republic, Zeno, the founder of Stoicism, advocated a community of wives, as Plato had done (22). He may also have followed Plato in advocating anonymity of offspring (23). Furthermore, in a highly theoretical passage, Zeno even states that parents and children must be enemies since they lack the virtue of the Stoic wise man (24).

The wise man, who, according to Stoic theory, was either very rare or non-existent, could be something more than an enemy of his children; but the man considered to be the Stoic wise man might in fact turn out to be sufficiently ascetic that he would not have children in any case (25). This applied even more to the Cynics. Epictetus, living in the midst of the great Cynic revival of the first and second centuries AD, pictured

23: ibid.
24: ibid, 7.32-33.
25: cf. Seneca's advice to Lucilius should he choose to retire: Epistulæ Morales 68.3-5.
the Cynics as assessing the benefit for mankind of those who father "two or three ugly-snouted children to replace them" against those who, like the Cynic king, make all mankind their children (26). The Cynics advocated giving up connections of country as well as family in order to be citizens of the world in a brotherhood of man. Both schools, therefore, showed a tendency to asceticism which could be viewed as a threat to the natural ties of family life and the position of children. Yet it was not strong enough in reality to be a serious threat to the ties of religion, natural affection and the long-established ethic of reciprocity within families.

In practice, those in the mainstream of Stoic thought compromised with the ascetic principles of the stricter Stoics, encouraged living within the conventions of society, including marriage and rearing children, and managed to find that this was living according to nature. Panaetius stressed less the wise man and more the man in process of advancing to wisdom through "daily duties" (kathekonta or officia). In Cicero's rough translation of Panaetius' work, he associates the ethic of parental and filial love and obligation with justice (27), the second of the four cardinal virtues: this is concerned "with the preservation of human society, with the rendering his due to every person, and good faith in keeping obligations (28)". Nature and the gods are responsible for this alliance

26: Epictetus 3.22.77-82 (in Epicteti Dissertationes of Arrian).
27: Cicero, De Officiis 3.2.7.
28: ibid, 1.5.15.
among men, and nature "implants in man above all...a strangely tender love of his offspring...She further dictates...the effort on man's part to provide a store of things that minister to his comfort and wants - and not for himself alone, but for his wife and children..."(29)". A man's responsibility works both ways, to parents and children, but the greater obligation is to his parents: "Now, if a contrast and comparison were to be made to find out where most of our moral obligation is due, country would come first, and parents; for their services have laid us under the heaviest obligation; next come children and the whole family, who look to us alone for support and can have no other protection; finally, our kinsmen..."(30)". In his summation at the end of the first book, Cicero adds the gods and changes the emphasis slightly: "our first duty is to the immortal gods; our second, to country; our third, to parents; and so on, in a descending scale to the rest (31)". He stresses that the duties he has been discussing are called by the Stoics a kind of second-grade morality, sufficient for the majority of mankind, but falling short of that higher level peculiar to the wise man (32).

Stoic writers in the Roman empire go on at great length discussing whether a son can ever fully repay his debt of rearing to his father. No firm conclusion is reached. Seneca,

29: ibid, 1.4.12 (cf.3.6.28; 1.17.54); transl.Walter Miller (Loeb). Note also De Finibus 5.23.65, where Cicero puts parental love and family ties at the heart of human society.
30: De Officiis 1.17.58.
31: ibid, 1.45.160.
32: ibid, 3.3.13-15.
whose concern does seem to be the duties and obligations relating to the ideal benefactor, is quite tedious in De Beneficiis (eg.3.29.1ff.). For Hierocles, parents are images (eikones) of the gods, gods of the household, benefactors, blood-kin, creditors, masters and strongest of friends. Children can serve them physically with bed, sleep, food, bath and clothing, and psychologically with, for example, companionship, care and sensitive consideration. Children are, therefore, assigned by nature to be like servants and priests to their parents in their shrine, i.e. the home (33). In addition, one important way for a son to repay his parents is to have children of his own as a pleasing insurance policy for his own parents (34). The natural relationship between parents and children is sufficient sanction for the ethic of obligation (35).

In effect, the good parents of these works fall somewhat short of being ideal benefactors. They are not wholly selfless, but are by no means "selfish" in the prevailing circumstances of reciprocity. The motivation for bearing and nurturing children is not to be selfish at first instance, even though good parents are entitled subsequently to expect and accept certain services in return. It is not simply assumed that the debt to parents is unpayable, and children are conditioned to

repay with as willing an attitude as possible. The point to be stressed is the ideal of selflessness which fits somewhat uneasily into the environment of reciprocal obligations (36). This should be borne in mind for subsequent work on the Roman Emperor as ideal benefactor.

Seneca's Ideal Benefactor in the De Beneficiis.

Seneca's De Beneficiis, a rambling, equivocal work, can perhaps best be understood with reference to the selfless benefactor ideal and the reality of reciprocity. In the course of a very full discussion, Seneca frequently employs the parental and familial analogies. The tension between interested and disinterested use of procreative/tutelary power is as fundamental to Seneca as to the works discussed above.

In illustrating his contention that the giver should not be motivated by thoughts of repayment (Ben.1.1.9), Seneca points out that parents continue to have children even though they are often disappointed (1.1.10). We need to be taught to give willingly, to receive willingly, and to return willingly (1.4.3). The true benefit (beneficium) lies in the intention; services (ministeria) are just the manifestation of another's goodwill (voluntas) [1.5.5]. The noble mind recognizes it as a virtue and derives unique enjoyment from giving a benefit that

36: For an interesting version of this same ambiguity in the related area of urban philanthropy, see Pliny, Ep.1.8.
no surety of being returned (1.1.12).

There are no greater benefits than those that a father bestows upon his children (2.11.5). He who takes credit for what he gives destroys all feelings of gratitude (gratia) [2.15.2]. The best man is he who gives willingly, never demands any return, rejoices if a return is made, who in all sincerity forgets what he has bestowed, and accepts a return in the spirit of one accepting a benefit (2.17.7). You may even have saved a man’s life, but it counts for nothing if it was not done willingly and accepted willingly (2.18.8). A joyful response is sufficient to the ideal benefactor, even though the benefit in question is the ultimate one of life. Otherwise, it would be a bargain (negotiatio), not a benefaction (beneficium) [2.31.2; cf.2.30.1,2]. If you accept a benefit with pleasure, you will have repaid it by gratitude – not so fully that you feel you have freed yourself from debt, yet so that you may be less concerned about what you still owe (2.35.5). To repay by gratitude ceases to be praiseworthy if it is made obligatory (3.7.2).

Parents should indeed be considered as benefactors, but Seneca explains that sanctity has been given to the position of parents because of their role in rearing children. Parents do not choose the children they will rear – it is entirely a matter of hope. Thus, in order that parents might be more content to run the risk, it was necessary to give them a certain power (potestas) [3.11.1]. Furthermore, the position of parents differs from that of benefactors in that the services
of parents are unquestionable, and, because it is expedient that the young should be controlled, parents are placed over them like household magistrates under whose custody they may be held in check (3.11.2). Seneca is evidently aware of a tension between potestas and pietas. The dramatic legal powers of the Roman paterfamilias are something of an embarrassment for the picture of parents which Seneca favours. He seems to be trying to explain the reality of potestas and give a justification for it which does not preclude operation of the ideal. This issue will be taken up more fully in Chapter 3. For the moment it should be stressed that Seneca is using potestas in the restricted legal sense of patria potestas. He wishes to contrast legal compulsion, a lack of sentiment, and quantifiable rights and sanctions on the one hand, with moral sanctions and influence (cf. the Latin auctoritas) to do with pietas on the other.

It is affirmed that the greatest benefits (life, position, security, sound health) are incapable of being fully repaid (3.14.3; cf. 2.30.2, 31.2), though this is not to deny that recompense is required. Seneca would prefer that obligations could be left to good faith (fides) and a conscience that cherishes justice (justitia), but he believes that men would rather compel good faith than expect it (3.15.1-2). The gods witness all ingratitude (3.17.3), and this is the highest sanction. Men should imitate the gods in giving benefits rather than the moneylenders in seeking a return (3.15.4). This characterization of the gods as selfless benefactors contrasts
with the do ut des principle, which embodies definite rights and obligations based upon the fundamental right of the strong to rule the weak. The development is perhaps traceable (as will be argued in Chapter 4) to literature associated with the rise of monarchy and ruler-cult in the post-classical Greek world.

A protracted debate ensues about whether children can bestow on their parents greater benefits than they have received from them (3.29.1ff.). It is largely inconclusive because from one point of view the father is never surpassed: his gift of initial life is crucial, and without it nothing further could proceed for the offspring (3.29.3, 35.4). On the other hand, did the father owe to his ancestors his ability to have a son? (3.29.8). Might accumulated acts of the son in the end outweigh the father’s fundamental gift of life? (3.32.6, 34.1). And what of the value of life? For example, the life given to the son is surpassed by the good life (vita beata) of the Stoics (3.35.1; cf.3.33.5). Then again, one who is alive has more need of life than one who has not been born, since the latter can feel no need at all; consequently, if a father’s life is saved by his son, he has on this view received a greater benefit from the son than that which he bestowed by causing the son to be born (3.35.3). The analysis lacks resolution and Seneca ultimately advocates a contest of benefits between a father and his children (3.36.2). Filial duty (pietas) will be all the more ardent if it approaches the repayment of benefits with the hope of surpassing them (3.36.1).
There are factors other than self-interest which move men to help others. Who is there who does not wish to seem beneficent? (4.17.2). If this were not the case, the rich and powerful might never help others; nor, indeed, would the gods unceasingly bestow their countless gifts, for their own nature is sufficient to them for all their needs (4.3.2). When a ship-wrecked sailor is assisted to return home, he may scarcely know who was the author of his salvation (salus) [4.11.3]. Benefits left in wills are not predicated on repayment (4.11.4). In these cases the benefit is not a matter of self-interest (utilitas) [4.12.2].

With reference to ingratitude, Seneca says that no law sanctions ingratitude, just as there is no law that bids us love our parents or indulge our children, and just as no one needs to be urged to self-love. Nature has taken sufficient precautions against it (4.17.1-2). From a feeling of gratitude, men worship the supreme god as if he were a father (4.19.3). Yet ungrateful men do exist: he is ungrateful who, in the act of repaying gratitude, has an eye on a second gift (4.20.3). The ideal benefactor must be careful not to honour ungrateful persons (4.27.5). On the other hand, it is better to benefit the bad for the sake of the good (4.28.1). Thus a king gives largesse even to the unworthy; the thief no less than the perjurer and adulterer and everyone, without distinction of character, whose name appears on the register receives grain from the state; whatever else a man might be, he gets his dole, not because he is good, but because he is a citizen and the
good and bad share alike (4.28.2). In such a case it is difficult to show gratitude to a king (4.40.1), but you should maintain your desire to do so and accept benefits willingly as given. A friend should find in you an ample opportunity for exercising his goodness (4.40.2).

The idea is to match your benefactor in spirit, even if you cannot match him in deeds (5.4.1). There is no disgrace in this, and kings and princes derive significant advantage from it because their power rests upon the consent and service of their inferiors (5.4.3). Parents almost always outdo their children in benefits: few reach the age when they can reap some reward from children; the rest are aware of children by their burden (5.5.2). It is, therefore, up to children to reciprocate in spirit. Unfortunately, the young are ungrateful. What son does not look forward to his father’s last day though he curbs his desire? Does not ponder it though he is dutiful? (5.17.4). Children seem less able to fulfill an ideal role. They owe filial duty to their parents even though their parents may not have sought this outcome and may have had no thought of begetting children at the time of their union (6.23.5).

Nonetheless, a child’s duty to repay is the same as that of other beneficiaries, and to be ungrateful is to do yourself the greatest injury (7.32).

For Seneca, therefore, the ideal benefactor is one who imitates the gods by giving and sustaining life in an entirely selfless manner, who never demands any return, and rejoices in the spirit of one accepting a benefit when loyalty and goodwill
are returned in spite of him. Benefits bestowed by him will fulfill two conditions: 1) they will be of importance, not negligible like a morsel of bread; 2) they will be entirely in the interest of the beneficiaries, will be willingly given, worthy of the beneficiaries, and pleasurable to the giver (4.29.2-3). It is implicit in Seneca that the conditions are almost impossible to fulfill, precisely because reciprocity and self-interest are embedded within the society. How can self-interest not be contemplated when it is realized that reciprocity is demanded by the society? Yet the important point is that Seneca does not go so far as to admit impossibility. The ideal benefactor could be manifested in reality, and the most likely candidate is a good parent, or a ruler who behaves as a parent to his people. The implicit illustration of this latter point is evidently the primary purpose of the work.

The State as a Family.

So far we have focused on the ideal selfless benefactor in the belief that the father analogy relates to this construct. Personal qualities of the power-holder have been shown to be of particular importance. Hence the analogy is not, so it seems, applied to a state leader in consequence of a pre-existing view of the state as a family, though this is not to deny subsequent reciprocal stimuli between the images. When men thought of themselves and their fellows as members of a community, they
might think of the state (in the sense of a collection of individuals) as a family, or even of the state (in the sense of a separate entity which nourishes and protects them) as their parent. These same men might alternatively contemplate the power and primacy of the Roman emperor, and feel that he greatly overshadows or has absorbed the power and duties of the state; consequently, they might be more inclined to see the emperor as father of the state family. The language is figurative. It is the power and primacy of the particular socio-political entity in the given context which is fundamental to the image engendered. In what follows, it will be argued that the Greeks and Romans did not see their respective states as "families" in any but a loose metaphorical sense. In particular, it is my view that familial imagery relating to the state and the nuances of language by themselves are insufficient to have engendered the conception of the emperor as a father to his people. Special attention will be given to the contrary recent thesis of W.K.Lacey about the importance of patria potestas for the Roman world view.

The Greeks generally thought of the family as the fundamental unit of the polis. This idea, which was well to the fore in the classical period, was perhaps basic to Greek political thought from very early times (37). Plato, in an attempt to counter the forces of stasis in the ideal state of

37: Fustel de Coulanges in La_Cite_Antique used the simile of a series of concentric circles to describe Greek society, with the family in the centre; for a criticism, G.Glotz, The Greek City (Eng.trans.1929), pp.1-5.
his Republic, challenged this conception and made proposals designed to broaden the scope of the familial bond. His aim was to encompass all polis-members in one giant "family". Aristotle, however, thought Plato’s proposals were unrealistic, and indeed the latter greatly modified his opinion in later life. The theoretical attempt to impose a familial structure on the Greek polis was not a success.

Plato felt that the family caused men to claim things for themselves—wives, children, and the means for their support. This created struggles between citizens, litigation, and the psychological anxiety inseparably bound with rearing children and providing for the physical needs of the oikos (38). Yet in the Republic it is not clear whether it was only the Guardians or all the citizens who would own all things in common, including land and houses (39), and enjoy temporary sacred marriages with the women as arranged by the authorities (40). Even Aristotle was unsure what Plato intended in this regard (41). Moreover, when in his old age Plato came to write the Laws for his state, he rejected his earlier notions about marriage and family life, and made the patriarchal family the basic unit of his state. It was only a partial restoration, however, which left the family far short of its position in

38: see the first part of Book 5 of the Republic: it deals initially with women, and their education, 451B-457C, and proceeds from there to marriage, 457C-461E, and then to property and its problems, 461E-464B.
39: Republic 416D-417B.
40: ibid, 457C-461E.
41: Politics 2.2.11-14 (1264A-B).
The striking thing about Plato’s reforms is that he sees familial feeling itself as a good thing. He attempted to abolish all individuality and privacy in family relations, and make every wife the wife, and every child the child, of the whole community. Yet his aim was not solely to destroy the exclusiveness of family life (and the disputes which it produces); indeed, he hoped to extend the warmth of family feeling over the whole state, making it one family, and reinforcing the political bond by an additional nexus of sentiment (43).

Aristotle countered with the claim that Plato’s reforms would not lead to greater unity (44). Affection, he believes, varies inversely with the circle which it embraces; and a limitation of the number of associates is a necessary condition for a strong sentiment of common interest. In Plato’s scheme the circle is so large, the number of associates so many, that only the shallowest sentiment of a common interest can be possible. Therefore, the scheme destroys what unity there was in the state. Aristotle thinks the family is an institution intended by Nature, which man and woman naturally combine to form. To abolish the family is to sweep away as capable of perversion an instrument which is capable of producing a wise

44: In Politics Book 2, Aristotle criticizes Plato’s scheme for the abolition of the family (using the principles laid down in Book 1).
and loving father and mother, disciplined and educated children, trained and obedient servants. It is to deny a primary instinct its due satisfaction which Nature herself intended.

Aristotle's defence of the family does not conflict with his belief that it is the state which constitutes the essence of its citizens' lives. He views the state as an association of families rather than as a compound of individuals; and it is his aim to preserve the family as a subordinate association, while he admits the sovereign and architectonic character of the supreme association.

Among modern commentators, W.K.Lacey (45) in particular believes that the family in classical Greece was an institution of fundamental importance for the state, beyond what might ordinarily be thought. His view is that the oikos, meaning the family in conjunction with the resources needed to support it, was at Athens and probably in most other places (with a few exceptions such as Sparta where it was deliberately minimized) conceived of as being central to the state and to society. Many acts of Greek governments and statesmen (such as sumptuary legislation) can be better understood by recognition that Lacey's viewpoint lay behind them. Laws and attitudes against dissipating one's patrimony can be seen as being framed not so much for the reformation and control of the individual as to assist in the perpetuation of the oikos in its broad sense. The Athenian laws about an epikleros seem to fit this context.

45: W.K.Lacey (1968).
nicely. In general there does seem to be much to recommend Lacey's view of the importance of the family (46).

In certain circumstances relating to social and political status, family links in Roman society might be interpreted quite broadly, but there remains no solid indication that the Romans saw themselves in any realistic sense as a "family" under a paterfamilias. With regard to the concept of nobilitas, for instance, it is noticeable that scholars are often tempted to interpret family-links rather elastically (47). The more or less contemporary rise of men bearing the same nomen (but not cognomen), like for instance the Fulvii and Sempronii, leads some to infer that they belonged to different families of the same gens, bound together by blood-relationship. It is often implied that they assisted each other's advancement to the consulate. Naturally this may well be correct in some instances, but great caution should be observed.

It is true that Varro believed all members of the gens Aemilia to have been descendants of a common ancestor, Aemilius (48). Yet, as Brunt observes, he "knew no more than we do of the times in which the origins of Roman society are buried

46: see S.I.Oost's review in CP 65 (1970), pp.282-3; and the review by A.R.W.Harrison in CR 83, N.S.19 (1969), pp.208-11, who concurs with Lacey's treatment of Solon's work in establishing the oikos as the social nucleus of the state, but simultaneously opposes any move to play down the political aspect of Solon's reforms.
48: Varro, De_Lingua_Latina 8.4.
Legend also made Iulus progenitor of the Iulii. The not infrequent use of *familia* as an equivalent for *gens* (50) reflects a certain belief in gentile blood relationship, though it does not prove it to have been well-founded.

In certain circumstances *gentiles* had the right of succession on intestacy. For this purpose, according to the learned jurist and Pontifex Maximus Q. Mucius Scaevola (cos. 95) (51), the test was not proof of kinship: *gentiles* were simply men of a common *nomen*, provided that they were also descended from free-born men who had never been subject to slavery and that they had not been *capite diminuti* (52). This definition, irrespective of its historical accuracy, shows that in Mucius' time there was no demonstrable blood relationship between the members of any *gens* (53). Nevertheless, the common *nomen* was at times exploited in a suggestive manner.

The *lex Corneliae de falsis* made it a crime to take a false *nomen* with a view to sharing in the inheritance rights of *gentiles* (54). It was apparently suggested that the patrician Claudii and the Claudii Marcelli were of the same *gens* (55). L. Papirius Paetus seems to have thought himself entitled as a member of the *gens Papiria* to set up *imagines* in his house of

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50: Tac. *Ann.* 6.27; Val. *Max.* 4.1.5, where *gens* and *familia* are used interchangeably in the same passage, as they are in 5.2.4, 5.6.4, and Livy 6.40.3. Already noticed by Mommsen, *Romisches Staatsrecht* 3.16, n. 2.
53: cf. Cincius ap. Fest. 83L.
54: Paul. (?), *Sent.* 5.25.11.
55: Cicero, *De Oratore* 1.176.
gentiles (with various cognomina) who had held office (56). Yet
the Romans could admit that a common nomen did not imply blood
kinship, though on Scaevola’s definition it did, subject to
other conditions, involve community of gens. Cicero, for
instance, remarks how absurd it would be for him to claim
descent from M. Tullius (cos. 500) (57). To further complicate
matters, it should be noted that a difference in cognomen is
not necessarily proof that there was no blood relationship.
Pompey, of course, substituted "Magnus" for "Strabo", and the
Claudii Pulchri and Nerones had a common progenitor in Appius
Claudius Caecus the censor.

Therefore, even if you could not prove blood kinship
between the families of a gens, you could exploit a certain
feeling that families within a gens were distantly (and perhaps
by blood) linked. It remains to analyse what the Romans
actually believed a "family" to be, and to decide whether any
nuances of meaning may particularly contribute to the image of
the emperor as a father.

R. P. Saller’s recent study of the two words often
translated as "family" – familia and domus – is relevant here
(58). One of Saller’s primary conclusions is that neither
domus nor familia usually referred in literary Latin to the
nuclear family, the mother–father–children triad, though he
does believe that this was the dominant type of family

57: Cicero, Brutus 62.
58: R. P. Saller, "Família, Domus, and the Roman Conception
organization (59). When writers wished to signify that core family unit, they apparently employed the phrase uxor liberique, as when Cicero referred to Sex. Roscius having domus, uxor liberique at Ameria (60).

In defining familia, Saller finds that cognati are mostly excluded. At times, however, it is not sure whether familia connotes only agnati or the still larger lineage group including ancestors. Occasionally the distinction between familia and gens is made explicitly, as in Festus' statement that gens familia appellatur quae ex multis familiis conficitur (61). Just as often familia is used as a synonym for gens, as in references to the familia Aemilia or familia Fabia (62). In these cases this is surely because the author is not trying to convey precise genealogical information so much as a general impression of quality of birth for which the gens-familia distinction may not be important (63).

In comparison to familia, domus was the catch-all term. Saller shows that domus was used with regard to household and kinship to mean the physical house, the household including family and slaves, the broad kinship group including agnates and cognates, ancestors and descendants, and the patrimony (64). Familia is frequently used for the group of slaves under

60: Cic.Rosc.Amer.96, cf.Phil.12.5, Quint.54; Quint.Decl.337, 325.
62: cf.n.50 above.
64: ibid, p.342ff.
a domus, to the exclusion of the free members of the household, whereas domus is often rather broader, including the wife, children, and others in the house.

The emperor’s relatives of all types constituted the domus Caesaris. Whilst familia and domus do appear in connection with the emperor’s servile staff (65), we note that Nero distinguished his domus, encompassing all members of his household, from the res publica (66). Pliny praised Nerva, as against most of his predecessors, for not confining his search for a successor intra domum (67). That the imperial domus was a broader group than the familia is made clear by Tacitus’ statement that Tiberius entered the domus Augusti first as a privignus (stepson) when his mother married Octavian (68). Only later did he become a member of the familia by adoption.

Saller focuses upon the range of meanings for domus to explain why it became a more widely applicable measure of social respectability than familia in the Principate (69). In general, Cicero does not use domus where familia would be appropriate, as imperial authors do (70). The very nature of Republican politics ensured a concentration on familia. Office-holding was not hereditary as such, but in the popular assemblies the renown of a man’s familia, transmitted through a

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65: Sen.Cons.ad Polyb.2.4; Tac.Hist.2.92; Suet.Claud.40.2.
66: Tac.Suet.13.4.
67: Pliny, Paneg.7.5.
68: Tac.Suet.6.51; see also Ann.6.8 and Suet.Aug.25.1.
70: see ibid, p.348 n.39 for four exceptions, three of which probably do not contravene the familia-agnati relationship.
distinctive nomen and cognomen, was an important asset in securing a successful political and legal career (71). Such noble families were increasingly rare as the turnover in senatorial families occurred at a very rapid pace (72). Consequently, most senators of the empire could not boast a long, illustrious agnatic lineage, and recognition of an illustrious nomen and cognomen in the assemblies was no longer of the same consequence. The value of the old, great nomina was in any case diluted when new citizens acquired the same names. For the vast majority of recently promoted senatorial families, it was enough to boast a respectable circle of kin whether related by male blood, female blood or marriage. Hence the emphasis on domus.

The new political reality was a web of friendship and patron-client ties emanating from the emperor (73). Domus, when used in the sense of an extended kin group encompassing even cognate relatives of remote distance, adds a new dimension to this reality with respect to the link envisaged between the emperor and his relatives within the ruling classes. For these relatives, perhaps a substantial number of people, the familial imagery in the ideology need not be merely metaphorical or romantic in terms of social perceptions.

The new emphasis on domus might have carried further implications for the emperor. The Roman house had a sacred

aura, embodied in the Penates, which houses in more recent societies have not had. Prudentius ridiculed the pagans for investing each *domus* with its own Genius (74), and the interchangeable use of *domus* and *Penates* in imperial authors must reflect a general belief in the sanctity of a man’s physical residence (75). *Domus*, in the sense of household as well as physical house, was a focus of honour for Romans. The honour of the *paterfamilias* depended on his ability to protect his household, and in turn the virtue of the household contributed to his prestige. Seneca claims that Augustus, upon discovering the conspiracy of Cinna, took Cinna aside for a long talk (the story’s credibility is open to question but it is nonetheless important as a presentation of Seneca’s values). Augustus is said to have pointed out to Cinna that he was hardly capable of seizing and holding imperial power: *domum tueri tuam non potes, nuper libertini hominis gratia in privato iudicio superatus es* (76). Seneca’s Augustus belittled Cinna not with his inability to protect himself but with his inability to protect his *domus*. Livia preserved the *sanctitas* of her household (77), but the virtue of the *domus* of Augustus was violated by Iullus Antonius through his affair with Julia (*domum Augusti violasset*) (78).

74: Prud. *Contra Symm.* 2.445. For the epigraphic evidence, see the dedications to *Genius domi* given in E.de Ruggiero, *Diz.Epigr.* 2.2.248, along with a useful discussion of how the "famiglia" and "casa" sense of *domus* are united in inscriptions.

75: Val. *Max.* 5.6; 9.1.6; 9.15.5; Sen. *Clem.* 1.15.3;
Tac. *Hist.* 3.70; *Ann.* 13.4.
Saller’s study leads to the conclusion that linguistic usage was more a matter of social prestige and legal concepts than social reality, though it may also reflect a certain belief in the social organization of remote times being centred upon the extended family and blood relationship within a gens. Whether or not this latter view corresponds to historical reality is, for us, irrelevant. In Cicero’s day it was pretentious and without solid foundation to make wild kinship claims within a gens. The new social conditions of the Principate, which saw the net for family kin cast widely, might have given a certain acute quality to the familial imagery in the ideology, especially for relatives of the emperor within the aristocracy. Yet in the end, as with the Greek evidence, we are left with the impression that familial imagery relating to the state and the nuances of language by themselves are insufficient to have engendered the conception of the emperor as a father. This conclusion is reinforced by Beryl Rawson’s demonstration that the term parens appears in sepulchral inscriptions from the late Republic onward with reference to a range of relatives by blood or marriage, or even to someone unrelated by birth who stands in loco parentis for a child or dependant and who has contributed to the setting-up of the memorial, including a patron for his freedman and a paterfamilias for his slave (79). In these instances, the gentle benefactor role seems to be evoked.

On the other hand, W.K. Lacey has argued recently that the

Romans did indeed see themselves as a family and that *patricia potestas* shaped and directed the Roman world view and underlay Roman institutions (80). It is not a convincing view. The major problem is that, despite John Crook's warnings, Lacey has put undue emphasis upon *agnatic* in building up his picture of Rome's development. We have already seen something of the importance of *gens* relationships. It is not enough to dismiss the *gentiles* as "hardly detectable in the historical period (81)". Roman *tria nomina*, the mark of the citizen, point to membership of a *gens*; a woman's name points only to that.

Lacey's predilection for agnatic relationships leads him to conclude that the Vesta cult and the position of the *pontifex maximus* reflect Rome as a family under a *paterfamilias* (82). This is not the inevitable analogy of course, and we should take stock of ambiguity. There is certainly legal evidence which shows that the Vestals passed out of parental control and entered the *potestas* of the *pontifex maximus* when he entered office (83), and of course there is a resemblance to domestic hearth cult tended by the girls of the family, but the Vestals were not like ordinary family dependants. Mary Beard has argued for an essential ambiguity in their position which is directly tied to their sacredness. In various aspects they were wives, daughters and

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men (84). They were a special case and doubtless Romans could see this at least as clearly as they could perceive a resemblance to a *patria potestas* relationship. Moreover, the other homes in the city had hearths with manifestations of Vesta too.

The domestic analogy cannot be denied completely but the question of degree is important. Did the paternal aspect of the position of the *pontifex maximus* take precedence over all others? One wonders, for instance, how many late Republican Romans thought of the *pontifex maximus* as a public father. His residence in the *domus publica* may be thought to be suggestive, but does it signify the dwelling of a public representative or a dwelling which represents the city in microcosm (wherein he might be thought to be the city father)? He was certainly not a father in a property sense to the Roman people or to the Vestals, and even in a religious sense the analogy is comparatively weak.

From this point, Lacey sets up three propositions (85): 1) that the state operated in effect through a sort of *paterfamilias* with wide discretionary powers; 2) that the state was composed of unequal citizens; all were citizens as such, but some were *patresfamiliiarum*, others were not; patronage illustrates the Romans’ acceptance of inequalities; 3) that magistrates, like a *paterfamilias*, were guided by the principle of exercising power in conjunction with a *consilium*.

The first proposition is most dubious. One should require much more convincing that a consul can, given the limited tenure of his office and the presence of a colleague, be justifiably described as a part-time paterfamilias (86). Particular similarities might be drawn, but the difference between a consul and a paterfamilias is a substantial one and all the elements of their respective positions need to be examined as a whole for a meaningful comparison of this type.

The next two propositions, in general, seem fair enough; but as to whether patria potestas is causal rather than symptomatic is debatable. Did patria potestas shape the inequality inherent in the Roman world view, or (as is perhaps more likely) did the principle of hierarchical inequality, governed by the ancestral religion, as well as age, physical force, reciprocity, affection etc., help to shape patria potestas and other unequal social or governmental institutions, perhaps with subsequent reverse influence as well? Lacey feels that the assumptions of public life would have followed those of private life (87), but it need not necessarily be so, and independent invention should not be discounted.

We know that the senators were addressed collectively as patres conscripti or merely as patres, an appellation which highlights the prominence of familial imagery but which seems to run counter to the conception of the state as a large family under a single paterfamilias. Certainly, Romans of Cicero’s day

86: ibid, pp.130-133.
87: ibid, p.123; 138f (where Lacey postulates that a law requiring private consilia would have been passed if public consilia had existed first).
had forgotten the true derivation of the former phrase (88), but S. Martin is probably quite right in saying that senators were seen and saw themselves, even well into Imperial times, as the heads of Roman households fittingly described as patres (89). It is difficult to agree, in the light of collegiality and limited tenure of office, that the Romans preferred single executive officers with wide discretionary powers (on the model of a paterfamilias) to government through boards or committees (90). For the Republic this seems a fundamental misconception.

Lacey’s thoughts on the magistrate’s use of the senate as a consilium are important. He draws a comparison with the private consilium employed by a paterfamilias (91). The compulsion to seek, and to follow, the advice of a consilium was in neither case a legal one. Lacey writes at one point that the obligation to do so was "only moral (92)", but he shows well how the genuine employment of a consilium was an important matter of fides and dignitas: the consilium was to be more than a matter of form or a concession to custom, and to disregard it entirely or fail to follow its decision resulted in a loss of dignitas (93). A father acting on the recommendation of his consilium did so with its support; but to disregard its

88: ibid, p.131.
91: ibid, p.137ff.
92: ibid, p.130. Thus (contra p.138), should we necessarily expect a law requiring fathers to use a consilium if public usage preceded private?
93: It could even be taken as a sign of superbria and tyranny, as with Tarquinius Superbus’ treatment of the senate: Livy 1.49.4.
decision rendered his judgment suspect and he lost dignitas. For a member of the consilium, the weight his sententia carried—as in the senate—was a measure of his auctoritas (94). Proper management of a man’s personal relations was vital—it was a measure of his fides (95).

The analogy of a paterfamilias and his consilium does not sit comfortably with a Republican consul in normal circumstances, but it was important for the image of the emperor as a father in a reinforcing rather than a causal sense (Chapters 6–8 below). Consultation with, and deference to, the senate was very important, on the analogy of the paterfamilias and his domestic consilium; but in the absence of the emperor’s power and primacy it would seem to be insufficient initially to engender the father image. Augustus had a smaller consilium of amici who really did the business of state (96), but when he punished his daughter Julia in 2 BC he wrote to the senate (97). Certainly he was not asking their advice, nor did he tell them the whole truth (98), but he had by this time become pater patriae. There were obvious practical reasons for writing to the senate since a number of its prominent members were involved in the affair, but the new title allows for rationalization (now as then) of the action in terms of the ideology. This would have consequently had a reinforcing effect.

97: Suet. Aug.65.2.
upon the ideology. The same process may be discerned in connection with other events. For example, Augustus had earlier introduced his adopted sons, Gaius and Lucius Caesar, to the Senate from the time they were given the *toga virilis* and became *principes iuventutis*, consuls designate and priests, in a similar way to that in which noble youths were introduced to their father’s *consilium* on being given their *toga virilis*.

These considerations really only arise with the presence of the autocrat and don’t apply with ease to a Republican consul in the manner in which Lacey suggests. The abiding impression, as stated previously, is that familial imagery applied to the state and the nuances of language used to denote kinship relations are insufficient to have engendered the conception of the emperor as a father to the state family, though they perhaps played an important role in reinforcing the ideology. The analogy would seem to require an autocrat exercising his power in a distinctive way. With this in mind we will now look at the exercise of legal power by Greek and Roman fathers.
CHAPTER 3: THE PATERFAMILIAS AND THE SELFLESS IDEAL.

The Roman paterfamilias served as a primary model against which the father emperor was measured. Accordingly, the aim of this chapter is to come to an understanding of the tone of social relationships between fathers and sons in late Republican Rome. Legal evidence provides one level of understanding, but the picture which emerges is decidedly authoritarian, marked by friction and a degree of subordination unique to the Romans. For various reasons this picture must be challenged. Another level emerges from evidence relating to the moral bond which subsisted between fathers and sons, a bond (apparently predicated upon the basic fact of procreation) that recalls the relationship between the selfless benefactor and the ideal dependant. The moral bond seems to have coexisted with the legal bond so that by the late Republic the reality of father-son social relationships was not generally as onerous, formal or harsh as the legal provisions might seem to indicate. This picture accords with development in the law which eventually does away with certain of the dramatic aspects of patria potestas, such as the ius vitae necisque. In this study the great and dramatic power entailed in patria potestas is not denied; instead the aim is to highlight the stress that was placed on the figure of the ideal, loving father and the range of institutional and customary restraints on extreme usage of a father's power, such as the consilium. A certain tension between auctoritas and potestas is evident.
In Chapter 1, the sacral headship of the *paterfamilias* was given consideration. It remains to consider the power of a *paterfamilias* under at least two other heads (1): 1) power over the persons and lives of members of the family ("gubernatorial" headship); 2) property headship. The legal texts furnish much relevant evidence. The jurist Gaius, talking about gubernatorial headship, makes a famous assertion about the uniqueness of *patricia potestas*: "for scarcely any other men have over their sons a power such as we have (2)". He is referring specifically to Roman citizens: "this right is peculiar to Roman citizens (3)". Therefore, the Romans thought their fathers to be especially powerful, and were proud of this fact.

The standard contrast is with the institutions of classical Athens. *Patricia potestas*, over agnatic descendants not emancipated, including those adopted, and including also wife in manu, lasts during the entire lifetime of the *paterfamilias*. In the gubernatorial category it includes the power of life and death, with exposure at infancy, sale, chastisement,noxal surrender, and the right to force your married children to divorce (though probably not to force them to marry against

1: cf. J. Crook, "Patricia Potestas", *CQ* (N.S) 17 (1967), p.113. The word "father" will commonly be used in this chapter to refer to a man who possessed *patricia potestas*, even though some biological fathers did not possess it — and, conversely, a few who had *patricia potestas* were not biological fathers.


3: *ibid*: *quod ius proprium civium Romanorum est.*
their will). In the category of property it includes full legal ownership of everything the family has, full power of alienation, and full power to dispose of the whole by will. The Athenian head of household was evidently in a very different position. He was kyrios of his wife, and of his children up to adulthood; but though he could expose unwanted children he had no ius vitae et necis over adults, and there is no Athenian equivalent to noxal surrender. The contrast is also striking in regard to property. The Athenian head of household is not legal owner of everything. His wife, to some extent, and certainly his children may have property of their own, of which indeed he has control but no more. In addition, his power of ultimate disposal is narrowly limited. He cannot leave his property away from his legitimate sons, and if he has nothing but daughters his property will go to their children by the epikleros system (4).

For our purposes the important point is the idea of the greater power of the Roman father. The striking, lifelong authority of the paterfamilias is usually supposed to be a survival from a time when the Romans lived in "extended"

families, but this view has been questioned by John Crook (5). He points out, in one telling passage, that patria potestas in all its surviving traces is a power over descendants only (including wife in manu and adopted children), never over collaterals. No one has potestas over his brothers. How, asks Crook, is this compatible with the joint family (6)?

Those subject to patria potestas could own no property of their own, and the legal sources suggest that their lives were almost wholly controlled by the paterfamilias. His household jurisdiction, for instance, with a family consilium, dealt with offences by dependants (including sexual offences) that threatened the solidarity and reputation of the family, and he could inflict chastisements and even death. A watering-down process should not be carried to excess (7), and in what follows the resilience of the dramatic aspects of the father's authority is outstanding. Yet modifications to his power were made at a number of points. These modifications were made in the light of an ideal which served as a restraint against the arbitrary exercise of patria potestas.

The right of life and death should be accepted as a reality in our period (8). Cicero was aware of at least one kind of adoption formula in which it was assumed that a father had vitae necisque potestas over a son (9). Aulus Gellius

6: ibid, p. 116.
8: ibid, p. 107; cf. Cod. 8.47.10: Patribus ius vitae in liberos necisque potestas olim erat permissa.
9: Cic. Dom. 77.
confirms Cicero's evidence (10). Papinian asserted that a *lex regia* gave this same power (11). Likewise, Dionysius of Halicarnassus attributes to Romulus a law giving fathers the right to kill their sons (12), and Livy clearly presupposes that the father of Horatius had the right to judge and execute him (13). A corrupt passage of the Autun Gaius seems to say that the power existed but that the Twelve Tables had specified that the father must have a *iusta causa* (14). Furthermore, the *lex Pompeia de parricidiis* omits the father when enumerating the persons who could be guilty of parricide, or the murder of a blood relation (15). The *lex Iulia de adulteriis coercendis* codified the father's right to kill an adulterous daughter in certain circumstances (16). In later times this power was withdrawn. Hadrian deported a father who engineered a fake hunting accident which killed a son who had committed adultery with his stepmother (17). Constantine, in 319 AD, included

10: Gell. 5.19.9.
11: quoted in Collatio 4.8.
12: Dion. Hal. 2.26. This continued to be the law: B. 79.4.
14: Inst. fragm. Augustodun. 4.86. Though the text is incomplete, it is plain that Gaius said that the Twelve Tables mentioned a *iusta causa*: W. Kunkel, "Das Konsilium im Hausgericht", ZSS 83 (1966), pp. 242-243.
17: Dig. 48. 9. 5. Note how this development is in line with, for example, restrictions on inhuman treatment of slaves by masters who nonetheless retain ultimate rights of control.
killing by a father under the crime of parricide (18). Fathers retained the power of moderate chastisement, but severe punishment could only be inflicted by the magistrate (19). Trajan compelled a father to emancipate a son whom he had treated with inhumanity (20). Valentinian, Valens and Gratian, in 374 AD, also declared exposure of an infant to be illegal (21).

W.V.Harris (22) has doubted whether the paterfamilias ever in fact had the power to slay grown-up sons under the Republic and later. Similarly, Y.Thomas believes that the ius vitae necisique was a product of legal hypothesizing, a juridical exercise rather than a fact of social history (23). Thomas emphasizes that the cruelty of fathers, where it is attested, is condemned. In general, however, both writers have opted to question the ius vitae necisique rather than to highlight the institutional and customary restraints which mitigated against its use. That it was seldom used is no argument against the ius itself. Harris' doubt seems to arise from a number of sources. Initially, in opposition to Kunkel (whose arguments are not refuted in detail), he thinks it unlikely that fathers

18: Cod.9.17.
19: Cod.8.46.3; cf.Cod.9.15: Si atrocitas facti ius domesticae emendationis excedat, placet enormis delicti reos dedi iudicum notioni.
20: Dig.37.12.5.
21: Cod.8.51.2.
were obliged to operate in conjunction with a consilium of relatives under the Republic (24). Yet the abundant evidence for the employment of consilia under Augustus is not an argument for their importance from this period only, although it does indicate a spirit conducive to emphasis of their role. Harris also notes that the power was not much used, that few authors speak explicitly of ius vitae necisque, and that the Romans found the idea of slaying a grown-up son repugnant (25). No support is found in comparative material. Finally, he seeks to direct attention to the exposure of children in the belief that infanticide may be the crucial factor in this debate. The inclusion of adult sons is seen as "a convenient anachronism, a sort of protective umbrella for the real killing that was going on, namely that of infants (26)". Even if one accepts the theoretical possibility of extensive infanticide, it is not the sense that comes through time and again in the stories which tell of fathers slaying grown-up sons. In addition, when the Romans show distaste for the execution of a son pursuant to the ius (e.g. Val. Max. 5.8.5), they do not question the father's fundamental right. For the purposes of this study it seems preferable to highlight the strength of the customary safeguards against the extreme use of patria potestas rather than to question the dramatic aspects of the father's power such as the ius vitae necisque.

24: W.V. Harris (1986), p.81 n.3.  
25: noted too by E. Sachers, "Potestas patria" in RE (1953), cols.1046-1175 (at 1086).  
Development at law away from the harsher figure in line with emphasis of the loving ideal is apparent in other spheres too. Antoninus Pius prohibited fathers from breaking-up a *bene concordans matrimonium* (27), and it is formally asserted in the *Digest* that fathers could not force sons to marry (28). The law in relation to daughters is somewhat obscure. It is said in the *Digest* that a daughter's consent is necessary for betrothal but also that anything short of positive resistance is taken for consent, and consent can only be refused if the proposed bridegroom is morally unfit (29). Little girls of twelve (the minimum age for marriage) can have had small practical chance to refuse, though it must be remembered that children in *potestate* might not be little girls or boys.

One further modification occurs in public life and law. The *Digest* notes that *patría potestas* does not apply in this sphere: "A *filiusfamilias* counts as a *paterfamilias* in public affairs; for example, in holding magistracies or guardianships (30)." Perhaps this was originally just a matter of custom that was made manifest in the growth of rules for correct behaviour when *pater* was a private citizen and *filius* a magistrate (31).

We hear in the *Digest* of sons in *potestate* as consuls and provincial governors (32), senators (33), and local magistrates.

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27: Paul.*Sent.*5.6.15.
28: Dig.23.2.1.
29: Dig.23.1.11-12; see J.Hallett, *Fathers and Daughters in Roman Society*, Princeton, 1984, p.235ff on emotional distancing between elite spouses.
30: Dig.1.6.9.
31: Gell.*Noctæ Atticæ* 2.2; and note Val.Max.5.4.3,5; 6.9.1.
32: Dig.1.7.3.
33: Dig.39.5.7.3.
(34). Aulus Gellius refers to a courtesy visit paid by a provincial governor and his father to a house in which only one chair was provided. This leads on to the telling of the story about how Q. Fabius Maximus the Cunctator dismounted from his horse on the orders of his son the consul (35). The historicity of such stories is often uncritically accepted (36), but it may in fact be that they were invented or at least modified with a moral purpose: to illustrate the citizen’s fundamental loyalty to the patriae when faced with the imposing figure of the Roman father (or alternatively, the primacy of state over paternal authority). Hellenistic philosophers had been interested in establishing this precise point in debate on duties and obligations (37). The Digest just might be rationalizing this point into a legal rule.

At law, it should be stressed, it did not matter that you might be a mature man with a family, or even a consul. If you were in potestate you could own nothing. Whatever you acquired accrued automatically to your paterfamilias. You could make no gifts (though the Digest hesitates with regard to senators [38]), and if you borrowed money to give a dowry to your daughter it was a charge on your paterfamilias (39). Loans of money to sons in potestate produced various frauds and so in Vespasian’s principate a senatusconsultum Macedonianum made it impossible for a lender to sue on most loans so made - and

34: Dig.15.1.3.13; 27.8.1.17; 50.1.2 pr.
35: Gell.2.2.
37: Cic.de Off.3.90.
38: Dig.39.5.7.3.
39: Dig.15.3.7.5.
therefore unlikely that they would henceforth be made. Ulpian emphasizes that: "even if the son is consul or has any other position of standing the *senatusconsultum* applies (40)."

**Paternal Authority in Practice.**

It is pertinent to ask how such a society, as depicted in the law, can possibly have worked (41). Of course, the legal picture is mitigated by social conditions. In particular, low life expectancy at birth (about twenty-five), the late age of marriage of men (the late twenties), and therefore the generational age gap (about forty) substantially reduced the effects of paternal authority over sons. Few fathers, around 20% (25% in the case of aristocratic men), were alive at the time of their son's marriage. In addition, two legal provisions are relevant, but our fragmentary evidence makes it hard to be conclusive about their operation. The two provisions are *emancipatio* and *peculium*.

By *emancipatio* a *paterfamilias* could actually release his son or daughter into independence (42). Gaius describes the ancient ceremony involved (43). By the late Republic it seems mostly to have been a penalty with the object of cutting the

40: Dig.14.6.1.3.
dependant out of the agnatic family. This aspect might be lessened perhaps by the fact that you could always leave the dependant’s portion of the estate to him as a legacy after emancipation, or make over property to him on emancipation. The fact, too, that there was a rule that a son could not force his father to emancipate him implies that emancipation was sometimes desired (44). Upon correct performance of the procedure, the paterfamilias could emerge as a pares manumissor of the emancipated dependant, i.e. in the same position as a patronus who had manumitted a slave, with patronal rights against his will (45).

The big question, however, is whether or not adult sons were normally emancipated. Emancipation was apparently used as a dodge to get around the land law (46), but there is no indication of it in the literary sources as a regular means of securing the legal independence of adult sons (for example, at the time of their marriage). Pliny’s opponent Regulus emancipated his son in order that the son might take an inheritance from his mother; but this was a special case, the mother having imposed it as a condition of making her son her heir, since otherwise the property would simply accrue to Regulus (47). Another special case was Tiberius who, after his adoption by Augustus, was content to remain in potestate (though certainly with a peculium) [48]. If he, as an adopted

44: Dig.37.12.5.
45: cf.Dig.37.12.
46: so Crook, CC (1967), p.120 interprets Val.Max.8.6.3.
47: Pliny, Ep.4.2.
48: Suet.Tib.15.2.
son, had been emancipated, as Agrippa Postumus probably was (49), he would have lost his agnatic link to Augustus and also his right to benefit from the provisions of Augustus’ will (50). When in the late Republic the praetor began to modify the crudities of ius civile, one of his standard procedures was to bring emancipated children into intestate succession along with those still in potestate (51), which suggests a certain frequency of emancipation. Yet large-scale emancipatio seems unlikely. It should be remembered that many patres will have been dead by the time their sons reached the stage of marriage. In addition, emancipatio only assumes major importance in the absence of the selfless, loving ideal.

The peculium was a fund available to the son in potestate, or to a slave, which, though ultimately belonging to the paterfamilias, was in practice the son’s to manage, and on the basis of which he could contract. As an economic device the slave’s peculium was very important. We hear much less of the peculium of sons and daughters, the rules governing which were the same, so that it is not discussed separately in the Digest. It would seem logical that married sons living independently had some such fund, but the limitations must be borne in mind.

49: see Crook, CR 68, n.s.4 (1954), p.154, on Suet. Aug.65.1. For the view that Augustus employed abdicatio to obtain emancipation of Agrippa Postumus against his will, see B.M. Levenson, "Abdication and Agrippa Postumus", Historia 21 (1972), pp.674-697.


The paterfamilias owned the peculium, he could withdraw it at any time, and it was part of his estate when he died.

There is some evidence for peculium in the plays of Plautus in the form of: a) references in the Captivi to servus peculiaris given to a son when a little boy, to grow up with him (52), and b) references in the Mercator, to aestimatae merces given to a son trading as his father's agent to enable him to trade also on his own account (53). A question might be raised as to the relationship between the worlds of comedy and reality, or about the influence of Plautus' Greek models, but on the whole Plautus' legal concepts seem specifically Roman rather than Greek (54). Yet there are doubts too about whether the adult filius in the Republic normally based his independent domicile and separate life on a peculium rather than a simple annual allowance (55). In the case of Sex.Roscius of Ameria, a man in his forties, Cicero seems to imply that to allow him to have three farms of his own, in addition to managing the family estates (which some alleged he did unwillingly), was a great privilege (56). Caelius, a young, unmarried man, has left the paternal home and lives in a smart flat on the Palatine. Obviously exaggerating in line with accepted values, Cicero would have us believe that he has no peculium (57). Caelius

52: Plaut.Capt.17ff.
53: Plaut.Merc.95-97;972-973.
56: Cic.Rosc.Amer.15.44.
57: Cic.Cael.7.17-18: tabulas qui in patris potestate est nullas conficit; but cf.the play Cicero makes with Verres' accounts: Verr.2.1.33,60.
must at least have had an annual allowance, like another
adolescentulus of whom we hear in Seneca (58). Although we do
not know for certain, perhaps a married filius did normally
have a peculium.

Augustus made a significant modification to the father’s
economic control, from the legal point of view at least, by his
invention of peculium_castrense (59), the “military fund.” Over
this fund, which consisted of what he acquired by or for the
purpose of military service, the son in_potestate had a right
much closer to ownership. Above all, he could leave it by will
as was commonly known (60). If he did not do so it reverted to
his paterfamilias as ordinary peculium. He could also alienate
it at any time, and his paterfamilias could not recover it. It
was, however, strictly limited to what was acquired by or in
connection with military service, and no move was made to
institute a general provision along similar lines. Peculium
castrense, therefore, seems to have been invented as a
privilege to encourage volunteer recruitment into Augustus’ new
professional army (61), to minimize extra-military attachments
and to court popularity with the troops in the face of the
special difficulties imposed by military life (62). In practice

58: Sen.Clem.1.15.2-7. See also Dig.33.8.6.4 for an annual
allowance which forms part of a daughter’s peculium only if
said to.
59: Iust.Instit.2.12 pref.; Titles from Ulpian 20.10.
60: Juvenal, Satires 16.51-6.
62: D.Daube, Roman_Law: Linguistic, Social and
Philosophical Aspects, Edinburgh U.P. (1969), p.83 (76ff);
B.Campbell, "The Marriage of Soldiers under the Empire", JRS 68
(1978),p.157; idem, The_Empire_and_the_Roman_Army, Oxford:
it may well have been that serving soldiers had always
controlled their stipend and booty, and in this event the
reform may be seen as the legalization of an inevitable state
of affairs (63). If, for example, an imperial legate was
entrusted with the duty of collecting for the \textit{patresfamiliorum}
what their soldier-sons had earned, it would be all the more
intolerable for the sons in that so many of their comrades
would not be in the same position — either because their
fathers had died or because they were the sons of \textit{peregrini} or
of \textit{cives ex mulieribus peregrinis} (64).

It becomes increasingly obvious that: "The all-powerful
\textit{paterfamilias} of Rome, in the standard contrast with Athens,
is...too crude a figure to correspond to the nuances of reality
(65)". Yet we should stress the persistence of the dramatic
aspects of \textit{patria potestas} as well as the modifications made
over a number of centuries. Despite immense social changes the
Roman attitude to \textit{patria potestas} remained remarkably stable.
Why was this? What were the relevant social attitudes?

Daube explains the persistence of \textit{patria potestas} with the
argument that it applied only to the upper class elite, the
group for whom property was of real significance. The elite
were willing to put up with hardship for the sake of status,
and in Daube's view the rules of \textit{patria potestas} were a source
of pronounced friction between upper-class fathers and sons
(66). This picture is open to some doubt. For instance, if

property was the underlying concern, the absence of primogeniture at Rome is an embarrassment. In addition, we have numerous imperial rescripts addressed to soldiers which emphasize the principle of a father's power (67). There is also papyrus evidence for the operation of patria potestas in relation to Roman citizens in the provinces (68). It is true that when the emperors distributed largesse to the people they did not sort patresfamiliorum from filiiifamiliorum (69), but this was a situation to be interpreted ideologically rather than legally. It is also true that Roman law was mainly made not only by the upper classes but for them as well (70). On the other hand, families without substantial property might have joined the elite in viewing patria potestas as a distinctive cultural element which was worthy of maintenance.

Property does not seem to provide the full answer, and Daube's concentration on it has caused him to paint a picture of patria potestas which is too dark. For instance, he isolates the prospect of becoming a paterfamilias in future (and hence a property-owner) as one factor in the maintenance of the system, though he notes that it was precisely in the better-off circles that people tended to live longer than average (71). Both emancipatio and peculium are belittled for being in the

67: CJ 12.36.1(223AD); 12.36.2(224); 12.36.3(224); 12.36.4, 12.36.5, 8.45.7(294); quoted by B.Campbell (1978), p.157 n.42; id.,(1984), p.230. For patria potestas as a practicable concept among 2nd Century Greeks, see Dio Chrys.15.20; Philostratus, VS 521.
69: Aug.RG.3.7ff; Pliny, Pan.25.
discretion of the father (72). Even in public life, where the
Digest claims that patria potestas does not operate (73), Daube
sees a filiusfamilias being rigidly controlled by a
paterfamilias in that it was the father who provided finance
for the son’s election to office. This is viewed as a powerful
brake on any deviation from traditional family politics or,
indeed, on any tendency to detract from the old-established
scope of patria potestas. The means for such a platform would
not be forthcoming (74).

The rich controlled political office and social standing.
Naturally they felt themselves superior to the rabble and the
foreigners in Rome. Daube thus sees them sticking to these
incredible rules because they were perceived to express and
safeguard upper-class superiority. It is a matter of bearing
hardship for status. In the maintenance of status a
propertyless filiusfamilias would be united with his
paterfamilias (75). However, the solidarity could be a more
generally "Roman" one, as is suggested by Gaius’ assertion that
no other people have as much control over their sons as the
Romans (Inst.1.55). A lower-class citizen might equally be
united with an upper-class citizen for the maintenance of
national status. All Romans could be proud of patria potestas
as setting them apart from non-Romans. The persistence of
patria potestas would not then be a matter of property or
elitism as Daube supposes. This is not to minimize Daube’s

72: ibid, p.83.
73: Dig.1.6.9.
75: ibid, p.86.
legal implications on a legal level. It is instead to suggest that *patria potestas* permeated Roman society in general, and that the relevant attitudes and social conditions were not those which underlay Daube's dark picture.

Daube follows up his picture of the hardship experienced by the propertyless *filiusfamilias* with the controversial thesis that sons wished their fathers dead (76). In Terence, a father is furious that his son, in his absence, allowed a court to sentence him to take to wife a poor pretty girl though he could have extracted himself from trouble by providing her with a dowry and marrying her off to someone else. The son, who did not have enough money for this, could have raised it from the usurers says the father. A slave, who is in league with the son, counters with the line: "Who would lend him while you are alive? (77)". Evidence from comedy is difficult. The cranky old man, for instance, is a stock figure, and it is precisely in such a situation that the son's economic subordination to his father would be emphasized of course. It should be noted too that in no comic context do fathers explicitly wish their sons harm (78). Nonetheless, as Daube says, there is a nasty implication here (79). Another father in Terence tragically reflects that his sons are just waiting for his death (80). Cicero's earliest speech in a criminal trial was in defence of

76: ibid., p.88ff.
a man accused of murdering his father (81). Suetonius comments on how different early emperors viewed the terrible penalty prescribed for parricide: one would approve, another would be put off (82). Daube feels that there were enough cases for an emperor to develop his own style of dealing with it (83). Seneca praises a father who did not cut the allowance of a son who had plotted his death (84). The senatusconsultum Macedonianum might be conceived of as a protective measure to stop sons from wasting their prospective wealth through a zest for high living. Usurers should henceforth have been especially careful not to loan money to filiifamiliarum. However, if they did lend such money, as had evidently been the case previously, the senatusconsultum could as readily perhaps be aimed at resultant danger to the father from a son harassed by debtors (85).

The evidence is thought-provoking, and Daube appears to have uncovered an important area of tension between a father and his son in potestate (86). It is hard to say how far one should generalize from this. Tension between fathers and sons is apparent in agrarian societies which lack the institution of patria potestas, and such tension is not simply a matter of property (87). If an impulse towards parricide was indeed a recognizable phenomenon in Roman society, we can envisage two

82: Suet.Aug.33; Claud.34; cf Sen.Clem.1.23.
84: Sen.Clem.1.15.2.
psychological responses from fathers. Repression is one option, though it would probably tend to exacerbate the problem. The other option is to seek an accommodation, to be conciliatory, to stress a caring role. This might be translated into practice, for instance, by a generous peculium. In explaining the persistence of patria potestas, Daube does not seem to have considered evidence for a powerful public opinion in Rome prescribing limits to a father’s behaviour in line with a preconceived ideal which regulates, though does not deny, the most dramatic of the father’s legal powers. Much of the evidence relates to gubernatorial headship, but the principle should readily apply to property headship as well.

Cicero’s arguments in the Pro Sex. Roscio Amerino (80 BC) are important. Admittedly, trial pleading is tendentious but it might just be in such a source, exaggerating reality, that we come close to the Roman ideal of the father-son relationship. Cicero’s words cannot be judged totally meaningless, even if we accept that there is hyperbole. In answer to the charge that Roscius’ father intended to disinherit his son, Cicero says: "how could the father have been so enraged as to bring himself to overcome his natural feelings, to drive out of his mind that love so deeply rooted in it, and, lastly, to forget that he was a father (88)". All divine and human laws bind a son to suffer death himself for the sake of his father, if circumstances so demand (89). It is as improbable that a son should be hated by his father without many strong and cogent reasons as it is

89: ibid, 37.
incredible that death should be inflicted on a parens by his son unless he had numerous and weighty motives for the act (90). The father would have to be out of his mind to hate his son, and the son a profligate to murder his father (91). Owing to the enormity of the crime, unless the act of parricidium is beyond a doubt it appears incredible; unless a man's youth has been disgraceful, his life polluted by shameful acts of every kind, his extravagance lavish, accompanied by shame and disgrace, his audacity unrestrained, his rashness not far removed from madness; and add to this hatred on his father's part, the fear of paternal reproof, bad friends, slaves as accomplices, favourable opportunity, and a suitably chosen place for the purpose. The jury must almost see the son's hands with the father's blood on them if a crime so great, so atrocious and so cruel is to be believed (92). Cicero is working very hard in these passages and one is left with the uncomfortable feeling that perhaps Roscius was guilty after all.

Erucius, the prosecutor of Roscius, in trying to prove bad feeling between Roscius and his father, apparently made much of the fact that Roscius' father had sent him away to superintend a number of estates in the country. This was not to be rid of him, argues Cicero (93). It was because patresfamiliarum (in the sense of estate-owners) of Roscius' class from the country towns think it desirable that their sons should devote

90: ibid, 40.
91: ibid, 41.
92: ibid, 68.
93: ibid, 18.
themselves as much as possible to the management of an estate (94). Therefore, it is a mark of esteem for Roscius (95), and it is implied that he is inspired by zeal for everything connected with agriculture anyway (96).

Roscius' inheritance was unquestionably touted as a prime motive. Cicero answers that Roscius had money of his own, for he was allowed to have the usufruct of certain estates during his father's lifetime (97). What is more, his patrimonium is now in the hands of brigands belonging to his family (98) (presumably pending resolution of the question of the son's guilt). This intervention by family peers where there is doubt as to a son's innocence is an important factor not considered by Daube. Such peers might often be lacking of course. Cicero's implication is that Roscius' father was more than generous in providing finance for his son, and any guilt over money should actually attach to those who now possess the patrimonium.

Cicero speaks of ideal fathers and sons in a number of subsequent works. The tender love of the parent is often stressed (99). Fathers must instruct their sons in ancestral custom and the traditions of national life because children are

94: ibid, 43. For paterfamilias in the sense of an estate-owner in charge of family dependants and slaves, cf.Cic. Quint.11.55; Rosc. Amer. 43; 48; 120; Verr. 2.3.120; Cat. 4.12 (children and slaves). Unspecified dependants: Verr. 2.3.183; 2.4.58; Flacc. 71; ad Fam. 4.15.4; 5.10a.1; ad Att. 7.14.2. Note the use of dominus in the sense of property-owner: Cic. Dom. 107; Phil. 13.12.
95: Cic. Sex. Rosc. Amer. 44.
96: ibid, 48.
97: ibid, 44.
98: ibid, 15; 78; 144.
99: eg.Cic. Verr. 2.5.108ff (Sicilians); cf. 2.2.95ff; 2.2.98; 2.4.41; 2.5.109 (Verres' father); Dom. 94.
begotten not only for their parents but for the patria as well, so that in due season they may do good service to the res publica (100). Fathers ask sons in their turn to make the effort to produce children (101). Their consent is important for a son's wedding (102). It frequently happens, too, that we find one party in tears at the distress of the other. Tears are not to be taken as the sole preserve of the filial (even the familial) relationship but it is evidently an important rhetorical motif (103). The tears attest the person's pietas (104). The presence of a tearful father or son in court was apparently common (105).

In the Pro Caelio (56 BC), Cicero has to cope with charges pertaining to Caelius' relative luxury and freedom. In answer to the allegation of impietas to his parents, as shown by his living apart from them, Cicero points to the tears and indescribable sorrow of his mother and the mourning garments of Caelius' father in response to the trial of their son. Let them be the best judges, says Cicero (106). The argument is very important for the operation of patria potestas. Cicero wants to depict Caelius' father as a kindly, loving figure, but this

100: Cic.Verr.2.3.161.
101: Cic.Fam.9.22.3; cf.Dio 56.3ff (Augustus addresses the married and unmarried men of Rome).
102: Cic.Sest.6. For a different slant see Horace, Sat.1.4.48-50.
103: cf.Cic.Verr.2.1.76;2.2.95;2.5.22,108,109; Foot.48; Sull.89; Flacc.106; p.red.Gen.37; Sest.121;144; Cael.4 (Caelius' mother).
104: Cic.p.red.Gen.37 (along with prayers, daily-renewed); Sest.4;146.
105: Cic.Sull.89; Flacc.106; Sest.7;144 (all sons); Cael.4 (Caelius' father in mourning garments).
106: Cic.Cael.4.
requires some tempering. Thus, his diligientia disciplinaque during Caelius' youth is also stressed (107), and, although Caelius must have had quite a healthy allowance to pay his Palatine rent, Cicero emphasizes his economic dependence on his father: "One who is subject to patria potestas does not keep accounts (103)". Caelius was at an age when living away from home was justified. He had successfully prosecuted C. Antonius and, besides, his age allowed him to aspire to public office. The separation was made not only with the permission of his father, but even with his advice (109). There seems to be a good deal of flexibility and freedom (both gubernatorially and economically) in the relationship between Caelius and his father. Yet it is important that modern mildness and gentleness be mixed with old-fashioned severity and solemnity (110). The father is a figure of auctoritas and severitas, but he is not rough and unfeeling like the fathers in Caecilius (111). He is mild and indulgent, like Caelius' father, with a streak of firmness where required (112). The idea of development from a time when harshness was the norm is quite strong. It is certainly the public perception of the time, though its historical basis is by no means assured. The "harshness" is distinctively Roman. Cicero's ideal Roman father emerges as a mixture of old and new, mild yet firm, operating more as a figure of auctoritas than potestas. He is a figure of power,

107: ibid, 9.
108: ibid, 17.
109: ibid, 18.
110: ibid, cf. 33.
111: ibid, 37 (cf Cic. Rosc. Amer. 46).
112: ibid, 38.
even absolute power, but his power is regulated by a strong public opinion which stresses an ideal, loving father. It is a matter of potestas being governed by pietas. This point is illustrated too by some legal cases which show the father acting in conjunction with a consilium, whose very presence indicates a degree of restraint on the arbitrary exercise of the father’s power.

The consilium.

When Sp. Carvilius Maximus Ruga divorced his wife in 235 or 231 BC, the divorce provoked some sort of crisis (113). Watson has shown that it was not the first Roman divorce as such, but the first in which the wife was innocent, inasmuch as Carvilius based his action on her barrenness, not on adultery or drunkenness (114). Carvilius was concerned to negate suggestions that he had used his power in an arbitrary fashion. Accordingly, he took the precaution of consulting his friends: he acted de amicorum sententia. He also swore that he had married for the purpose of having children, liberum guaercundorum causa, an objective that she had not been able to fulfil. Valerius Maximus, whose chronology of the case is extraordinary, says that he incurred invidia even though his

motive was a good one (115). Dionysius of Halicarnassus says he was hated by the people (116).

It is possible that Carvilius’ decision to consult his consilium was prompted by recollection of the case of L. Annius (Antonius), who was expelled from the senate by the censors of 307/6 BC because he had repudiated his wife without consulting his consilium (117). Valerius Maximus does not give the basis for the repudiation (118). Bauman believes that the prominence given to Carvilius’ case still makes it likely that it was the first against an innocent wife, as Watson thinks (119). This then, the first repudiation of an innocent wife in manu, even de amicorum sententia, might well explain the people’s invidia against Carvilius as a reaction to what was perceived to be an unwarranted exercise of patria potestas. Alternatively, if the presence of the consilium was enough to negate suggestions of the arbitrary exercise of power, as Carvilius seems to have intended, Bauman’s speculations about political overtones become more important (120).

L. Gellius (cos. 72) summoned almost the entire senate to his house when he sat in judgment on his son for adultery with his stepmother and attempted parricidium (121). This seems to have been a special case. Gellius, whose summoning of the bulk

115: Val. Max. dates the case to 604 BC. Equally as extraordinary is Plutarch’s date of 524 BC: Thes. et Rom. 6.3.
116: Dionysius 2.25.7.
118: Val. Max. 2.9.2.
121: Val. Max. 5.9.1.
of the senate was followed by a full debate on the issues, may have been interested in more than merely safeguarding himself against criticism relating to the arbitrary exercise of power. Bauman suggests his aversion to the barbaric traditional penalty for parricidium and attributes to him a feeling that a new approach to parricidium was needed. In 70 BC, as censor, Gellius expelled a number of senators who had sat as iudices at the notorious trial of Oppianicus in 74 (122). He might have inspired the lex_Pompeia_de_parricidiis (123).

Seneca further describes how L. Tarius Rufus (cos.suff.16 BC), tried his son on a charge of attempted parricide, in parricidii_consilio_depressum, and after a full investigation (causa_cognitâ) exiled the culprit to Marseilles but continued paying him his annual allowance (124). Tarius sat with a consilium, to which he summoned Augustus. Augustus came to Tarius' house, realizing that if the court had come to his own house the cognitio would have been Caesar's, not the father's. The story shows both Tarius and Augustus safeguarding themselves against potential criticism, along with the further implication that each is motivated by sincere feelings of love and concern for their dependants.

The emperor asked each member of the consilium to give his sententia in writing, so as to avoid having them all vote according to Caesar's lead. After everyone had recorded their votes, but before the tablets were opened, Augustus said that

122: Cic.Ciuent.117-134.
he would not accept a designation as Tarius' heir, by which he apparently implied that he had voted for condemnation but was not prompted by any desire to succeed as second heir when the sentence on the son was carried out. Augustus then said that the son should be relegated to wherever the father decided. Seneca observes that he did not decree the sack, the serpents or prison, because he was thinking not of the culprit but of the man on whose consilium he was sitting (125). The whole process is indicative of the regulation and mitigation (not denial) of the father's gubernatorial control in line with a loving ideal which is seen as a secondary development from a time when fathers would have decreed the sack.

Reciprocal pietas between father and son.

The Romans believed that the father-son relationship ought to be governed by reciprocal pietas. This is clear from Hadrian's ratio decidendi in the case which resulted in the deportation of a father who had killed his adulterous son in a fake hunting accident: *quod latronis magis quam patris iure eum interfecit; nam patria potestas in pietate debet, non atrocitate consistere* (126). The moral relationship regulates the legal relationship, and modifications to patria potestas were apparently carried out in the light of perceived

125: *ibid.* For the sack, see Cic.*Rosc.*Amer.*26, 72.*
126: cf. (Hadrian) Dig.*48.9.5.*
transgressions against moral duty (127). The strength of this moral obligation should not be underestimated.

There is one case which seems in particular to show the importance of the moral relationship, and its transcendence of the legal relationship (at least in some instances). It involves T. Manlius Torquatus and his son, who had been given in adoption and was now D. Iunius Silanus Manlianus. The son was praetor in Macedonia in 141 BC, and in 140 BC was accused of extortion by Macedonian envoys in the senate (128). Manlius the natural father sought and obtained permission to investigate the matter himself. The senate’s permission apparently supports the conclusion that he was felt to have the moral right to act as quasi-iudex over his son (129). This is not a matter of law, of patria_potestas, or of a consilium (130). On the facts as presented, the matter was made to rest solely on the moral bond existing between the father and his son. This bond referred to an ideal of behaviour which was accepted by both parties but which had nothing to do with Potestas, though Potestas was no doubt the normal avenue through which it was expressed.

127: ibid; see also Dig.37.12.5 (Trajan).
128: Cic.Fin.1.24; Livy, Oxy.Per.54 and Per.54; Val.Max.5.8.3.
129: Val.Max.5.8.3 says that Manlius acted as a strict and scrupulous iudex but there is no need to interpret the word in a legal sense as so used. In my view the evidence for this case explicitly contradicts Harris’ conclusion (1986, p.86) that the father was deliberately trying to avoid direct responsibility for the son’s death.
130: Note Bauman's worry over the absence of a consilium: R.A.Bauman (1984), p.1294. B.M. Levick (1972), p.683 n.44 assumes (without evidence) that the son was either remancipated to his natural father or that the trial by Torquatus was specially sanctioned by S C. The need to make such an assumption is removed if one countenances the presence of the moral bond.
The father gave judgment against his son and banished him from his sight, in response to which the son hanged himself. Both men were probably aware of the implications of this extraordinary investigation from the beginning. It should thus not surprise that, instead of attending his son's funeral, Manlius made himself available for consultations at his house as usual (131). In a similar case (132), Aemilius Scaurus, son of M. Aemilius Scaurus the consul of 115 BC, was forbidden to enter his father's presence after running away in battle against the Cimbri, apparently in 102 BC. The son subsequently committed suicide.

We may even be justified in believing that the moral bond had long transcended the legal bond. To judge from the corrupt passage in the Autun Gaius which was referred to above, a father who had killed his son sine iusta causa was liable under the Twelve Tables to the penalty for calumnia (133). Such a restriction on the operation of patria potestas must have been old, even if not quite as old as the Twelve Tables (134). The proof of iusta causa was, Bauman suggests, the involvement of the consilium in the matter (135). This might be a little too narrow. A iusta causa was perhaps one which took due account of the moral bond between father and son, governed by mos maiorum and the absence of written law. Certainly, involvement of the consilium would ordinarily be consistent with this concern. On

131: Livy, Oxy.Per. 54, and Per. 54; Val. Max. 5.8.3.
133: cf. n. 14 above; see also Ulpian, Dig. 48.8.2.
the other hand, it should be noted that the interests of the state were paramount. Fathers might act against sons out of hand if the security of the state was at issue. In other words, the father's bond with the state took precedence over that with his son. These points are illustrated in a number of famous stories.

L. Junius Brutus is said to have put to death, among others, his sons for planning to bring back the Tarquins (136). According to another tale, Sp. Cassius was executed for attempting to impose a regnum upon the people. Some sources assert that his father put him to death, while others say that two quaestors successfully prosecuted the son for perduellio (137). The dictator of 431 BC, A. Postumius Tubertus, put his son to death for desertion— even though there was no question of cowardice. Livy (4.29.6) was upset by the saevitia and crudelitas of this incident, and so refused to believe it (138). T. Manlius Torquatus, as consul for the third time in 340 BC, executed his son for engaging in single combat in defiance of a ban (139). The Romans, therefore, possessed a tradition about severe fathers which could be an embarrassment (witness Livy's reactions at 4.29.6 and 8.12.1). Yet there is no dodging the fact that fathers are depicted acting against their sons. It is not, in my opinion, helpful to argue that imperium rather than patria potestas was employed (140). Even if it were

136: W. V. Harris (1986), p. 82 for refs.
137: ibid, pp. 82-83.
138: Val. Max. 2.7.6 and Gell. 1.13.7 do not contest the story; cf. W. V. Harris (1986), p. 83.
139: W. V. Harris (1986), p. 84.
conceded that this may be so on a strict legal interpretation, the stories rely for their effect on the fact that fathers have been moved to act against their sons. The moral element is very strong. Fathers must guard the interests of the state, and uphold its rules, in spite of family ties and regardless of personal sorrow. The "severe" fathers operate in circumstances which illustrate these points. This has obvious implications for the dramatic aspects of _patria_potestas_. Furthermore, the stories are set in contexts designed to illustrate ancient Roman _gravitas_ and _virtus_ and are consistent with Cicero's picture in the _Pro_Caelio_ of development from a time when fathers were more severe than in the first century BC. Parallel development, it should be noted, is not necessarily to be taken for granted in the legal sphere. On the basis of a comparison between the provisions relating to _patria_potestas_ in the _leges_regiae_ and those which existed later in the Republic, Watson has concluded that _patria_potestas_ actually increased in strength at law under the Republic (141). In this light, Cicero's picture of development can most easily be rationalized if it is accepted that the key to understanding the Romans' attitude to _patria_potestas_ is the primacy of the moral bond between fathers and their dependants.

141: A. Watson, "Roman Private Law and the Leges Regiae", _JRS_ 62 (1972), pp.102-103. Watson opposes those who see the _leges_regiae_, attributed to the kings, as the invention of later writers.
In the stories of Horatius (142) and of Sp.Cassius (143) we have evidence of separate trials conducted by the
paterfamilias and the state, but this is perhaps not so much to be used as evidence for an actual conflict of
jurisdiction (144) as it is for different stages in the formulation of the respective traditions. In both cases, the public trials turn on
a charge of oerdruellio and seem to derive from later versions which are interested in emphasizing state jurisdiction (145).
The domestic trials are more difficult. Bauman favours a charge of parricidium against Horatius but the matter is far from
clear (146). Cicero, Valerius Maximus and the Elder Pliny all have the father of Sp.Cassius - sitting with a consilium of
propinqui and amici, as Valerius is careful to point out -
condemn the son for regnum_occupare (147). Livy is
non-committal. He says only that the father tried his son
(cognita_domi_causa), had him scourged and put to death, and
consecrated his peculium to Ceres (148). None of these authors
suggests that the father acted illegally (149).

In relation to the Sp.Cassius legend (150), Lintott

147: Cic.Rep.2.49,60; Val.Max.5.8.2;6.3.1; Pliny, NH.34.15.
148: Livy 2.41.10-12.
postulates an original story dealing with a primitive form of the execution of justice. This involved the sentencing and execution of the son by the father. Livy and Dionysius (151), however, favour a version in which Sp. Cassius, as consul in 486 BC, after a treaty with the Hernici, proposes agrarian reforms to the benefit of either the plebs and Latins (Livy) or the Romans, Latins and Hernici as well (Dionysius). In addition, he proposed to compensate the plebs for their extra expenses in buying Sicilian grain. According to Livy, this was spurned by the plebs as the down-payment on a regnum. In Dionysius, the tribunes threaten to veto, Cassius threatens force, and debate on the matter is ultimately adjourned in the senate.

In the following year, both authors record the trial of Cassius before the quaestors, his condemnation, execution and the demolition of his house (152). The charge was perduellio, substantiated, according to Dionysius, by Cassius’ plotting against the state and obtaining arms from the Latins and Hernici. Both authors tell of an alternate version which they have found in their sources: Cassius’ father discovered his treason, sentenced and executed him privately, and dedicated his peculium to Ceres.

The influence of material from a Gracchan or Drusian context is very strong. The theme of agrarian legislation is almost enough on its own, along with the spectre of concessions to the Latins and socii. Lintott feels that the original annalistic tradition depicted Cassius’ father as another Junius

151: Livy 2.41; Dionysius 8.69-80.
152: Livy 2.41; Dionysius 8.69-79.1.
Brutus or Manlius Torquatus who sacrificed personal feelings to the interests of the state and confirmed the principle that aspiring tyrants should be killed out of hand, though in this case with the palliative of a domestic investigation (153). The arbitrariness of this procedure was objected to in the Gracchan period and, like the story of Sp.Maelius and C.Servilius Ahala (154), Cassius’ story was changed from the crude killing to the constitutional overthrow of an aspiring tyrant and was given a modern political context. It remained a moral fable, but its emphasis changed from tyrannicide to the hidden danger of concessions to the Latins and socii, so that in time the father disappeared from the story and historians concentrated on substantiating the circumstances of Cassius’ fall.

Harris, who does not substantiate his view, feels that the quaestors may have played a part in the earliest account of the Sp.Cassius story, though he admits that the story plainly was controversial (155). What we can conclude is that some writers saw paternal jurisdiction as appropriate, given either the circumstances of the case or the historical setting or both, and others favoured state jurisdiction. The Romans were probably interested in stressing the primacy of state over paternal authority from a very early period in the growth of the community to a size which was clearly much larger than the individual family groups. It was an emotive topic, but the striking fact is that no move was made to limit the legal

powers of the paterfamilias. In fact, if Watson is right they
were actually strengthened at law. All indications are that the
moral bond was seen as a powerful brake on the arbitrary
exercise of patria potestas.

Cicero says that while Flamininus, as tribune in 232 BC,
was putting before the concilium plebis an agrarian bill of
which the senate and optimates strongly disapproved, his father
dragged him unceremoniously out of the temple. For Flamininus,
the choice was between his father and the state. He duly
charged his father with maiestas, and the issue was whether the
exertion of patria potestas against tribunicia potestas had
diminished the maiestas of the Roman people: minueritne is
maiestatem qui in tribuniciam potestatem patria potestatem
utatur (156). The incident as presented here sounds
particularly contrived (157). Cicero does not disclose the
outcome of the "case", and we do in fact know that the agrarian
law was passed (158). One could imagine L.Licinius Crassus
(cos.95), a leading authority on the lex maiestatis, setting it
as a hypothetical case for Cicero and his fellow students to
debate. Discussions conducted in this type of setting may well
be responsible for some at least of the versions of the
numerous stories which relate to father-son relationships or to
a conflict between state and paternal authority. Much of the
material in De Inventione, it may be added, is drawn from

156: Cic.Invent.2.52.
157: cf.ibid: posita sit haec causa; and Horatius' case in
ch.70.
A number of writers refer to Flaminius' agrarian law, but apart from the Ciceronian passage in *De Inventione* only Valerius Maximus, who frequently draws on Cicero, mentions the father's role (160). His version has Flaminius meekly submit to his father's *potestas*, but Valerius' prime concern is to elaborate upon the moral point - as when he says that not even the mobilization of an army against Flaminius could accomplish what *patría potestas* was able to achieve. Bauman accepts the historicity of the story of the father's intervention, postulating that a recalcitrant son convened a second meeting of the *concilium plebis* to have the agrarian law passed (161). He denies that Cicero is presenting a hypothetical case in line with his thesis (which depends in part on this story) that the *crīmen maiestās* was already being charged as such in the 3rd Century BC, though *apud populum* rather than before a *quaestio perpestua* (162). This argument is open to some doubt, and may well be founded on the anachronistic use of the word *maiestas*, or the confusion of *perduellio* and *maiestas*, by later writers.

160: Polyb.2.21.7-8; Cato fr.43 Peter; Cic.Sen.11; Inv.2.52; Acad.2.13; Brut.57; Leg.3.20; Livy 21.63.2; Val.Max.5.4.5.
in their (brief) discussions of remote events (163).

On the other hand, the story of Flaminius' father appears as a nice school problem, a contentio pietatis with a legal twist. Proper adherence to personal obligations was a great Roman concern in general, and the father-son bond was of interest in particular because it was seen as being unique to themselves in the strength of the tie it entailed. It should not surprise that historians writing about early Rome focused on this element as a device for illustrating the moral fibre of the Roman people (164). The Greeks would readily comprehend the scenarios described because Hellenistic philosophers employed them conspicuously in debates about conflicting duties and obligations (165). The Romans probably did not seriously envisage the father-son bond as a potential force for the subversion of the state, but Valerius Maximus at least could believe, in his version of the C.Flaminius story, that a son would put his duty to his father above all else.

Sallust has a most important passage in this context. He says that there were many outside the Catilinarian conspiracy who went to join Catiline when hostilities began, including

163: The writers are Suetonius (Tib.2 on Claudia, 246 BC), Cicero (de Inv.2.17,52 on the father of C.Flaminius, 232 BC), and Seneca (Contr.9,25pr.on C.Flaminius, 193 BC). See the review of R.A.Bauman (1967) by P.Garnsey, JRS 59 (1969), p.283. On confusion between perduellio and maestas, see eg. Diodorus 33.2 on C.Plautius (with E.Gruen, Roman Politics and the Criminal Courts, 149-78 BC, Cambridge, Massachusetts, 1968, p.29); cf.Auct.Herenn.1.15.5 (Bauman, 1967, p.38) on C.Popilius Laenas. Both defendants went into exile, which points to charges of perduellio.
165: Cic.Off.3.90.
Fulvius, a senator's son, whom his father ordered to be brought back and put to death: *quem retractum ex itinere pares necari iussit* (166). Valerius Maximus' version is similar: *medio itinere abstractum supplicio mortis adfectit* (167). He adds that the father first declared (*praefatus*) that he had not sired a son for Catiline against the *patria*, but for the *patria* against Catiline (168). Valerius ends on a note of criticism: the father could have kept the son incarcerated until the madness of civil war was over, as a *cautus pater* would have done, but this one was *severus*. Dio reports that many were investigated for merely intending to join the conspiracy; the consuls conducted most of the investigations, but Aulus Fulvius, whom Dio thinks was a senator himself, was killed by his father (169). Dio goes on to say that there were many others, both consuls and *privati*, who killed their sons. This seems a general observation rather than a specific reference to the Catiline episode (170), but either way it is a gross exaggeration, probably engendered by a desire to mitigate the story's effect on Dio's audience. The father's action was extreme. His justification was the ultimate one of *patria*, and he could point to the traditions about Brutus, the first consul, and the father of Sp. Cassius, who had killed their sons for the good of the state (171). In this way the arbitrary and

166: Sall. Bell. Cat. 39.5.
167: Val. Max. 5.8.5.
169: Dio 37.36.3–4.
extreme use of *patria potestas*, with the notable absence of a *consilium*, might be justified. Again, there is no suggestion that the father acted illegally. Even so, he may have been lucky to get away with it. The father’s legal power is not questioned, just his moral right to act as he did (cf. the criticism of Valerius Maximus).

Seneca describes the popular outrage against Tricho, a Roman knight, who was almost torn apart by an angry mob in the Forum after he had executed his son by flogging. It was only the timely intervention of Augustus which saved him (172). In terms of popular opinion, it seems that legal right did not easily override moral responsibility, though state security was evidently a special consideration. In Tricho’s case, the manner of death (viz. flogging) would have been particularly repugnant and perhaps left the father open to a charge (173). In a similar case, Fabius Eburnus (cos.116, cens.108), who had killed his son for some sexual offence, was consequently sent into exile (174). Orosius gives what might be the crucial information when he says that Eburnus sent his son into the country, and there had him killed by slaves – also a repugnant method (175).

The family was no longer an autonomous political unit as Romans had believed it to be in early times (176). Family interests were held to be subordinate to those of the state.

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174: Ibid., pp. 84-85.
175: Orosius 5.16.8.
176: Cato ap. Gell. 10.23.4; Cic. Sen. 37; Val. Max. 5.4.5; Sen. Contr. 1.1.8; 10.2.8; Ep. 47.14; Sen. Ben. 3.11.
(patria, res publica), and a son's ultimate loyalty was to be to the state. The story in which Fabius Maximus dismounts on the orders of his consul son reinforces this point (177). However, even in recognizing this, no decisive move was made against the legal power of the Roman father until well into the Principate. Instead, the moral bond between the father and his dependants was emphasized. The stories which have been examined above, of course, are a long way from proving that state and paternal authority were ever brought into conflict, though the theoretical implications are as intriguing for us as they seem to have been for the Romans themselves. Pomponius deems a filiusfamilias to be a paterfamilias in public affairs but he does not indicate what happens when the magistrate comes into conflict with the father (178). If there had been a momentous conflict (as, for example, with C.Flaminius and his father), the Digest might well be more definitive at this point. We would also do well to recall Daube's argument that the political views of the father and the son should largely coincide (179). The potency of the father's legal power is not to be denied, but the regulation of it in terms of a loving ideal must be emphasized. The ideal was a matter of reciprocal pietas. One is reminded again of Hadrian's words: patria potestas pietate debet, non atrocitate consistere (180).

177: Livy 24.44.9-11; Val.Max.2.2.4; Plut.Fab.24.1-3; Gellius 2.2 (cf.Claud.Quad.fr.57 Peter); Apophth.Fab.7.
178: Dig.1.6.9.
180: Dig.48.9.5.
Tombstone evidence.

Tombstones have recently been used to illustrate the Roman ideal of family love under the Empire (181). Their evidence helps us to understand the environment which mitigated against the arbitrary exercise of *patria potestas*. A number of laudatory adjectives were used by dedicators in praise of the deceased's character, and poignant descriptions of grief often allude to a great depth of family feeling for departed members. Hopkins' discussion of the limitations of this evidence, the social and psychological pressures behind displays of grief in the Roman world, and the general difficulty of understanding grief and feelings across cultural barriers, is important to take into account (182). Even so, he largely comes to a positive conclusion about the genuineness (in our terms) of the sentiments displayed on tombstones and in literary sources such as Cicero's letters relating to the death of Tullia (183). Churchin's conclusion is similar, though he notes that the principle of *nil de mortuis nisi bonum* appears to have guided the Romans (184).

For Roman Spain at least, the most frequently used epithets are compounds of *pious*, which are most commonly applied

to members of the nuclear family. Within this group, *pietas* is of less importance between spouses, who instead are often *carissimus*, *optimus*, or *benemerens*. Affection seems to outweigh piety in the conjugal relationship (185). It is noticeable in general that the epithets focus on love, worthiness, virtue and harmlessness, rather than high birth, wealth or intellectual prowess etc. In the second century AD, the increased use of superlatives has been thought to signal a growing sense of devotion in line with the transition from paternal rule (*patricia potestas*) to the sense of family duty (*pietas*) which is prevalent in the Visigothic period (186). This impression, however, is surely just based upon a matter of style. The use of superlatives is consistent with the trend to be observed in the titles of public officials, and there is certainly no need to assume that adjectives used in the positive degree necessarily imply a restrained degree of feeling in the absence of superlative adjectives. Is there (as is likely) a difference in attitudes to expressing affection or an actual difference in affection and devotion etc.?

Veyne sought to show that fundamental changes in the Roman family occurred during the Principate, changes that anticipated Christian *mores* and to some degree paralleled the development of the affectionate family postulated for the 17th and 18th Centuries (187). He believed ties of affection to be weak in Republican families: children were disinherited, sons murdered

185: ibid.
186: ibid, p.182.
fathers, marriage was principally an institution for those who wished to transmit property to legitimate descendants (188). Others who had no such wish and the humbler classes for whom property transmission was of no great concern did not enter into marriages. Then, in the 1st and 2nd Centuries AD, came the great revolution in which the affectionate nuclear family came to the fore, first among the elite who spread it to their social dependants and inferiors. Veyne views the political change as "sufficient" explanation (189).

This position now seems untenable in light of the recent study of tombstone inscriptions by Saller and Shaw (190). Their focus was on the commemorator's relationship to the deceased person, and the prime conclusion was that for the populations putting up tombstones in the western provinces the nuclear family was the primary focus for at least certain types of familial obligation (191). Grandparents, uncles and other extended family members appear too infrequently as commemorators for it to be believed that they were regarded as part of the core family unit. Fulfilment of the duty of providing a memorial for the deceased is seen as being closely related to the transmission of property, to a sense of familial duty and to feelings of affection (and these must often have coincided) (192). Contrary to Veyne's picture, it is pointed

188: ibid, p.36.
189: ibid, p.60; cf.p.40: the competitive oligarchs of the Republic are seen as being replaced by the faithful service aristocracy of the Principate. For the fallacy of the "service aristocracy", see R.P.Saller (1982), chs.3-4.
191: ibid, p.124.
192: ibid, pp.125-127.
out that the fundamental pattern of dedications, both in terms of kin and of affection involved, remained the same from the Republican period throughout the Principate. There is no sign of the evolution of Veyne’s affectionate nuclear family. In fact, on the epigraphical evidence from this study at least, it was always there. Even Republican lower-class men and women on this evidence regarded themselves as members of families and attached enough importance to the family to perpetuate its memory on stone (193).

The emphasis in funerary inscriptions on devotion and affection, and on the nuclear family as opposed to more distant agnatic kin, offers a vital counterweight to linguistic and legal evidence which highlights the extended family, especially the patriarchal joint family dramatically ruled by *patria potestas*. It is worth stressing that the data used by Saller and Shaw comes from areas where local social structure was most influenced by urban settlement, the characteristic element of the Roman world. This qualification is only small, and there are no positive signs that rural areas would yield evidence of a markedly different character. On the other hand, it is important to note that poorer classes throughout the Empire must only have had a limited access to stone inscriptions. If, then, the extended family is, as could be argued, an adaptation of the nuclear family induced by poverty, rather than its biological or cultural predecessor, evidence for it will naturally tend to be absent from the epigraphic record, even if

it is in fact quite common at the lowest levels of society (194). In addition, Republican inscriptions from Rome and Italy are heavily outweighed by Imperial examples, and MacMullen rightly calls to attention the question of habit (195). We are still left with a situation of inherent ambiguity between the tombstone evidence and our other sources.

It is easy to be misled by the lawyers' bald statements about *patria potestas*. Literary and epigraphical sources indicate that the resultant legal picture is a distortion in terms of social reality to a degree that may not even now be fully appreciated. A blanket generalization would be most unwise. Nonetheless it does seem that the dramatic aspects of *patria potestas* were regulated by a strong public opinion which stressed an ideal of loving, though firm, behaviour and the importance of the moral rather than the legal bond between a father and his dependants in the gubernatorial sphere. In this process the *consilium* played a significant role, and there seem also to have been ways around the restrictions which governed the life of the propertyless *filiusfamilias*, at least among the aristocracy by the late Republic. When Cicero's son went off to study in Athens, the alternative was for him to set up his own household in Rome, as Caelius had done, with an allowance from

his father (196).

The evidence seems to imply that the Romans perceived a development from a time of arbitrary patriarchal authority over the extended family. This picture need have no necessary relationship to historical reality. In the 19th Century, scholars concerned with the evolution of society were induced to propose a universal stage in human history characterized by patriarchy on the basis of Roman sources (197). A corollary to this would be the view that an authoritarian ideal was subsequently overtaken by a selfless one. In my opinion there is simply not the evidence to substantiate such a conclusion. The selfless ideal was probably always there; it was not a later invention or an outside imposition on the available evidence, although the Romans themselves were inclined to stress the authoritarian character of their ancestors. What emerges is a tension between the dramatic nature of patria potestas, unquestioned in itself, and the kindly, restrained usage of this power.

We seem to be dealing with a kind of manufactured cultural idiosyncrasy which took shape as Rome expanded and made contact with established cultural groups, in particular the Greeks. The dramatic aspects of patria potestas were perhaps meant as an expression of what it was to be "Roman", a member of the superior people who lived according to mos maiorum (cf. Gaius, Inst. 1.55). It is a way of bolstering self-image, of

196: Cic. Att. 12.32.2 (cf. 12.7 concerning the practice of giving living allowances to sons).
manifesting continuity with a spartan stock, of claiming an affinity with what was distinctive and strong about being Roman. In the second half of this study, the special connotations of patria potestas will be of importance when discussing the employment of the father analogy at Rome. Before this, however, we will examine applications of the father analogy in the Greek world.
CHAPTER 4: THE APPLICATION OF THE FATHER ANALOGY TO THE SELFLESS BENEFACTOR IDEAL IN THE GREEK WORLD.

Greek culture and thought strongly influenced Rome, especially from the time of the Second Punic War. In fact, this process of acculturation is one of the most prominent features of Roman history. In this chapter the aim is to outline the Greek use of the father analogy for the selfless benefactor ideal. This will allow us in the next chapter to note the difference in its emphasis and connotations at Rome. It cannot be said that the father analogy achieved the special prominence in the Greek world that it did at Rome - it does not, for instance, appear as a title for Hellenistic kings, and as an epithet in honorific language and political treatises it is balanced by other analogies. Alfoldi relegates a section on Greek forerunners to a point near the end of his study (1). Certainly, there is comparative material in the body of his work but Alfoldi's treatment of the Greek evidence leaves something to be desired. It would seem in particular that comparison would be better served by a prior examination of the Greek evidence.

This chapter actually has a double focus: i) the genesis and development of the selfless benefactor ideal in the Greek world, and ii) the application of the father analogy to this ideal. Attention will be paid first of all to Zeus, and to the development in his image which tends progressively to downplay

the forcefulness that is a major trait in our early sources (Part I). In the next section it will be argued that this development in the image of Zeus is probably attributable in some measure to the influence of the selfless benefactor ideal, which might well have been emphasized in relationships between mortal benefactors and their beneficiaries from the beginning. In contrast to the gods, tangible and vulnerable mortals seem less equipped to maintain rule by the strong over the weak and hence more likely to highlight a basis other than force for their pre-eminence. From the latter fifth century BC, the ideal received greater emphasis in line with the increased readiness in the Greek world to envisage monarchy as an acceptable political form. However, as is shown in this section, the recognizable set of epithets which recurs through to late antiquity in evocation of the selfless benefactor ideal appears from the time of our earliest evidence. One of these epithets is "father", but it does not stand out particularly from others in the set. Evidence from fifth century BC Athens shows that such epithets for a state benefactor were viewed with a certain distaste because they conflicted with the idea of the primacy of the demos. The period during which Demosthenes lived seems to have witnessed a change in this attitude (Part II). It was in this latter period that the Greeks began seriously to contemplate monarchy as a viable political form. The third section of this chapter focuses in particular upon Plato and Aristotle, who represent political thought which slightly precedes and stands apart from the voluminous Hellenistic
literature on kingship. Understandably enough, Plato and Aristotle, who are inclined to place particular emphasis upon the law (or laws) of a polis, are not as disposed to accept monarchy as are the authors of Hellenistic kingship treatises. They lived of course in a world still dominated by the polis, whereas the latter lived in a world dominated by great kings, whose popularity should not be underestimated (2). It is significant in this context to note that the father (or parent) analogy can be applied to the state (or to its laws) by Plato and Aristotle to an extent which is not easily paralleled later when the power of the poleis was overshadowed by that of the Hellenistic kings. The state, therefore, could be envisaged in procreative/tutelary terms as could an individual, and application of the father analogy would depend on the primacy of one or the other in the given context. As monarchy gains acceptance, the good king/tyrant antithesis, founded on the factor of self-interest, receives considerable emphasis and defines the good king in terms of the selfless benefactor ideal. The father analogy is applied regularly to the good king in the context of this antithesis. It exists within the parameters established by the figure of an unlimited ruler of undefined character and an unlimited ruler of gentle disposition who exercises his power for the benefit of his subjects (Part III). In the final section it will be argued that the writers of Hellenistic tracts "On Kingship" (Peri Basileias) operated within the framework evoked by the selfless

benefactor ideal. They did not set up a system of their own. The father analogy is used by these writers with reference to the virtuous, selfless ruler, who rules for the benefit of his people. This applies also to the variant tradition represented by several "neo-Pythagoreans" which tends to picture the king as "law incarnate" (nomos_empsychos) (Part IV).

I.

The power of the selfless benefactor is exercised subject to moral constraints imposed by the goodness of his character. A tension is apparent between a "might makes right" (force) attitude and one which governs the exercise of power in a kindly, loving (moral) manner - potestas versus pietas, as characterized previously. The latter attitude is to be identified with the ideal. In the historical period, significant efforts were made to temper the arbitrary exercise of power by individuals. Democratic ideas provide some of the explanation for this process, but the egalitarian conception is often tacitly eschewed. Care for dependants is viewed as a result of the powerholder's virtuous, selfless nature. It is a positive aspect of his superiority, not a restraint governed by notions of equality between men. In this respect the tenets of modern western society stand in stark contrast.

Evidence relating to Zeus as "father" appears to illustrate the tension between force and moral duty. An observation by Burkert is helpful in understanding this situation: "Power is latent violence which must have been
manifested at least in some mythical once upon a time.
Superiority is guaranteed only by defeated inferiors (3)". Once superiority is established, its maintenance often becomes a matter of emphasizing morality, legality, and so on, rather than the capacity for violence. The dichotomy is evident in the two images by which Zeus was represented: as the boldly striding warrior who swings the thunderbolt in his raised right hand, and as the figure enthroned with scepter in hand (4).

Zeus is the only Greek god whose Indo-European origin seems assured and he is discovered as "father" among the Romans, Indians, and Illyrians (Jupiter, Dyaus pita, Deipatyros), in addition to the Greeks. The name of the German god Ziu (cf Tuesday) is akin (5). The god's name signifies "sky", and according to general opinion the bright sky. The cults prove that Zeus is the god of weather (6), the sky being the sphere of atmospheric phenomena, of thunder and rain etc. Mountain peaks, from which come weather signs, are Zeus' abode. "Olympus" is a pre-Greek word signifying "mountain". As applied to Zeus, the epithet "father" is prominent and persistent (7).

7: eg.Homer, Il.1.544, 4.235, 21.508; Aesch. Septem contra Thebas 512; Aristoph.Acharnians 225; Pindar, Pythian Odes 4.194; Sophoc. Trachiniae 275 etc.
It is generally understood according to the Homeric phrase "father of gods and men (8)". In Homer, even the gods who are not his natural children address him as "father", and all gods rise in his presence (9). In their prayers, men called upon him as "father", and perhaps did so from Indo-European times (10).

The epithet "father" is applied to Zeus from our earliest evidence. Yet the connotations that have been emphasized so far in this study are not easily reconciled with the awesome Zeus of Homer, whose very nod could shake Olympus, or with Hesiod's equally awesome depiction of Zeus as victor in a physical struggle over the earlier generation of gods. In Prometheus Bound, Aeschylus (assuming that he is the author) emphasizes the immaturity of a Zeus who relies on physical force to subdue his enemies the Titans (11). This Zeus is a figure who rules by force rather than by morality or righteousness - more "tyrannical" than "fatherly" in terms of our ideal.

Furthermore, Nilsson points out that, despite the copious evidence for his divine and mortal children, he created neither gods nor men. Thus, Nilsson understands the origin of the epithet "father" in terms of one who is the protector and ruler of his Olympian "family". In character, Nilsson views Zeus the

8: Homer, ll. 1.544 etc. The epithets and formulae used of Zeus in Homer create an impression of great antiquity. In approximately one-third of the instances he is called "father". G.L. Prendergast, Concordance to the Iliad, Darmstadt, 1962; H.Dunbar, Concordance to the Odyssey, Darmstadt, 1962.

9: ll. 1.503, 533f.


father as being much like the Mycenaean king in his realm (12). C.Kerenyi understands the epithet "father" for Zeus as signifying the head of a patriarchal household (13). Mycenaean kings and others may have behaved as forceful rulers, but subsequent implications for the "father" epithet should be delineated with care. There seems no absolute reason why a father should not be a figure of force rather than of love. However, it is doubtful whether procreative and loving aspects should be excluded altogether at any point. The prominent connotations of love and gentleness which attend the father analogy in other contexts are the result of a concentration upon the selfless benefactor ideal. Yet force is not far below the surface, even in characterizations of the ideal.

Total exclusion of procreative and loving connotations from the original sense of the epithet "father" would be extreme (and it is not necessarily Nilsson's implication), though this is not to deny that they are overshadowed in our early evidence about Zeus. The very idea of limiting Zeus' scope seems questionable. From Homer onward, Zeus is depicted as a multifaceted figure of pre-eminent power. It is in recognition of this pre-eminence that Homer is concerned to impress the kingly and fatherly conceptions of Zeus on the consciousness of his audience. His unmatched power is manifested in weather fluctuations, in battle and victory, in inexhaustible sexual potency, in his ability to protect objects

and men, especially sovereigns or rulers (including fathers and political organizations). Wisdom and justice temper this power; all law proceeds from Zeus and he has a special concern for moral obligations arising from oaths and relations with strangers (14).

Once more we might understand the problem in terms of tension between attitudes of force and morality in the exercise of power. While it may be possible for each to exist in a vacuum, in reality they seem to occupy the two halves of a continuum. One may overshadow the other, but not to the latter's total exclusion, even in a primitive environment wherein violence rather than ethics might hold sway. In Classical and Hellenistic political philosophy, the father analogy is applied to the righteous, moral ruler, who could perhaps be forceful on occasion but from no self-interested motives. The "tyrant", of course, employs force, selfishly, in order to establish and maintain his supremacy. The ambiguity is fundamental, based upon a subjective judgment of the motives and deeds of the actors. The father/tyrant antithesis attempts to give the two sides of the continuum separate images, but there is a certain uncomfortable fluidity between them. Zeus' forcefulness is not necessarily at odds with the image of a kindly father, in the manner of our selfless benefactor, even if it is something of an embarrassment. Therefore, it is difficult to believe that the procreative and loving senses should be excluded altogether from the original sense of Zeus

as "father", or indeed that it is valid to search for an "original" sense on the basis that Zeus did not create gods or men and that he is predominantly forceful in early evidence. The Odysseus passages cited in Chapter 1 provide evidence that the selfless benefactor ideal, with its procreative, tutelary and kindly connotations, was in existence from at least the time of our earliest evidence, and that the father analogy was capable of evoking this ideal in all its aspects (15). The analogy might indeed be applied with primary reference to one particular aspect of the ideal, such as a kindly nature, but this would not serve to exclude the other aspects.

In later times, the embarrassing aspect of Zeus' early forcefulness could even be removed altogether. For example, Aristotle writes that "...the association of a father with his sons bears the form of monarchy, since the father cares for his children; and this is why Homer calls Zeus 'father'; it is the ideal of monarchy to be paternal rule (16)". Diodorus Siculus says that Zeus emulated a manner of life the opposite of that led by Cronus his father, and since he showed himself honourable and friendly to all, the masses addressed him as "father". Afterwards, on gaining supreme power he visited all the inhabited world, conferring benefactions on the race of men (17). At another point Diodorus says that the magnitude of his benefactions, and his superior power, led all men to accord unanimously to him both the everlasting kingship which he

17: Diod.3.61.4.
possesses and his dwelling upon Mount Olympus (18). He is called "father", in a further passage, because of the concern and goodwill he manifests toward all mankind, as well as because he is considered to be the first cause of mankind (19). A development is evident here. Zeus conforms unequivocally to the selfless benefactor ideal and is hence called "father". A more mature assessment has been arrived at. The statue of Zeus which Pheidias produced for the temple at Olympia represented the mature subject as a benign figure enthroned in glory. The descriptions of the statue in Strabo and Pausanias indicate its influence, which to these writers of the Roman period at least was as much religious as artistic (20). Pheidias lived at a time of self-confidence after the Persian Wars when the Greeks could well see themselves as members of a mature world ruled by a commensurately mature supreme god. Yet it seems that we might also give credit for the development in Zeus' image to the influence of the selfless benefactor ideal, which had probably been emphasized in relationships involving human benefactors from the beginning.

II.

A recognizable system for honouring benefactors and rulers developed in the Greek world from the latter fifth century BC as the primacy of powerful individuals was increasingly

18: ibid, 5.71.6; cf. also 5.72.1 for his benefactions.
19: ibid, 5.72.2.
20: Strabo 8.353-354; Paus.5.11.1.
accommodated within the polis framework (21). It is my contention that they were honoured as procreative/tutelary figures along the general lines discussed in Chapter 1. There was considerable variety within the system as dictated by the importance of the individual and the magnitude of the benefaction. The honorand might, for instance, receive certain local privileges and priorities in accordance with a municipal decree, a statue with a eulogistic inscription, festival games bearing his name, or a cult complete with priests and sacrifices. He might be hailed a benefactor (euergetes), a saviour (soter), or even a founder (ktistes). "Father" appears quite commonly in literary works in conjunction with these epithets. In epigraphical evidence, however, "father" is absent as an honorific epithet, and it does not appear as a formal royal title in the Hellenistic period. Inscriptions show a marked preference for euergetes and soter as honorific titles, whereas ktistes is quite rare. These titles may appear to be less imbued with kindly, loving connotations — in line perhaps with a more realistic, rather than idealistic, interpretation — but it would appear from the continual stress in the same inscriptions on the benefactor's arete, and on the grateful response of the beneficiaries, that there was constant allusion to the ideal, and that each of the epithets in our set was as

capable of evoking the ideal as was "father". Therefore, there seems at least no reason to suppose that the inscriptions give notice of a positive discrimination against the father analogy. It was apparently more momentous to be called *euergetes* or *soter* in the often exuberant circumstances. The somewhat incongruous comparison with a biological father might also have mitigated against more common use of the epithet "father" in such settings. It need hardly be said that the Roman attitude to the father analogy differs significantly from the Greek attitude as gleaned from inscriptional evidence.

Even before the latter fifth century, however, as will be illustrated in this section, literary evidence quite clearly puts "father" alongside the other epithets which were used to honour benefactors in evocation of the selfless benefactor ideal. The ideal probably received initial emphasis in relationships involving mortal benefactors, whose tangibility and vulnerability meant that they would be less able to maintain a rule based purely upon force. It is likely that the ideal was meant to cover sensitivity about the elevation of an individual man above his peers. In turn, the characterization of Zeus as selfless benefactor probably owes much to the prominence of the ideal in human society. From the latter fifth and fourth centuries, the ideal received greater emphasis, especially in the context of the good king/tyrant antithesis. The father analogy was commonly applied to the good king in the context of this antithesis.

Zeus was of course "the father of gods and men" from the
beginning of Greek literature (22). Likewise, the earliest known applications of soter are to gods (e.g. Zeus Soter, Artemis Soteira, Athena Soteira), and as Nock has pointed out, the earliest applications of such titles to men bear no suggestion of hyperbole as might be expected if there was some imputation of divinity (23). Rather, the point seems to be that gods and men can play a similar role in advancing a man's well-being. Each may be conceived of as benefactors, even if different in form. Soter may even have been used of men equally as of gods from the first. We know little, for instance, about the forms of daily speech in the time of Pisistratus. Furthermore, in Nock's words, "soter does no more than crystallize the sense of the verb sozo; the earlier saoz, like rhyomai, was freely used in Homer of gods and men alike (24)".

Pindar hailed Hieron I, who had refounded Catania in 475 BC under the name of Aetna with 10,000 new settlers, as pater, ktistor Aitnas (25). This is an interesting passage in the context of Greek colonization since allusion to a father is here deemed appropriate when referring to a ktistes, the man instrumental in the foundation of a colony. Hieron I is also addressed as pater and basileus in another passage (26). Zeus is similarly addressed as pater (27) and as the saviour of men

22: eg. Homer, Il.22.167; Od.17.137; Hesiod, Theog.47; cf. Homer, Od.13.128 (just pater).
24: ibid, p.721.
25: Fr.94 Bowra = Fr.105 Schroeder.
26: Pindar, Pyth.3.70.
27: Pindar, Q1.2.76; and note fr.75.11 (Schroeder) where the gods are bugaton...patron.
Aeschylus labels Darius a *pater* in the sense that he brought no harm to the Persians, whereas his son caused such destruction (29). A Euripidean fragment preserves part of a speech by Alkmaeon which employs *pater* and *soter* in the form of a greeting (30). Similarly, Ion of Chios addresses the Spartan king as: *hemeteros basileus, soter te pater te* (31).

The king as a father is typified by Sophocles' Oedipus. There are a number of references to the citizen body as *tekna* (32) and *paides* (33). Sophocles represents Oedipus as a paternal and authoritative figure, upon whose shoulders alone the weight of responsibility lies (34). The allusion to the Athenians as "sons of Theseus" in *Oedipus at Colonus* (35) is relevant in terms of our ideal, and is not to be taken as being at odds with the Athenian view of Ion as the progenitor of their race.

In two further passages, Herodotus labels the Athenians as "fathers" of the Ionians (36). The reference in all probability

30: Eurip. fr. 72 Nauck.
36: Herodot. 7. 51; 8. 22.
is to colonizing activity once more (37). We have seen Pindar label Hiero a pater for his role as ktistēs of Aetna (38).

Aristophanes recalls this usage in the Birds. In begging for a little donation (to be given willingly), the poet opens with a reminiscence of Pindar's line: "Aetna's founder, father mine [σύ δέ πατερ, κτιστός Αἰτνας], / Whose name is the same as the holy altar flame, / Give to me what thy bounty chooses / To give me willingly of thine (39)".

Pindar's line was evidently quite famous. It is mentioned by the Aristophanic Scholiast here (40), and twice by the Scholiast on Pindar's poetry (41). The appellation κτιστός Aἴτνας is a delicate piece of flattery, for Hiero was anxious to obtain the fame and honours of a founder. When he won the chariot race in the Pythian games of 474 BC, he caused the prize to be awarded to him not as Hieron Syrakosios but as Hieron Aἴtnaios (42).

These examples from epic, tragedy and poetry, however, are not balanced by evidence relating to the social conventions of classical Athenian society (43). A couple of passages from Aristophanes seem to illustrate why this was so. In the Knights (44), the venerable old Demus, who represents the sovereign people of Athens, is addressed as "father" by the

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37: cf. Plut. Them. 9.2 for a similar usage.
38: fr. 105 Schroeder.
40: and cf. Birds 945 for the first four words of Pindar's line.
41: on Pyth. 2.127 and Nem. 7.1.
43: noticed originally by E. Skard (1933), p. 50.
44: Aristoph. Equit. 725.
sausage-seller in a flagrant attempt to gain a benefit in the shape of support/favour against Paphlagon. The scenario is distasteful, given that the sausage-seller is clearly trying to ingratiate himself to Demus, but it illustrates an important point. Such honours for a man were incompatible with the primacy of the demos (people) in the polis ideology (or at least in that of Athens). Only the demos might be labelled a "father" to Athenian citizens without activating certain heartfelt sensibilities (45). The distasteful tone is evident earlier in the same play when the character Demosthenes, in a similarly ingratiating manner, hails the unlikely sausage-seller as "saviour of the polis (46)". His absurd remark was prompted by an equally absurd oracle which suggested that the sausage-seller might become the ruler of Athens. By the time of Demosthenes the orator, the Athenians seem not to have been as sensitive about acknowledging a state benefactor, as is indicated by Demosthenes’ honouring of Epikrates as evergetes tou demou (47).

In later sources we find the well-known epithets, including "father", repeatedly applied to benefactors, rulers and gods in contexts which seem clearly to indicate the persistence of both the selfless benefactor ideal and the good king/tyrant antithesis. In Plato’s Menexenus, the men who

45: cf. A. Lintott, Violence, Civil Strife and Revolution in the Classical City, 750-330 BC, London and Canberra: Croom Helm, 1982, p. 175: "Athenian democracy...was the rule of a people who were conscious that they were superior collectively and individually".
46: Aristoph. Equit. 149, as it also does to Birds 926ff (n. 39 above).
47: Dem. XIX. 280.
fought at Marathon are called "the fathers not only of ourselves, but of our liberties and of the liberties of all who are on the continent, for that was the action to which the Hellenes looked back when they ventured to fight for their own safety in the battles which followed (48)". The theme of safeguarding liberty is one which will recur again in the sense of the saving of political life. Here it refers to freedom from rule by a despot. When Xenophon was charged by one of the Arcadians with defrauding the soldiers of their pay, he reminded them how previously, in a difficult situation, they had hailed him as "father" and had promised to keep him forever in memory as a benefactor (49). Xenophon seems to be alluding to the ideal scenario in order to evoke the behaviour and gratitude of the ideal beneficiary, which contrasts markedly with the present response of his men. Instances from Diodorus may be cited too. Micythus, guardian of the sons of Anaxilas, former tyrant of Zancle, was a man of such justice and good faith that he was begged to take up the administration with a father's power and position (50). Cyrus (51) was not only a courageous man in war but was also considerate and humane in his treatment of his subjects - and it was for this reason that the Persians called him "father". With regard to the story of Iolaus founding a colony on Sardinia (52), it is said that he named the folk of the colony "Iolaeis", after himself, the

48: Plato, Menexenus 240e.
49: Xen. Anab. 7.6.38.
50: Diod. 11.66.1-2.
52: ibid 4.30.1ff.
Thespiadæ consenting to this and granting to him this honour as to a father. "In fact his regard for them led them to entertain such a kindly feeling towards him that they bestowed upon him as a title the appellation usually given to the progenitor of a people; consequently those who in later times offer sacrifices to this god (theos) address him as 'Father Iolaus', as the Persians do when they address Cyrus (53)".

The Thebans who were present at the death of Pelopidas hailed him as pater_kai_soter (54). Aratus was later hailed with the same titles (55). When Dion put his mercenaries into battle array, it became clear to the Syracusans that he was no longer prepared to deal with them in a mild and paternal spirit (56). The Syracusans cherished Timoleon in his old age like a common father (57), and many similarly felt that they had been deprived of a father at the death of Hiero II (58). Mithridates was apparently called "father" (along with other epithets) by the Greeks of Asia (Cic.Flacc.60), and Cicero envisaged the title pares_Asiae as a potential reward for his brother Quintus from these same people (Cic.ad_Q.fr.1.1.31). It is obvious that the sensitivity which is evident in Aristophanes was either not as pronounced outside Athens (which is quite likely) or was overcome to a significant degree. The rise of monarchy is central to an explanation of this fact.

53: ibid 4.30.1.
54: Plut._Pelop_.33.
55: Plut._Arat_.42.
56: Plut._Dion_ 39.3.
57: Plut._Timoleon_ 39.1.
III.

The paternal ideal existed in the aristocratic ethos from the time of our earliest evidence. In classical Athens, however, prominent individuals were only with difficulty accommodated within the framework of the democratic polis and a negative judgment was passed on monarchy. The antithesis between democracy and monarchy was founded upon that between freedom and slavery (59). In this atmosphere of resistance to the elevation of individuals over their fellows, even the father analogy was not applied to contemporary notables (60). Then, from the close of the fifth century BC, the city state came under intense scrutiny as the solution to the political needs of the Greeks (61). Political theorists, searching for the ideal state form, looked closely at the fundamental character of man. The problem was to ensure self-control and virtue in the ruling figure or group (62). From the time of Herodotus we find the view expressed that if only the king is virtuous, monarchy is the ideal polity (63). Xenophon found such a monarch in the figure of Cyrus the Persian, a man superior to his subjects in every way, physically, mentally and morally. During the fourth century, special attention was given to the figure of the good king, who acted as a father to his people, in contrast to the tyrant, who treated his subjects like slaves. This antithesis henceforward formed a basic

60: nn.42, 44, 46 above.
62: cf.Dio Chrys.3.47.
63: Herod.3.82.
element in kingship thought.

Plato and Aristotle followed the Socratic tradition which emphasized ideal government by a philosopher king. At the same time they clung to the conception of the city state as the basic unit of government and hoped that enough people could be educated so that a true aristocracy of high integrity would eventuate. The Cynics and Cyrenaics, on the other hand, took the individual as their basic unit and exhorted men to find their kingdom within themselves, and their citizenship in the cosmos, for local politics and laws are absurd. The individualism of the Sophists caused them to praise the man who is able to master his fellows by the sheer force of his personal power. For the Sophists, all constituted law represented the frightened attempt of the inferior herd to put shackles upon the naturally superior individual rather than a benign or natural yardstick against which to measure the actions of such an individual. Natural equality between men was to them the greatest of absurdities. In this respect the Sophists are extreme, but it is worth noting that egalitarian tendencies in Hellenistic political thought did not manifest themselves in serious advocacy of radical democratic government, and tended instead to result in mere protests or in romanticizing utopianism (64).

The view that monarchy is the ideal form of constitution is found first in Herodotos (3.82), who also writes of the king as a father in a couple of important passages which purport to

64: G.J.D. Aalders, Political Thought in Hellenistic Times, Amsterdam: Adolf M. Hakkert, 1975, pp.3-4.
represent the Persian view but which are entirely consistent with Greek thinking. In the first, Cyrus refers to Croesus as: "you who were more than a father to the Lydians (65)". He alludes simultaneously to the theme of killing the father and sparing the sons which recalls an old proverb ascribed to the epic poet Stasinos (66) that probably in fact formed part of the Kypria (67). In the second passage, Herodotos writes that: "the Persians called Darius the huckster, Cambyses the master, and Cyrus the father; for Darius made petty profit out of everything, Cambyses was harsh and arrogant, Cyrus was merciful and ever wrought for their well-being (68)".

Xenophon showed a distinct willingness to countenance monarchy. Although, as a valiant soldier, he was inclined to accept the principle of the right of the strong, he understood by this principle the man strong in virtue, and demanded that the ruler be virtuous, just, and a benefactor of his subjects. For Xenophon, Cyrus is the ideal benefactor (69), and the father analogy is applied prominently to him. Chrysantadas in the Cyropaedia likens a good ruler to a good father: both provide for their children so that they may never be in want of the good things of life (70). The good king is affectionately thought of for his pronoia, epimeleia, and especially his

65: Herodot.1.155.1-2 [Loeb trans].
68: Herodotus 3.89.3 (no further references in the How and Wells edn.).
euergetes (71). Nobles, slaves and subjects knew Cyrus as their "father", the term appropriate for a benefactor rather than a despoiler (72). "Father" appears as a term of affectionate praise for a beneficent king in these passages. In deed and thought Cyrus was judged to have shown a genuine concern for the welfare of his subjects. The bestowal of the title is an indication of recognition, goodwill and gratitude. This is an important point. According to the ideal, the title is not assumed, it is accepted by the king. It is also important to point out that an assessment of the mental state of the ruler is fundamental to the honour: the judgment is that Cyrus genuinely loved his subjects and cared for them as if they were his own children; and they, on their part, reverenced Cyrus as a father (73).

Agesilaus is likewise a euergetes, believing that it is the duty of a good king to do as much good as possible for his subjects (74). Among the greatest of these services, Xenophon reckons, is the fact that, though the most powerful man in the state, he was clearly a devoted servant of the laws (75). Here was a man whose behaviour to his political opponents was that of a father to his children; he deemed no citizen an enemy and counted the safety of all a gain (76). In affection the Greeks in Asia looked upon him as a father (77).

71: ibid, 8.1.1; 8.1.44; 8.2.9 respectively.
72: ibid.
73: ibid 8.8.1.
74: Xen. Ages. 7.1.
75: ibid 7.2.
76: ibid 7.3.
77: ibid 1.36.
It is around this time that we find the antithesis between the "good" king and the "bad" tyrant receiving particular emphasis in the literature in accordance with the selfless benefactor ideal. The "good/wicked" contrast between basileus and tyrannos does seem to have existed prior to the fourth century, apparently balanced by an original "neutral" use (78), but it now receives special emphasis as the idea of monarchy becomes more pervasive. The original distinction was evidently based upon the tyrant's irregular seizure of power as opposed to established hereditary kingship (79).

Plato played an important role in impressing the good king/tyrant antithesis upon men's minds. For Plato, the philosopher-king was the best and happiest of men, the tyrant was the worst and most miserable (80). Aristotle is less extreme but just as definite in distinguishing kingship as the good form of monarchy from tyranny as the bad form (81). Xenophon attributed this contrast to Socrates, his own and Plato's master (82).

Plato pushed the contrast of the good king and the bad tyrant to its limits, and contributed the famous suggestion that the appointment of philosopher-kings was the only way to remove stasis from the Greek cities (83). Yet he did not share

80: Plato, Rep.eg.9.587d-e.
83: Plato, Rep.5.473c.
Xenophon's enthusiasm for monarchy. He felt that autocratic power was needed for the conversion of an ordinary to an ideal city (84), but it need not be exercised by a single ruler (85), nor is the title "king" necessary (86). In the Laws he even develops to the point of countenancing a young, virtuous tyrant (in the sense of one who has seized power rather than one who holds the laws in contempt and is motivated by self-interest) as the best springboard for establishing the ideal state—provided that he is the contemporary of a great legislator (87). Plato's experience in Sicily is relevant here, and the plan to educate Dionysius II (88). The point is that Plato basically still favours the polis as the best form of political organization. He is particularly concerned to emphasize the importance of the law (or laws).

The parental relation of the laws to citizens pervades the Crito (89). This primacy of the laws is an important point for subsequent political thought. The laws provide a foundation for the state, regulating behaviour and guarding against anti-social acts which lead to discord. The state itself is spoken of in parental or paternal terms, a fact which accords with Plato's view of its fundamental importance for the life of the citizens. In the Menexenus, Plato says that: "The basis of this our government is equality of birth; for other states are

84: ibid 6.502b.
85: ibid 7.540d.
86: ibid 5.473d and elsewhere.
87: Plato, Laws 4.709e-710.
88: see Plato's seventh letter and Plut.Dion.
89: Plato, Crito, esp.50d-51c;51e. See R.Kraut, Socrates and the State, Princeton, 1984, esp.pp.48-52; 91-114; 143-148. Note also the use of patris: Crito 51a.8-9 (Kraut p.54 n.1).
made up of all sorts of men, of unequal conditions, and therefore their governments are unequal; there are tyrannies and there are oligarchies, in which the one party are slaves and the others masters. We and our citizens are brothers, the children all of one mother, and we do not claim to be one another's masters or servants; but the natural equality of birth compels us to seek for legal equality, and to recognize no superiority except in the reputation of virtue and wisdom (90). The contrast between the familial and the servile relationships relates to the ideal benefactor image and is of supreme importance in later political philosophy. Superior status is possible within a state of equals such as Plato describes - but only for the virtuous and the wise. A lawgiver would ideally be such a figure, and as such could also be envisaged as a paternal figure (91).

In the Republic, the tyrant is described as a prodigal son of the demos, who commits parricide when he resorts to violence and thereby imposes the harshest and most bitter form of slavery (92). The law is said to be father of the demos, and unjust behaviour is likened to filial disobedience (93).

There is considerable elaboration of these ideas in the Laws. The conception is put forward (based on Homer's presentation of the Cyclops) of states springing "out of single habitations and families who were scattered and thinned in the

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90: Plato, Menex. 238e-239a.
92: Plato, Rep. 568e-569; cf. 574-575 (where the tyrant himself is under the tyranny of lust).
93: ibid 548b.
devastations; and the eldest of them was their ruler, because with them government originated in the authority of a father and mother, whom, like a flock of birds, they followed, forming one troop under the patriarchal rule and sovereignty of the parents, which of all sovereignties is the most just (94). The picture is significant for the idea that the state was originally founded on parental rule, and that what distinguishes this rule is its unique justice. Justice as a concept is crucial. If the unjust men in a state are superior in numbers and manage to overcome and enslave the just men, their state may then be called inferior to itself, thus bad, and vice versa (95). In enumerating the principles of rule and obedience in cities, Plato places first the claim to authority of parents and in general of progenitors over offspring. This claim is always just (96). The laws themselves ought to have the character of loving and wise parents rather than of tyrants and masters who command and threaten (97).

Where the polis organization is held to be of primary importance for the life and well-being of the citizens, it is likely to be spoken of in parental or paternal terms. For instance, the demos is characterized as the father of a newly-enfranchised citizen by Lysias (98). Yet through having children the citizens sustain the polis, and so it might with some justification (despite the paradox) be said that the

94: Plato, Laws 680e.
95: Plato, Laws 627b.
96: ibid 690a. ff.
97: Plato, Laws 859a.
citizens are "the common parents of the polis (99)". By the time of Demosthenes, a man can be praised in a respectable public forum as euergetes tou demou (100). There is marked development here from the Periklean age in the recognition of Epikrates as a state benefactor. Men could now be honoured and elevated in recognition of their euergetia, eunopia and philanthropia (101). However, it is not until the time of the Roman Empire, and in particular the late Empire, that inscriptions record individuals honoured as "father of the polis". By the fifth and sixth centuries AD, this title referred to "le magistrat qui precisement s'occupait des edifices", and Robert sees an "evolution qui a transforme ce terme honorifique en titre de fonction et l'a specialise". For the early Empire, however, an exact parallel does not seem to be in evidence, and one can only point rather weakly, in conjunction with the interpretation of V.M.Scramuzza, to an inscription from Pergae which calls Claudius pater patriae.

Scramuzza's obviously questionable (but perhaps correct) interpretation is that the inscription honours Claudius as father of Pergae, in gratitude for his reconstruction of adjacent roads (102). Nicolaus of Damascus (Vit.Caes.22.80) records Caesar being honoured as "father of the polis" (a

99: Dem.10.41.
100: Dem.19.280.
101: cf.Dem.18.5.
translation of the *parens patriae* title), but the point remains that there is no exact parallel from the Greek world until much later.

Aristotle shared Plato’s preference for the *polis*, but his argument is more subtle on the whole. For Aristotle, the rule of a household is a monarchy, for every house is under one head; constitutional rule, by contrast, is a government of freemen and equals (103). Yet the household monarchy is special. “A husband and father rules over wife and children, both free, but the rule differs, the rule over his children being a royal, over his wife a constitutional rule... [The father and mother, as with citizens in a constitutional state, are implied to be equal. Yet the male is by nature fitter for command than the female, so a difference of outward forms and names and titles of respect is acknowledged.]... The rule of a father over his children is royal, for he rules by virtue both of love and of the respect due to age, exercising a kind of royal power. And therefore Homer has appropriately called Zeus ‘father of gods and men’ because he is the king of them all. For a king is the natural superior of his subjects, but he should be of the same kin or kind as them, and such is the relation of elder and younger, of father and son (104)."

The image of the paternal monarchic figure is developed further by Aristotle. His fourth species of monarchy (that of heroic times) "was hereditary and legal and was exercised over..."

103: *ibid* 1255b.18.
willing subjects. For the first chiefs were benefactors of the people in arts or arms, they either gathered them into a community, or procured land for them; and thus they became kings of voluntary subjects, and their power was inherited by their descendants (105)". This ideal picture accords in many respects with Aristotle's preferred form of monarchy. The tyrant, for instance, either should not commit acts of affront, or should have it thought that he only employs fatherly correction (106). But ideally, a ruler "ought to show himself to his subjects in the light, not of a tyrant, but of a steward and a king. He should not appropriate what is theirs, but should be their guardian; he should be moderate, not extravagant in his way of life; he should win the notables by companionship, and the multitude by flattery. For then his rule will of necessity be nobler and happier, because he will rule over better men whose spirits are not crushed, and who do not hate and fear him. His power too will be more lasting (107)".

In the *Nicomachean Ethics*, the factor of self-interest is highlighted in distinguishing monarchy from tyranny: "the tyrant looks to his own advantage, the king to that of his subjects (108)...the association of a father with his sons bears the form of monarchy, since the father cares for his children; and this is why Homer calls Zeus 'father'; it is the ideal of monarchy to be paternal rule. But among the Persians

106: *ibid*, 1315a.20ff.
the rule of the father is tyrannical; they use their sons as slaves. Tyrannical too is the rule of a master over slaves; for it is the advantage of the master that is brought about in it (109)."

Paternal imagery is used to soften the impact of autocracy. Condemnation of the Persian father comes in terms which accord with the ideal since the point is to make him the opposite of a Greek father. There is a consistent contrast between the despotic tyrant and the fatherly king, and the connotations are those of kindness and consideration not governed by self-interest. This comes to the fore once more in the argument that friendship is a function of justice. "The friendship between a king and his subjects depends on an excess of benefits conferred," writes Aristotle (110); "for he confers benefits on his subjects if being a good man he cares for them with a view to their well-being, as a shepherd does for his sheep (whence Homer [111] called Agamemnon 'shepherd of the peoples'). Such too is the friendship of a father, though this exceeds the other in the greatness of the benefits conferred; for he is responsible for the existence of his children, which is thought the greatest good, and for their nurture and upbringing. These things are ascribed to ancestors as well. Further, by nature a father tends to rule over his sons, ancestors over descendants, a king over his subjects. These friendships imply superiority of one party over the other,

111: eg.11.2.243.
which is why ancestors are honoured. The justice therefore that exists between persons so related is not the same on both sides but is in every case proportioned to merit; for that is true of the friendship as well.

Book III of Aristotle's *Politics* represents a unique contribution to ancient kingship literature (112). Under guise of accepting the perfect king in theory, it offers the most devastating critique of kingship in practice. Various types of rule are distinguished, first the correct, which seek the common advantage, and second the perversions, which seek only the advantage of the rulers. The correct types are kingship/aristocracy/politeia (viz. a timocratic constitution), and the perversions are tyranny/oligarchy/democracy (Pol.3.6-7). *Aretē* (virtue) in the sense of goodness or excellence is fundamental. The proper purpose of the city is the virtue of the citizens; therefore, those who contribute most to this end have the right to a greater share in the city, even if they are not superior in birth or wealth (Pol.3.9). Nobility, freedom and wealth justify the unequal distribution of political rights, but they are outweighed by virtue and justice, which guarantees that each man receives his due (Pol.3.12). Justice in the political sense connotes a fair sharing of the powers of the state (cf.Pol.3.9). But what if one man is pre-eminent in virtue, "like a god among men"? Aristotle accepts (momentarily) that everyone should submit

willingly to such a man (Pol.3.13). This is the rub. From this point, Aristotle implicitly denies that a figure such as the selfless benefactor could be manifested in reality.

Aristotle's objections to kingship centre upon the relation of the king to law. He focuses upon absolute kingship (pambasileia), which is characterized as being like the absolute control of a household by its head (Pol.3.14). Should rule be by the best man or the best laws (Pol.3.15)? Which would best promote virtue and justice in the community? To allow the law to rule is to allow God and reason to rule; to allow a man to rule is to add passion (a potentially disruptive element, it is implied); the law is reason without passion (Pol.3.16). Only when a man is so outstanding in goodness that his goodness exceeds that of all others, then is it right for him to be sovereign over all. Only when the part exceeds the whole in this way can absolute kingship be justified (Pol.3.17). For Aristotle this condition could not be fulfilled in reality. He did not believe that monarchy was the best constitution, though he was prepared to accept that a certain sort of kingship would be the best under hypothetical conditions (113).

Other writers increasingly came to countenance the possibility of the selfless benefactor ideal becoming manifest in a living monarch. Isocrates had based Philip's right to rule Greece on his love of mankind and goodwill (114), along with

113: ibid, p.101.
his benefactions and mildness (115). Such qualities justifying
monarchical rule were to have increasing importance as official
titles. In the tract addressed to Nicocles, Isocrates
recognizes the popular belief that kings are equal to the gods,
at least in their powers, if not in person (116). Isocrates
exhorts Nicocles to try to surpass all in virtue (arete) by the
degree to which he surpasses them in rank (117). Herakles was
exalted by his father to the rank of a god because of his
virtue (118). Kings ought to be supreme personally, models of
virtue to their dependants (119). True kingliness consists in
ruling over oneself (120). Evagoras is praised in such terms.
Isocrates' acceptance of monarchy that conforms to the selfless
benefactor ideal is notable in that he was the pupil of Gorgias
and yet does not once approach the problem of royalty or
tyranny from the point of view of the Sophists. The right of
the strong to assert himself over the weak is never put
forward. Monarchy is sanctioned by the virtuous character of
the ruler; it is a matter of morality. Men such as Isocrates
could not match the force/military might of a figure like
Philip. All they could do was set up an ideal which might
confine his exercise of power within moral constraints.

IV.

The unprecedented might of the Hellenistic rulers provoked

115: ibid 116.
117: Isoc.ad Nic.11.
118: Isoc.ad Phil.132.
119: ibid 31.
120: ibid 29.
a rash of philosophical tracts on kingship (121). In these works monarchy is accepted unequivocally as the best political form. Importantly, the authors of these works did not set up a system of their own. Hellenistic political theory continues to operate with reference to the selfless benefactor ideal. Accordingly, the father analogy is applied to this ideal.

The new phenomenon of absolute kingship was treated in a number of ways: i) in political and philosophical treatises "On Kingship"; ii) in laudatory biographies of prominent kings (e.g. Isocrates, Evagoras; Xenophon, Agesilaus and Cyropaedia); and iii) in the form of a "Furstenspiegel", a description of the perfect monarch and his virtues, designed to be used as a mirror by the king (e.g. Isocrates Nicocles and ad Nicoclem; Xenophon, Hiaro; also the symposium of pseudo-Aristeas' Letter to Philocrates). Murray considers that philosophical works on kingship were mainly concerned with the maintenance of peace (understood to include prosperity), the exercise of justice, and the character of the ruler which guarantees the presence of the other two (122). The last element was of special interest. The selflessness of the good king is distinguished from the selfishness of the tyrant on the basis of the former's virtuous character, and it is the main thrust of Greek thought on kingship to point out that the good king is the best man—hence the enumeration of his various virtues (123). In

Hellenistic political treatises, these virtues can often be seen as innate qualities which explain the ruler's selfless character. On the other hand, as J.R. Fears points out, they were more generally understood by the ancients as powers in their own right which brought about the conditions named after them. Hence the ancient mind saw them as fit objects for cult (124).

The kingship treatises of Hellenistic times were programmatic and adulatory; restraint and praise were operative within them. Both the kings and their subjects would be able to find congenial ideas in the selfless benefactor scenario, as with Augustus and those who swore the coniuratio Italicae (125). Hence it is invalid to distinguish "official" from "unofficial" propaganda, as does Schubart in particular (126). The bulk of Hellenistic writings about kingship concern absolute kingship and speak about a king who governs rightly and justly with unrestricted power and is mindful of the well-being of his subjects. As a rule the king is described as "a noble-minded and well-gifted person, toiling uninterruptedly for the common welfare and for the well-being of his subjects, as their benefactor, even their saviour, as a man also of great mildness and humanity (whose gifts and indulgences are termed therefore philanthropia), and as a dispenser of justice (127)".

125: cf. the introduction to Chapter 2 above.
stress on justice as a political virtue (128) reflects the classical Greek background of Hellenistic political ideas. In classical Greece justice was considered to be the core of political virtue. Plato's *Politeia*, for example, was constructed as an investigation into the essence of justice.

Peripatetic theory continued to revolve around the problems of the *polis*. A moderate oligarchy or mixed constitution was favoured. Only when one city-state achieved the status of a world empire, and sought to relate its curious constitution to the models of Greek political theory, could Peripatetic views make a major contribution — in the theoretical analyses of the Roman constitution from Polybius to Cicero. However, a papyrus fragment attributed to Theophrastus, Aristotle's successor as head of the Peripatetic school, seems to oppose the good king (*basileus*), who rules in Homeric fashion with a sceptre, to the tyrant Caeneus, who felt it right to rule by the spear (129). According to convention, the sceptre was a symbol of justice and kingship in contrast to the spear, which was a symbol of force, injustice, tyranny and, more generally, *hybris* or disrespect for the gods (130). Moreover, Peripatetic ethical works could exert an appreciable influence on discussions of the duties and virtues of the Hellenistic king. The virtues covered in such works include a high proportion of words with political connotations, most of

128: W. Schubart (1937).
which play little part in Aristotle (131). Philanthropia, which appears commonly in connection with ideal monarchs (132), is the most fundamental concept in ethics for Theophrastus, who defines it as "a common love of mankind" resulting from the universal kinship of all living beings (oikeiotes) (133).

Epicurean thought relating to kingship stands apart in that it was not directed at monarchy itself, but was nonetheless of some importance under the Roman Empire. The pursuit of pleasure, the highest good, was fundamental for Epicurus and his school. Accordingly, Epicurus criticized political rhetors and thought political life of limited importance. The wise man, in his opinion, should avoid politics, concentrate instead upon his studies and try to attain the state of ataraxia, that calm condition free from fear and all disturbances which was necessary for true pleasure (134). A wise man may only go into politics if the government does not provide the security upon which ataraxia depends (135). Epicurus' work On Kingship was not an attack on kingship in general, but a polemic against philosophers who appeared at court (136). A major concern was the threat posed by the court environment to the independence of the philosopher. Flattery

131: O. Murray (1970), p.176, e.g. euergetia, eucharistia, philanthropia, eukoinonia, eunoia, isotes, dikaiosyne...also two "family" virtues which reappear as Ptolemaic titles, philadelphia and philogatros.
(kolakeia) is contrasted with freedom of speech (parresia), a theme which was emphasized under the Roman Empire in works which recognized that the good king and the tyrant were separated only by the fluid barriers of character and action (137). Epicurus' doctrine that the philosopher "will pay court to" a king if necessary (138) may just be an admission that he may be obliged to approach a king in order to gain favours, rather than a claim that royal service can be compatible with philosophical life (139). On the whole, Epicurean activity at a Hellenistic court was something to be explained away rather than emphasized.

Murray thinks that Stoic views on kingship were neither as important nor as original as is often asserted (140). In similar vein, Aalders (141) and B.D.Shaw (142) highlight not so much ethical rigour among Stoics as a remarkable adaptability to practical needs, established structures and situations. This is not to downgrade Stoicism as a system simply because the Stoics could operate in a variety of environments. The good man does not change the rules, but obeys them more strictly (143). "The great mind", as Seneca puts it, "is intent on honourable

137: Plutarch's treatise to C.Iulius Antiochus Epiphanes
138: Diog.Laert.10.121b.
140: ibid, p.211ff.
and industrious conduct in that station in which it is placed (144)". No Stoic asserts that kingship is the best form of government. It is one of a number of forms of which Stoics could approve, but the Stoic theory of emotions raised serious problems with respect to generally accepted views on kingship. The conclusion, therefore, is that Stoic ideas were not central to that tradition. Many Stoic views merely fitted the general philosophical and literary characterization of kingship.

In Zeno's Republic, an early work written in reply to Plato's Republic, all relationships are based on homonoia (concord, love), which all wise men would necessarily have for each other. The Stoic wise man's final concern was with his own soul, but, since he was by definition better than anyone else at every task, thus he was better at politics and could enter it. Part of his duty was to exercise his skills (for virtues are activities) for the benefit of others. Whether the ability to exercise kingship is seen as a skill or as a moral characteristic of certain exceptional men, it is a necessary corollary that only the wise man is a true king. Yet there is no clear evidence that Zeno advocated monarchic rule, and tyrannos is absent from the Old Stoa (145).

Chrysippus reasoned that kingship is unaccountable rule, which only the wise can maintain. They never relax penalties fixed by law, since indulgence and pity and even compassion (epieikeia) are weaknesses of the soul which pretends to

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144: Sen. Ep. 120.18; cf. Benef. 5.14.5.
kindness instead of punishment (146). The characterization of kingship as unaccountable rule occurs in later sources. For example, Dio of Prusa defined rule (arche) as "the lawful ordering of men, and the oversight of men in accordance with law; kingship is unchecked rule (147)". Hence only a king with Stoic wisdom can be a true king. This qualification does not imply a criticism of absolute kingship or even a restriction on its approval. For it is just in the supreme qualities of the good and wise king that his unrestricted power has its justification. By his eminent qualities the king serves the common interest as the father of his subjects (148).

The Stoic definition was acceptable precisely because it was already commonly accepted. What was distinctive was that the Stoic ideal emphasized a lack of passion (apatheia). This position was in contrast to others who said that monarchical authority allowed equity to take the place of strict justice, so that pity and respect for the individual merits of a case could play their part. There was no place for emotion in government because the Stoics saw true law as natural law, which was in harmony with the law of the universe. Where the laws of individual cities differ from natural law, they are motivated by self-interest. Natural law was identical with the right reason of the Stoic wise man. The king, therefore, was subordinate to law, but identification of natural law with right reason might allow the true king to be thought of as

146: Diog. Laert. 7.122.
147: Dio Chrys. Or. 3.43; 56.5; Suda s.v.Basileia; Stob. 2.7.11
m.
embodying law, as being "living law" (nomos-empsychos). Murray, however, thinks that the fragmentary evidence suggests the king's subordination to right reason and natural law (149).

The idea of kingship without emotion was latched onto by critics who said that the Stoics were unable to feel that sympathy for fellow men which is the foundation of philanthropia (150). For most Hellenistic writers, philanthropia was the central virtue of a king. Murray, on the other hand, does not think that Stoics talked about the king's philanthropia (151). Seneca's De_Clementia is in one sense an attempt to adapt the genre of kingship writings to Roman tradition; it is not a complete reflection of Stoic doctrine.

Cicero's case in favour of kingship as the best constitution begins with the parallel between monotheism in heaven and monarchy on earth (152). The suggestion is that rule by one being is more in conformity with nature. Similarly, Dio Chrysostom (153) talks of the ordering of the universe under one divine wisdom, one law and one state. The theme certainly seems Stoic and makes much of the analogy between Zeus and the king. Dio further states that God has appointed superior over inferior, as with bees, a helmsman, and a doctor (154). In one other important passage, Dio took the account of Herakles' choice between virtue and vice (attributed to Prodicus and found in Xenophon) and changed it into a contest between

150: cf. the difficulties encountered by Seneca in Clem.II.
kingship and tyranny (155). However, the indications are not strong that there was a developed Stoic theory on the duties of a king. Technical Stoic terms for duty are not prominent in works on kingship, and emphasis on what a king ought and ought not to do goes back to the beginnings of Greek thought on kingship (156).

It is important to note that Hellenistic kingship is not conceived in our literary sources as the rule of God Manifest. There is, however, a tendency to extol the king above the level of ordinary mankind, even among the Stoics and pseudo-Pythagorean authors for whom deification of the king was principally rejected. One idea was that the king imitates the heavenly ruler and is the image and representative of God on earth (157). Moreover, in another strand of thought the king is depicted as law incarnate (nomos empyschos). Nearly all traces of this theory come to us in pseudo-Pythagorean writings, though Stoics such as Musonius Rufus are aware of it too. According to Musonius, "it is necessary that a king should be good and without fault in word and deed, if he must be a living law, as the ancients taught, creating lawfulness and concord, banishing lawlessness and discord, and being an imitator of Zeus and father of his subjects as Zeus is (158)". It is timely to note Murray's warning against amplifying the importance of this idea (159). Dvornik has been misled into believing that

155: ibid 1.50-84; cf. Xen. Mem. 2.1.21ff; Cic. Off. 1.32.
158: Musonius: Stob. iv. 7, p.283 Hense; Dio Chrys. 3.82; Plin. Pan. 80.3.
the concept of the king as *nomos_emospsychos* was basic, a 

misinterpretation caused ultimately by E.R.Goodenough's 

concentration on a number of derivative pseudo-Pythagorean 

treatises on kingship which are of minor importance (160). The 

theory implies that the example and virtue of the king compel 

his subjects to do what is right and good. Antigonus Gonatas' 

reference to kingship as "a noble servitude (161)" probably 

drew its point from the relationship of the king to law. 

Volkmann saw it as the expression of a new Hellenistic 

bureaucratic ethic of public service (162), but Murray's idea 

that Antigonus is standing the conventional king/tyrant 

distinction on its head is surely preferable (163). For 

Antigonus, duties might well outweigh the benefits of power. 

There were legal and moral limitations to be considered. The 

emphasis on service and duty suggests Stoic influence (164). 

Goodenough saw several fragments of "Pythagorean" works 

dealing with kingship as the "official" political philosophy of 

the Hellenistic age (165). Dvornik takes their interest in the 

relation between the king and law as the central theme of 

kingship literature in the Greek world (166). The treatises, 

preserved for us by Stobaeus, have been variously dated, but it 

esp.p.245ff. 
161: Aelian, VH 2.20. 
aus *endoxos douleia*, Historia 16 (1967), p.155-161; 
164: For Stoic influence on Antigonus, see O.Murray (1970), 
p.229ff. 
166: F.Dvornik (1966), ch.5, esp.p.245ff.
is generally accepted that they reflect ideas which are not incompatible with a Hellenistic context (167). Common elements in the treatises indicate that they are representative at least of a different tradition of kingship theory. Murray characterizes the works as derivative forgeries, "a bizarre manifestation of views and attitudes of more sober schools", rather than an official political philosophy (168). Kingship, he points out, was hardly a central topic for Pythagoras or for real Pythagoreans (169).

The fragments pertain to four works: Archytas, On Law and Justice, and Sthenidas, Diotogenes and Ephantus, On Kingship. It seems that there were two main elements to the Pythagorean conception of kingship. The first described the king as the imitator of god. Mainstream Hellenistic thought, by contrast, saw the perfect king as the man of perfect virtue rather than a semi-divine being. The king is seen as potentially divine because of his benefactions to mankind. Just as gods and heroes, according to Euhemerist thought, were men or kings who had received worship as a result of their good actions, presumably kings might be treated the same. The second element in the Pythagorean conception dealt with the superiority of


169: ibid, pp. 247ff.
kingship to law, or rather the immanence of the law in the
king, as in the phrase *nomos empsychos*. This phrase, in fact,
can designate more than one idea. For example, the king, in the
sense of law himself, is the source of law and above law.
Alternatively, the king may be seen as being bound by the laws,
embodied them as a judge who enforces them. The phrase was too
uncommon to be a doctrine, although there was a general
insistence that the king must obey the laws.

The benevolence and goodwill of the king is fundamental to
the neo-Pythagorean employment of the father analogy, and the
general framework of the selfless benefactor ideal is clear.
Sthenidas believes that the king "would best imitate God
by...acting like a father to those beneath him. For it is in
this way that the first God is recognized as father of gods and
men, because of his gentleness and foresight: he is not
satisfied with being merely the creator of all things, but is
also their nourisher and teacher, and lawgiver (170)".

Dioctogones characterizes Zeus as being "majestic and
awe-inspiring both by his pre-eminence and by the greatness of
his virtue; and he is gracious in his benefactions and
generosity, so that he is called by the Ionic poet (sc.Homer),
'father of gods and men' (171)". Ecphantus calls for "complete
goodwill (eunoia), first on the part of the king toward his
subjects, and second on their part toward the king, such as is
felt by a father toward his son, a shepherd toward his sheep,

and by a law toward those who use it (172)".

From the time of the Second Punic War in particular, Roman generals and magistrates in the East increasingly came into contact with the forms of ruler cult and the ideas inherent in Hellenistic political thought. These ideas and forms were subsequently introduced into Rome and Italy. The recognition of procreative/tutelary figures would have been comprehensible to the Romans, as indeed would the analogies which were employed to evoke the selfless ideal, and the tension between forceful and moral attitudes to the exercise of power. It is my contention that Roman imperial ideology makes most sense in the light of the selfless benefactor ideal and the general framework of ideas attendant upon it. However, in the Roman environment the father analogy seems to have received particular attention. Cicero appears to have been chiefly responsible for this emphasis.
CHAPTER 5: CICERO AND THE PATER PATRIAE TITLE.

Cicero seems to have played an important role in impressing the parens/pater patriae (p.p) title on the Roman consciousness, even if he did not in fact invent it. In the rest of this study the focus in particular will be upon the relationship between this title and Roman tradition in the acculturative environment. On one level the p.p title evokes the charismatic saviour emphasized so insistently by Alfoldi; on another level it relates to the good king/tyrant antithesis, which would have been familiar to Romans by the mid-1st Century BC, especially from performances of Greek plays and from philosophical works, in particular Xenophon's Cyropaedia (1). Rex was out of the question as a translation for basileus, in deference to the traditional Roman hostility to kings (even allowing for the favourable attitude towards some of the early kings of Rome). Therefore, in spite of different origins and varying connotations, terms such as soter, conservator, liberator, custos, governor, genitor, conditor and pater, came to be applied to the selfless benefactor ideal at Rome. Cicero's contribution was to give the father analogy greater emphasis than it received in the Greek world. In doing so, he was exploiting nuances of meaning which were important from the point of view of Roman tradition. In contrast to Greek

experience, two distinctive images seem to assume particular prominence in our sources when the p.p title is applied to the emperors: the paterfamilias and the Republican magistrate. Cicero’s writings allow us to see how this can be so. The father analogy fitted Cicero’s situation with the senate in 63 BC, like a paterfamilias with his consilium, and evoked the great power of the paterfamilias juxtaposed against its selfless use. This selflessness was expressed via respect for Roman tradition, which involved deference to republican forms and a consequent absence of any desire to be more than a republican magistrate. The ius vitae necisique was perhaps suggested by the execution of the Catilinarians, though it certainly was not used as a legal defence by Cicero. In the Greek world, only tyrants were responsible for the deaths of citizens (2). No Hellenistic king used “father” as an official title, and so the Romans could look upon it as something unique to themselves. This is further borne out by the fact that the title “father” was combined at Rome with patriae, which implies that he was especially concerned with the people and traditions of Rome itself. In this chapter we will examine the circumstances in which the pares/pater patriae title came to be invented and used, and Cicero’s part in the process.

For a start, however, one must ask whether the Romans could understand the selfless benefactor ideal, as recognized

2: Herod.3.80.5; Eur. Supplices 426-455; J.R.Dunkle (1967), p.153 for further references; cf.Dunkle’s definition of a "tyrant" as "a ruler who uses force, threatens and sometimes imposes death on his subjects, and demonstrates a propensity for hybris, rape and impiety" (p.153).
in benefactor cult and exemplified by the good king in the Greek world. There seems no reason to believe that they could not. Furthermore, we can believe that an ideal benefactor could have been called "father" at Rome in the absence of Greek influence. Reciprocal obligations were as much a concern at Rome as in the Greek world, even more so. Hence a likely focus upon the ideal scenario. Plautus has a grateful master cry to his slave: mi_patrone, immo_potius mi_pater (Plaut.Rud.4.8.2; 16; cf.Capt.444). This implies, if one allows for the subversion of the norm, that there was a difference between the patronal and the paternal relationships which is consistent with the difference between the norm and the ideal. The gulf was widest between the familial and the servile relationships (cf.Ter.Adelphoe 76). Tension between force and morality in the exercise of procreative/tutelary power was common to Greece and Rome, and would naturally be resolved by the ideal of selflessness. Rule by force alone would almost certainly lead to alienation after a time. Avoidance of such alienation was a practical necessity for a powerholder, such as the father of a family. Thus it seems that the selfless benefactor figure would in general accord with the Roman ideal as with the Greek. The role of the paterfamilias came to be framed in accordance with the ideal, both in terms of his procreative/tutelary power and in relation to the ideas of natural love and selflessness (for which there were institutional safeguards at Rome, such as the consilium). Perhaps Greek ethical thought played a part in this process, or at least in Cicero's presentation of the ideal
father, but this is not to say that it acted as the catalyst for the process. As in the Greek world, the Roman religious/philosophical outlook shows the same concern for life, well-being, and fertility on the psychological plane. Thus, a benefactor's power could be perceived in procreative/tutelary terms without ambiguity. In addition, the moral dimension governing the use of power, and its attendant social implications, would have been readily comprehensible. Some scholars have tended to see reciprocal social relations at Rome as a function of rigidly defined rights and obligations. Legalistic interpretations of clientela bonds have been influential (3). Yet emphasis upon the ideal indicates that society in general was concerned about the proper fulfilment of obligations. In other words, reciprocity was not governed by incontrovertible principles. It is better to view amicitia in terms of moral bonds characterized by "imperceptible gradations in quality and degree" (4); and the Romans were certainly aware


from an early date of the antithesis between the good king and
the tyrant, which turned upon the factor of self-interest in
the exercise of power (5). A tradition of Roman severity in
social relations must be taken into account, but it serves as
an explanation of Roman pre-eminence over other cultures, and
is admitted only in so far as it is deemed not to conflict with
the ideal (6). In addition, Roman moralists were expressing
concern about contemporaries who were placing self-interest
above the common good (7). A selfless ideal is presumably in
the minds of such critics. Sallust blamed the decline in moral
values on the increase in luxury and the removal of threatening
neighbours which attended the growth of empire
(Sall. Bell. Imag. 41.2-42.1).

One qualification needs to be made. The ideal scenario
requires acceptance of pre-eminence and subservience in a given
relationship. For the Roman Emperor this provides little
problem. On the other hand, Cicero is careful to refrain from
depreciating the numerous amici whom he commends (Fam. 13
passim). Some of these will have belonged to the better classes
who thought it instar mortis to be actually styled clientes
(Cic. Off. 2.69). Moreover, men could have numerous amici (8) and
patrons. When they were in conflict, they had to choose which

6: For the tradition of Roman severity, see Chapter 3
above; cf. Livy 2.36.1.
7: e.g. Sall. Cat. 10.5-6; cf. 52.19. K. Hopkins (1983) takes
such criticism seriously. In Chapters 2 and 4, he introduces
the concept of "individualism" (or "individuation") and argues
that low fertility among the upper classes in the late Republic
resulted from the increasing dominance of self-interest over
community interests.
to support (if either) on grounds other than personal fides alone, including both their own advantage and the public good (9). When men of overwhelming power imposed themselves upon the state, the ideal scenario was accepted where material interests were satisfied and where there was compliance with accepted political, social and moral principles. An emperor who fulfilled these obligations was truly pater patriae (10).

There was always a certain tension between the power of the state and that of the paterfamilias, monarchical head of his household. However, especially from the time of the Second Punic War, the power of individual Romans grew at an incredible rate relative to that of the state. The process by which autocratic power came to be accepted at Rome has been the subject of many books and articles. Nevertheless, the selfless benefactor ideal does seem to be a helpful construct for understanding the process in terms of the representation and accommodation of powerful individuals vis-a-vis the state. One needs at the same time to consider the impact of Greek culture upon the Romans. Greek forms and ideas were increasingly accepted at Rome, but Roman sensibilities and conceptions had to be taken into account (11). Autocracy at Rome had to overcome prejudice against "Greek" forms and ideas as well as

"Roman" resistance to monarchy. In dealing with acculturation, the question is not so much when or how Greek forms and ideas came to Rome but what the Romans did with them, how they were modified for acceptance.

Skard ascribed the development of the *parens/pater patriae* title to the time of Cicero and described the growth of the idea in the latter’s works. At the same time, Skard discussed how Greek and Hellenistic political notions influenced the idea’s development in Rome (12). Von Premerstein, who did not know Skard’s study, was interested in the social aspect of the idea, deriving the origin of the imperial title from the Roman system of *clientela*. In his view, the clients formed part of the patron’s household and hence understandably honoured their patron as a father (13). Alfoldi (14) believed that the title had already originated prior to the Ciceronian period, illustrating its connection with the idea of the founder of the state, and with the conception of the *servator* amid the dangers of war and revolution, and, lastly, stressing the influence of the Greek concept of the divinely-sent saviour and fatherly protector who would usher in a new golden age of peace and prosperity. The relationship between rescuer and rescued was paternal, and hence Alfoldi relates the *parens/pater patriae* to his saviour-founder.

Alfoldi’s scholarship is very solid, but he does not relate all these ideas to a common ideal as is done in this study with the

12: E. Skard (1933).
14: A. Alfoldi (1971).
selfless benefactor model. Furthermore, his concentration on
the saviour-founder largely precludes a consideration of the
particular value of the father conception, especially in the
Roman environment. In short, the means for synthesis is absent
from Alfoldi’s analysis. It is obvious that the disparate ideas
which he discusses are related, but it is not always easy to
see how. This is illustrated both by Weinstock’s criticism of
Alfoldi’s study (15) and, in turn, by Weinstock’s own study
(16), which similarly lacks a clear means of synthesis. It is
quite misleading to dissect the strands of ideas in handbook
fashion, as Weinstock has done with chapters entitled "The
Liberator", "The Saviour", "The Founder", "The Father", and so
on, and thereby lose touch with the fundamental reality which
in my view is the selfless benefactor construct as delineated
here. Moreover, the very strong implication from Alfoldi,
Weinstock and others is that men such as Caesar and Augustus
were concerned to assert their godhead and to work out the
intricate implications of, and relationships between, each of
the honours that were awarded to them. The honours become
assimilated to the picture of insidious generals imposing
themselves upon the state. Apart from the fact that it would
have taken an inordinate amount of time, it is an unnecessary
conclusion. It need only be accepted that all the players, both

(1952), 204ff; 10 (1953), 103ff; 11 (1954), 133ff (a long and
very learned discussion of Caesar’s honours, but, in spite of
the frequent headings, very few of the 100 or so pages really
concern the problem of the parens patriae)”. For Alfoldi’s
muted response, see his review of Weinstock: Gnomon 47 (1975),
p. 166.

16: S. Weinstock (1971).
supporters and opponents of the great dynasts, were working within the same sphere of ideas, a sphere in which all could find something congenial to their situation. The plethora of honours comes in recognition of unprecedented power and pre-eminence in the Roman state. In the context of acculturation, they might draw concerted criticism for their "Greek" and "monarchical" implications.

The following analysis will be divided into 4 sections. Firstly, it will be argued that the p.p title was probably not emphasized prior to the Ciceronian period. The father analogy apparently does not receive exceptional emphasis in the honouring of mortals before this time. The second section deals with Cicero's experience in the wake of his handling of the Catilinarian conspiracy, and the concentration upon the p.p title by his supporters. Although the p.p title embodies all the procreative/tutelary connotations of the selfless benefactor ideal, it will be argued that the father analogy was focused upon by Cicero and his friends in particular because they saw specific value in relation to Roman tradition. Thirdly, we will look at Cicero's works of political philosophy and the prominent place of the father analogy within them in comparison to Greek works. The final section focuses on the circumstances in which Caesar received the pARENTS PATRIAE title, and its significance. It will be noticed also that the p.p title was prominently employed as a controversial element in invective of the triumviral period.
I.

Rome was influenced by Greek forms and ideas at every stage of its history. Yet the Romans seem to have distinguished "Greek" from "Roman" elements and thought in terms of friction between them: consider, for example, the distaste in Tacitus' reference to \textit{Graeca adulatio} (17). Acculturation is an evolutionary process. It does not involve the overlay of base cultural elements with mimetic (and hence quite meaningless) trappings from another culture (18). At all points a product results which is quite new but which might be seen from a prejudiced viewpoint as the subversion or contamination of a "pure" tradition. The degree of friction should not be exaggerated. Fabricius Luscinus, for example, the hero of the Pyrrhic War, was buried in the Forum in conscious imitation of Greek honours for hero-founders (19). However, attitudes to Greek culture underwent changes in the light of military success against Greek arms and consequent political ascendancy. From the time of the Second Punic War, the Romans came into first-hand contact with cult for notables in the East, and great Roman generals themselves were the recipients of such cult. This experience has been well-described by L.R.Taylor and

17: Tac.\textit{Ann.}6.18; Curt.8.5.7f; cf. the revulsion embodied in Polybius' and Livy's accounts of the time when King Prusias addressed the senators as "saviour gods (Polyb.30.18.5; Livy 45.44.20)".


Such honours as Romans might encounter in the East increasingly filtered into Rome itself, and the p.p title was given emphasis as part of this process. In the Roman context, this title would have had a special significance, given the nature of patria potestas and the tradition of severity in ancestral times. The Romans thought that no other race had as much control over their sons as they did (21). This feeling was juxtaposed against the ideal usage of that great power which stressed the moral bond between father and son. It was alleged that Octavian ridiculed this bond by forcing two prisoners, a father and his son, to choose which of them would be executed after Philippi. The father was presently executed after offering his life for that of his son; the son suicided in consequence (22). The tension between force and morality for a Roman father has a sharpened point, or perhaps a greater propensity to fluidity, given the dramatic aspects of patria potestas which may still accord with the ideal. There seems to have been a general tendency among Romans to conceive of their ancestors and gods as being more severe, and hence less lenient, than their Greek counterparts. It is part of the distinctiveness of the Roman character when measured against


21: Gaius, Instit.1.55.

the Greek, and it rationalizes the ultimate success of Roman against Greek arms. However, it appears that the "Roman" implications of the father analogy were not exploited prior to the Ciceronian period.

Skard emphasized how the epithet "father" is applied to a range of Roman gods with some frequency, whereas in Greece it is most often associated with Zeus (23). In the Latin name "Iuppiter" it has become merged into the single designation for the supreme god of the pantheon. Skard's explanation for this phenomenon focused upon the patriarchal experience of Rome, manifest in the strictures of patria potestas (24). The power and position of the paterfamilias do seem to have exercised the minds of Romans and very probably explain the prevalence of the epithet pater for Roman gods, but any subsequent implication that the Roman conception of fathers was more primitive than the Greek should be resisted. Tension between force and morality in the use of power is fundamental; the Romans seem to have had a less distinct division between the opposing attitudes which was apt to produce friction.

The senators, of course, are commonly referred to as "fathers" (e.g. Livy 4.42.9, 5.7.12, 6.26.3 etc.), the term perhaps relating originally to their status as heads of the maiores gentes who formed an advisory council for the king

(25). J.R.Fears emphasizes, as a possible alternative, the father's role as arbiter and points out that the role of impartial arbiter to the community was an essential aspect of the power of the senatorial 
patres
(26). It is significant that Sallust (Cat.6.6) connects the term with the curae of the senators and Cicero with the caritas which was felt for them (Rep.2.14). These two explanations accord with our ideal and probably represent rationalizations in terms of it.

Romulus, as the founder of Rome, was another who was honoured as a "father" in ideal benefactor terms (27). Ennius employs this epithet when writing of him (28). Alfoldi thought that the interest shown in Romulus during the late Republic was symptomatic of a general desire for a divinely-sent saviour-founder, a new Romulus, who would right the wrongs which beset the state and initiate a new golden age. That this was the central theme of the ideology of the late Republic is to be doubted (29). In particular, it is not proven that the group of gems which portrays sovereignty coming to a sleeping woman refers to Romulus via Rea Silvia (30). Nor is the interest of Varro in the horoscopes of Romulus and Rome (Cic.Div.2.98; Plut.Romulus 12) necessarily indicative of

interest in the "Wiederkehr des Idealkönigs der Urzeit (31)". The interest in Romulus reflects a desire to create for Rome the dignity of a founder-legend like those of the Greek city-states; it also reflects heightened interest in the selfless benefactor ideal. The rise of powerful individuals in the context of acculturation stimulated interest in the selfless benefactor ideal - hence the focus upon Rome's founder, Romulus.

When Fabius Maximus saved the army of Minucius, we are told that the latter hailed the former as "father", while his soldiers hailed those of Fabius as their patrons (32). The difference is apparently between ordinary obligations to a patron and extraordinary moral obligations with the idea benefactor. It is worth noting that we do not hear of a *patronus patriae* (33). Cicero frequently evokes this difference when he applies the father analogy to personal relationships involving services and obligations (34). The point, however, is that there was no special concentration upon the father analogy as a state honour prior to the time of Cicero.

The p.p title could in theory have been invented prior to

32: Livy 22.29.10ff; Plut.Fab.13.6ff; Val.Max.5.2.4; Sil.7.732ff; ILS 56. There is no reason to think that this incident in particular sparked interest in the *pater patriae* title: contra J.Gage, "Les clientèles triomphales de la République romaine a propos d’un aspect du principat d’Auguste", *Revue Historique* 218 (1957), pp.1-31.
34: Cicero's use of the father analogy for benefactors who have bestowed tangible *beneficia* and/or friendship: Cic.Caecc.61; Sull.19; ad Q.fr.1.3.3; p.Red.Sen.8, 29, 35, 37; p.Red.Quir.5, 8, 11; Sest.144; Planc.25, 28, 102; Mil.102; Fam.5.8.4; 2.2; 13.29.3; 9.7.1; ad Brut.1.17.5, 6 (Brutus); 1.13.1 (Brutus).
the Catilinarian conspiracy of 63 BC, but there is no certainty of this. Hence our evidence is not conclusive that the p.p title was used with any frequency before that time. A fragment of Ennius comes close to the \textit{pater patriae} formulation: 
\begin{verbatim}
Romule Romule die, quale te patriae custodem di gennuerunt! O pater, O genitor, O sanguen die oriundum! (35).
\end{verbatim}
According to Livy, Romulus was hailed as \textit{rex parensque urbis Romanae} and \textit{parens urbis huius} (Livy 1.16.3; 1.16.6; cf.4.3.12: \textit{parens urbis}). Camillus, between the rough jests uttered by the soldiers, was hailed as \textit{Romulus ac parens patriae conditorque alter urbis} (Livy 5.49.7). If Livy really did find \textit{parens patriae} in his source as an appellation for Camillus, this would perhaps suggest that the title was not an invention of the post-Catilinarian period. Camillus was the darling of optimate writers, especially it seems in the Sullan period. The reference to Marius as \textit{pater patriae} in Cic.Rab.perd.27 has been seen by Skard and Alfoldi as the response by the popular party to the characterization of Camillus as \textit{parens patriae} (36). Yet it appears just as likely that this title was given to Marius by Cicero because Cicero wished to associate himself with Marius in the wake of 63 BC, and it is doubtful whether the difference between \textit{pater} and \textit{parens} (\textit{patriae}) was anything more than a stylistic variant prior to 2 BC – when Augustus as \textit{pater patriae} is distinct from Caesar as \textit{parens patriae} (37).

Alfoldi (38) believes that *pater* (*patriae*) would not disrupt the Republican facade of Augustus' regime and would associate him with people like Marius and Cicero, defenders of the Republic, rather than Caesar, destroyer of the Republic. The contrast with Caesar as *parens patriae*, however, would have been sufficient and would have been noticed by the Roman populace, for the titles of both Caesar and Augustus enjoyed a wide circulation (39). W.K. Lacey (40) thinks that *pater patriae* is a much more significant title because it contains the juridical and religious overtones of *paterfamilias*, but Cicero seems to have used *parens* and *pater* indiscriminately in regard to himself, and juridical and religious overtones were of great importance to him in the wake of the Catilinarian executions. Admittedly Livy's reference to Camillus as the second founder of Rome calls to mind Plutarch's assertion (Mar. 27. 9) that Marius was called the third founder and is indicative of a tradition of rivalry, but this is not to say that the p.p title was part of the tradition. Moreover, Cicero never calls Marius explicitly a "founder" or "Romulus", as Camillus is called in Livy's reference (41). Therefore it seems safer to conclude that the appearance of the p.p title in Livy is attributable to its topicality after 63 BC, not to its use as a tool in sparring between *optimates* and *populares*. The titles given by Livy to Camillus are, in any event, surely more

at home in Augustan Rome than at any other time.

In the age of the Gracchi, accusations of tyranny and of the overthrow of libertas were common (42). The charge of aiming at a regnum was perhaps as old as the Republic itself (43), but the figure of the tyrant was evidently not balanced by the figure of the father (or by any other positive autocratic image) in political invective at this time. Obviously, rex could not easily be used to translate basileus, but it seems that the aristocratic ethos was too strong in any case. What did emerge was the schism between Optimates (those who adopted the slogan "Let the best men rule!") and Populares (those whose slogan was "Let the People rule!"). On the other hand, Cicero refers to Marius as pater patriae in the pro Rabirio perduellionis reg, a speech which was delivered before the Catilinarian episode (44). Weinstock believes that Cicero was thinking about his own role as consul, and that the p.p title was invented by him for this speech. In other words, he is not reflecting a genuine Marian title (45). A preferable theory sees the title remain a post-Catilinarian feature, included in the published rather than the spoken version of Cicero’s speech. There is explicit evidence, for instance, that Cicero was the first to be acclaimed parens/pater patriae (46).

44: Cic. Fab. perd. 27.
46: Pliny, NH 7.117; Appian, BC 2.7.25; Juvenal 8.243.
Yet even if it were established that contemporaries of Marius used the p.p. title, we would have to conclude on present evidence that they gave it no particular emphasis over (say) soter, conservator, custos etc (47). There seems no absolute reason why the title could not have been invented before the Ciceronian period. We have evidence that cult honours were decreed for Marius in gratitude for his victories over the Cimbri (48), and, as soon as the analogies and forms which were used in Hellenistic kingship literature and in benefactor and ruler cult came to be highlighted at Rome, it would have been theoretically possible to talk of a saviour of the state as a pater patriae. The point is that this cannot be proved satisfactorily until the time of Cicero.

During Sulla’s triumph, we are told that followers hailed him as "saviour" and "father", in the manner of benefactor cult (49). Again there seems no special emphasis upon the father analogy. "Father" is merely a member of a recognizable group of honorific epithets. On the other hand, Sulla adopted the cognomen "Felix", and hailed the young Pompey as "Magnus", the name which he too bore henceforward as a cognomen. This assumes

47: Marius - Cic. Cat. 3.24: custos huius urbis; P.rex, Quir. 9: custos civitatis atque imperii vestri; Pis. 43: Italia servata ab illo; Sept. 37: conservatorum patriae; 50: natus ad salutem imperii; 116: conservatoris huius imperii; Cat. 4.21: sit aeterna gloria Marius, qui bis Italiam obsidione et metu servitutis liberavit; Rab. per. 29: cum...obsidione rem publicam liberasset; Plut. Mar. 27.9: (ktistes);


49: Plut. Sulla 34.2; Alfoldi, MH. 10 (1953), p. 104.
significance in the light of evidence that Caesar and the emperors took the p.p title as a cognomen (e.g. Suet. Jul. 76.1; Aug. 58.2). It may be that the "civil" connotations of the p.p title are meant to contrast with the "military" connotations of the former cognomen.

II.

There is always a danger in assigning momentous developments to the time of Cicero for the obvious reason that we are better informed about this period than about any other in Roman history. It is doubly dangerous to assign a pivotal role to Cicero, for he is our most voluminous source. Nonetheless, it does appear that Cicero and others gave special emphasis to the father analogy in the wake of his consulship; the p.p title was highlighted in particular. His handling of the Catilinarian conspiracy was the catalyst. If he was not indeed the inventor of the title, he and his supporters were nevertheless instrumental in impressing it, with all its various procreative/tutelary connotations, upon the minds of contemporary Romans. He considered himself entitled to honour as a saviour and a new founder. Charges that he had acted as a cruel tyrant were countered with the claim that he had in fact acted as a tender, loving parent, the guardian of the libertas of the cives of Rome, as distinct from the improbi, hostes, and servi, who formed the conspiracy of Catiline. It seems that the p.p title was used vigorously after Cicero's consulship by supporters who were working not only on his behalf but also in
opposition to Pompey and in defence of senatorial prerogatives. He himself employed the title in the years after his return from exile. Some of his supporters, such as Cato, L.Gellius Publicola and Q.Lutatius Catulus, were among the most prominent men of Rome, and are by no means pawns of Cicero, doing his bidding and using his ideas.

An immediate difficulty with this picture is provided by the appearance of Marius as pater patriae in the Pro_C.Rabirio Perduellionis_Reo of 63 BC. Cicero tells his audience that those who opposed Saturninus did so to defend the common libertas; and C.Marius may in truth be entitled "pater patriae, the parens of your libertas and of this res publica (50)". The real likelihood of substantial revision of the published version of this speech, however, precludes a definite view on whether the title was invented at this time (51). Weinstock believes that it was, prompted by Cicero’s reflections about the role which he, as consul, ought to play in the state (52). On the other hand, it must be pointed out that the Catilinarian speeches do not show any trace of the title, and Cicero does not explicitly refer to himself as a father in them. In one passage, he does make a suggestive reference. "Answer me this", he says; "if a paterfamilias were to find his children killed

50: Cic.Rab.perd.27.
51: cf.C.MacDonald’s note in the Loeb edn.of In_Catilinam (1.4) where Cicero asserts the wish to be a man of clementia. MacDonald doubts that this appeared in the original speech. He feels that it was inserted when Cicero was trying to defend his action of executing the conspirators. Cicero published his speeches of 63 BC, including those against Catiline, in 60: OCD(2), p.235 (J.P.V.D.Balsdon).
by a slave, his wife murdered and his house burned, and if he did not inflict the extreme penalty upon his slaves, would he be thought kindly and compassionate or the most inhuman and cruel of men?...when our patria and fellow-citizens have been destroyed, a desire to be more lenient will win us a reputation for extreme cruelty...We should fear that by reducing our punishment we may appear cruel to the patria, rather than that by the severity of our retribution we may seem too harsh to her most bitter enemies (hostes) (Cic.Cat.4.12-13)". The juxtaposition of ideas is striking, but the salient feature is the harsh exercise of power by a paternal figure. He can still be a loving father who executes dependants (though slaves rather than children) for the good of the patria. One might almost say that the father must act tyrannically (inhumanly, cruelly) in such a situation or in reality be a tyrant - his natural inclination towards leniency would actually be cruelty when the patria is threatened by renegade citizens who are now enemies of the state (hostes). This reasoning applies to the parens/pater patriae. Cicero shows that there is a certain propensity to fluidity in his characterization which can be reconciled with the image of a loving father on a favourable assessment. In a prominent section of the First Catilinarian speech, he characterizes the patria as a parens in evocation of the ideal benefactor figure (53). Yet it must be emphasized again that he does not apply the analogy to himself explicitly, and the p.p title is absent in the Catilinarian speeches. It is

53: Cic.Cat.1.17ff; cf.1.27; 2.14; 2.27f; 4.4; 4.13.
possible therefore that the p.p title was not part of the political vocabulary in 63 BC. Our evidence indicates that it only became topical after Cicero's consulship in the wake of attacks on his role in the execution of the Catilinarians and his subsequent exile.

As early as January 62 BC, the tribune Metellus Nepos tried to bring in a bill to the effect that Cicero should be prosecuted for murder, and that Pompey should be called back to liberate Rome from Cicero's tyranny (54). Cato evidently countered with a contio at which Cicero was acclaimed pater patriae (pater patridos) (55). This seems to be the first secure instance of the title's use, and Cato is shown as the prime mover. He may have been the inventor of the p.p title. His support for Cicero should rather perhaps be viewed as opposition to Pompey in the circumstances. Opponents called Cicero a king, even a foreign king like Tarquinius Superbus because he was not a native of Rome but of Arpinum (the Latin rex being used in its pejorative sense) (56). The charge of his tyranny was later often repeated (57). It was evidently countered with the father characterization. For example, after his return from exile, in the context of answering criticism of his role in the execution of the conspirators, Cicero asserted that: "The malignant imputations of cruelty have by now been

55: Plut.Cic.23.3; Appian, BG.2.7; cf.T.R.S.Broughton, MRR II, pp.174-175 for Cato's opposition to Metellus Nepos and activities as tribune.
56: Cic.Sulla 21f; ad Att.1.16.10; Juven.8.237f.
57: Cic.Sest.109; Vatin.23; ps.Sall.in Cic.5.
hushed, because it is seen that I have been yearned for, demanded, and appealed to by the ardent longing of all citizens, not as a cruel tyrant, but as a tender parens (ut mitissimum parentem) (De Dom. Sua 94)"). He also said that he was merely obeying the patres conscripti and all the boni (Cic. Sull. 21). He did not establish a regnum, he suppressed one; and "it is not tyranny (non esse hoc regnare) when one tells the truth on oath (ibid)"). The latter relates to the oath he took in front of the people at the close of his consulship, after Metellus Nepos vetoed the customary final oration (58). Cicero obviously saw it as an important element in refuting the allegations of tyranny. Plutarch (Cic. 23.1-2) relates that he was permitted merely to pronounce the oath usual on giving up office. When he had obtained silence, Cicero pronounced, not the usual oath, but a new one, swearing that in truth he had saved his country (patris) and maintained her supremacy (hegemonia). "And all the people confirmed his oath for him".

In the Pro Sestio of 56 BC, an indication is given of one method by which Cicero’s supporters impressed the father characterization upon the Roman populace on his behalf. Cicero refers to Claudius Aesopus, the greatest tragic actor of the day: "In the same play, how the Roman people groaned when they heard these words spoken by the same actor!... ‘O pater’"). These words are really from the Andromache of Ennius. It is probable that Aesopus transferred them to the Eurycles of Accius (59).

"O.pater" is spoken by Andromache, whose father was Eetion, slain at the capture of his city.

Cicero continues (ibid): "He thought that it was I, I in my absence who ought to be lamented as a father, whom Q.Catulus and many others in the senate had often called pater patriae. How he wept, lamenting an exiled pater, his afflicted patria...(he) drew tears even from my enemies (Sest.121)". The form pater_(patriae) may be used here instead of parents to match with Aesopus' quote, but in general the distinction does not seem to have worried Cicero particularly.

This is a rich passage, and a number of conclusions and conjectures might profitably be drawn. In the first place, Aesopus' departure from the script was probably prompted by supporters of Cicero (60), with a claque in the audience ready to exploit the moment and highlight the political implications (even if only by groaning). The whole passage shows how dramatic performances were used for political gain (61).

Indeed, if the point could be made here simply by groaning, or simply by Aesopus uttering "O.pater!", it implies a concerted effort through various media to have Cicero, in exile as he tells us, characterized as a father to the people with reference to his action against the Catilinarians. The p.p title would be the logical point of reference. Cicero tells us here that this was what "Q.Catulus and many others in the senate" often (saepe) called him: Me...,quem Q.Catulus, quem

60: cf.Cic.Sest.121 where Aesopus' script claims Cicero as an amicus.
multi alii saepe in senatu patrem patriae nominarant. It wasn't entirely unanimous and it was a repeated salutation. In the speech In_Pisonem, delivered in 55 BC, Cicero informs his audience (the Roman people), most of whom obviously would not have been present, that "Q. Catulus,... before a crowded meeting of the senate, named me parens patriae (62)". There is a greater sense of unanimity here, as Cicero undoubtedly intended, but note too that it is not pater but parens (patriae). The need for absolute precision seems not to have been felt, a fact which indicates the broad sphere of ideas which is being evoked. Yet Cato and Catulus would no doubt have been particularly aware of the image of the paterfamilias operating with his consilium. This image may have suggested the p.p title to them. Catulus was a very influential man, even if the language of Velleius 2.43.4 appears to preclude Mommsen's view that he was formally recognized as princeps_senatus (63). His support for Cicero might have been prompted to some degree by a desire to uphold senatorial prerogatives, given that Cicero took it upon himself to execute the Catilinarians after the passing of the senatus_consultum_ultimum (64). If Cato did not introduce the p.p title into this scenario, perhaps Catulus did. The insecure chronology for the events after 5 December 63 BC does not allow for a definite view.

Cicero's stress on these salutations taking place in the

62: Cic.Pis.6.
senate does not, bearing in mind the trial audience for the In Pisonem, preclude the same scenario occurring in front of the Roman people. The trial audience would not need to be informed about the latter. Thus, Plutarch (Cic. 23.3) and Appian (BC 2.7) are probably quite right in recounting a salutation as p.p which resulted from a laudatory speech by Cato delivered at a public meeting (contio) after Cicero had laid down his consulship (65). Nor should it be assumed that this was the only such contio (cf. saepe in Sest.121). The concerted campaign on Cicero’s behalf probably went on over a number of years after 5 December 63 BC, though Catulus’ participation must be dated prior to 60 BC, at which point he is known to have been dead (66). It does seem that when his enemies made the claim that he had used his power as a cruel tyrant, Cicero’s supporters countered (in contiones, on the stage, in the senate) with the claim that he had acted as a tender pater/parens of the patria.

Upon his return from exile in 57 BC, Cicero expressed his gratitude to those who had worked for his recall in extravagant language. The language indicates the ideal scenario and there is a clear emphasis upon pietas (67). Affection and loyalty are highlighted as adjuncts to mere obligation, and the father analogy is prominently employed. In Post_Reditum_Ad_Quirites, Lentulus Spinther is addressed as P.Lentulus_consul_parens, deus_salus_nostrae_vitae_fortunae_memoriae_nominis

65: cf.MRR II, pp.174-175 for references to Cato’s tribunate in 62 BC.
Quintus Cicero "showed himself a son in pietas, a parens in beneficium, and in amor the true brother that he always was (p.red.Quir.11). The populus Romanus is characterized as a parent to Cicero in the sense that he owes his veritable birth as a consular to it (p.red.Quir.5). Similar language was being employed in the Greek East (Cic.Flacc.60; cf.Cic.Qfr.1.1.31).

Two days previously in the senate (Post Reditum In Senatu, 57 BC), Cicero had called Lentulus Spinther parens ac deus nostrae vitae, fortunae, memoriae, nominis (p.red.Sen.8; cf.Sest.144: P.Lentulus, deus and parens of my fortuna and nomen). Quintus was "a son in pietas, a parens in consilium, and in amor the true brother that he was". This was shown "by his guise of mourning, by his tears, and by his daily-renewed prayers (p.red.Sen.37; cf.ad.Qfr.1.3.3: consilio parentem)"

The senators, "permanent parentes of the res publica...never wavered in your determination to identify my salus with that of the community at large (p.red.Sen.4)". Pompey spoke on Cicero's behalf "as though on that of a brother or parens (p.red.Sen.29)". Cn.Plancius is referred to as "the custos of my caput...Had I been imperator, and he my quaestor, I should have viewed him as a son; now, since he has been associated with me not in command but in calamity, I shall at all events view him as a parens (p.red.Sen.35; cf.Cic.in Caec.Div.61-2; de Oratore 2.197ff; Planc.28)". In similar vein, "T.Fadius, who was my quaestor, and M.Curtius, under whose pater I myself had served as quaestor, did not fail to meet the claims which these
relations laid upon them (p._red._Sen._21)

In the Pro_Plancio of 54 BC, Plancius' prosecutor, M.Juventius Laterensis (pr.51), evidently objected to Cicero's extravagant claims that Plancius was the saviour (servator) of his person (caput) and the guardian (custos) of his welfare (salus) [see eg._Planc._102 for the terminology]. Cicero's retort is significant:

"You (sc.Laterensis) say that, from motives of policy, I devised reasons for appearing to be bound to my client by ties of the deepest obligation, whereas I was in reality under no engagement whatsoever...I was (supposedly) driven to invent a subtle motive for alleging that I owed everything to the man who might naturally be expected to be in debt to me. But even common soldiers show reluctance in making, by their bestowal of the _corona_civica_, an admission that they owe their life to someone; not that it is humiliating to have been shielded in the battle and rescued from the enemy's hands, for this can only happen to a brave man who fights in the thick of the foe, but they shrink from the overpowering burden of being under the same obligation to a stranger as they owe to a _parens_.

The world in general is anxious to disclaim real obligations, even when they are trifling, because they would not seem to be beholden to anyone; and is it likely that I am feigning myself to be bound by an obligation which seems quite impossible of repayment? (_Planc._72-73)

Cicero's argument seems to have had a number of aims. In the first place, it may well have stung Laterensis sharply
because there is an indication that he did indeed take personal relationships seriously. After Mutina, when Antony sought Lepidus’ assistance, Laterensis, who was serving as a legate under Lepidus (68), tried to keep his commander loyal to the republic. Lepidus spurned his entreaties and Laterensis promptly suicided (69). The senate decreed him a public burial and a statue (70). Therefore, it is perhaps possible that Laterensis, in attempting to score a point from Cicero, has compromised his own high ideals and allowed Cicero to catch him out.

Furthermore, the reference to the corona_civica is probably not just a rhetorical exemplum. It calls to mind the corona_civica that Cicero referred to in the In Pisonem the previous year. On that occasion, Cicero said that:

"Q.Catulus...before a crowded meeting of the senate, named me parens_patriae. The illustrious L.Gellius, who sits at your side, asserted in the hearing of my audience (sc.the people) that a corona_civica was due to me from the res_publica (Pis.6)". The corona_civica features prominently in the rest of this study. Its role requires some clarification.

The oak wreath (corona_civica) was the reward of a citizen who had saved the life of another in battle (71). Polybius says that troops who have been saved crown their preservers and

68: Dio 46.51.3; T.R.S.Broughton, MRR II,p.353 (43 BC).
69: Cic.Fam.10.11.3; 10.15.2; 10.21.1,3; 10.23.4;
Vell.2.63.2; App.BC.3.84; Dio 46.51.3-4.
71: Polybius 6.39.7; Gell.5.6.11; Paul.42M (37L);
Serv.Aen.6.772; Comm.Lucan I.357f; Plut.QR 92; S.Weinstock
promise to do everything for them as for a parent. If a man is unwilling to accept this situation (with the implication that some soldiers of the mid 2nd Century BC did object) he may be compelled by "the tribunes who judge the case (Polyb.6.39.7)". This was still, so it appears, the situation under Cicero. Yet Polybius does not elaborate as to why some soldiers were unwilling to crown their saviours and honour them as parents. We might envisage a soldier claiming to have blocked a dart from striking a comrade, but the other man swearing that it would have missed. And a proud man might well find it distressing to have to acknowledge that he owes his life to another. One is drawn into thinking of patria potestas as perhaps something to be apprehensive about, but Cicero in the Pro Plancio is talking about personal services and men's reactions to such beneficia (e.g. Planc.72: milites faciunt inviti ut coronam dent civicam et se ab aliguo servatos esse feteantur...onus beneficii reformidant...quod per magnum est alieno debere idem quod parenti; cf.25, 102). Polybius' language fits this context too (Polyb.6.39.7). No ancient writer explicitly attests patria potestas in this connection, and do we really envisage the saviours laying claim, for instance, to the property of the saved men or sitting in judgment on moral transgressions committed (say) whilst on furlough? Legal ramifications must surely be ruled out.

Under the Principate, civic crowns were bestowed by the Emperor (Tac.Ann.3.21; 15.12), though perhaps the Republican general acted as intermediary between the saved man and his
saviour at the time of conferral (72), so that the part played by the Emperor might have had precedent. Livy (33.23.6) and Pliny (HN 16.13) record a number of privileges for recipients, but none of the imperial authors who write about the corona civica make a point of recording the obligation to honour the saviour as a parent. This should be significant because the writers in question are the elder Pliny (HN 16.3ff), Plutarch (OR 92) and Aulus Gellius (NA 5.6). Given their interests, and the nature of their works, one would expect them to have mentioned the honouring of the saviour as a parent if it was an especially notable requirement. It was the ideal, and there is no need to see an "overpowering burden" as part of the ordinary experience of the award. Pliny does highlight the fact that the saved man had to acknowledge the fact freely – witnesses otherwise are of no value (HN 16.12). There is no question of compulsion as in Polybius (6.39.7), a fact which indicates emphasis upon the ideal scenario (73). The point is that Cicero's talk of "the overpowering burden of being under the same obligation to a stranger as they owe to a parens (Planc.72)" depends upon the ideal scenario and is an exaggeration for rhetorical effect in the circumstances.

The importance of establishing the primacy of the ideal

72: This might be inferred, for the late Republic at least, from Tac.Ann.3.21 (and cf.Polyb.6.39).

73: Much of this is unfortunately missed in V.A.Maxfield, The Military Decorations of the Roman Army, London: Batsford, 1981, p.70ff...cf.p.71: "The corona civica never lost its original significance through being incorporated into set imperial schemes of dona... (and) continued to be awarded in its traditional manner at least into the mid-first century AD". Maxfield refers to its remaining an award for the saving of citizens.
will become increasingly obvious. Any temptation to link the p.p title and the corona civica together as an exclusive set on the basis of this evidence should be resisted. It should not be taken that the presence of one implies the other in its absence. Each honour relates to the ideal in its own right. Their relationship to each other is brought about by their primary relationship to the ideal scenario (see further section IV below). Polybius and Cicero allude to the ideal scenario in which the corona civica is willingly given and in which self-interest plays no part. Since self-interest can hardly be discounted in an imperfect world, it should not surprise that some account was taken of men unwilling to bestow the award where it was legitimately won. This explains the presence of Polybius' tribunes sitting in judgment. They were concerned with adherence to proper models of behaviour - an obvious concern in the military context.

Cicero does not state explicitly that he was awarded the corona civica proposed by Gellius, and it is thus probably safe to infer that he did not receive it. It is possible that he is using Pro Plancio 72 to give his audience an explanation as to why he did not receive it. Not surprisingly, it is an explanation favourable to himself. He interprets the corona civica as entailing the "overpowering" obligation to a parent. Furthermore, he is misrepresenting the facts. Far from being afraid to honour Cicero as a father, many senators were simply opposed to the view that he had saved the state. They saw him.
as a tyrant and were vociferously saying so (74).

The evidence of Aulus Gellius, who may have misinterpreted In Pisonem 6, seems to imply that Gellius Publicola’s proposal came in 63 BC when Cicero was consul: *hac corona civica L. Gellius, vir censorius, in senatu Ciceronem consulem donari a re publica censuit, quod eius opera esset atrociissima illa Catilinae coniuratio detecta vindicatique* (5.6.15). However, Malcovati (75) has an item for L. Gellius Publicola from De Harusp. Resp. 15 which is about the state’s obligations to Cicero and his own danger on board ship. Broughton (76) infers from this that he was not in Rome in 63 BC, but was in command of a fleet in Italy as a legate of Pompey (cf. Cic. *p. red. Quir*. 17). So his praise of Cicero in the senate (assuming that Aulus Gellius is right about the setting) could be in 58 BC (the year of Cicero’s exile), where Malcovati puts his intervention *apud populum* (cf. Cic. *Pis*. 6). If so, we thus have further evidence for the concerted efforts of supporters to have Cicero characterized after his consulship as Rome’s saviour, hailed appropriately as "father".

With the onset of civil war, Cicero explains to Atticus that he could not have precipitated such a conflict: *Me, quem nonnulli conservatorem istius urbis, quem parentem esse dixerunt, Getarum et Armeniorum et Colchorum copias ad eam adducere? me meis civibus famem, vastitatem inferre Italiae?*

74: cf. Cic. Cat. 4.12 and 4.13; Sulla 21f; ad Att. 1.16.10; Sest. 109; Vatinius 23; Ps. Sall. in Cic. 5; Juvenal 8.237; Plut. Cic. 23.4.
75: H. Malcovati, OBE (3rd edn.).
(Att.9.10.3). By this time he has come to acknowledge that only some or several (non_nullus) called him conservator and paresns. Yet in consequence he is constrained to safeguard the future well-being of the city (at least for the purposes of this letter). He laments that: "Though it is wicked not to support one’s parents, still our principes will not hesitate to destroy by starvation their patria, that most ancient and holiest of parents (antiquissimam et sanctissimam parentem)!
(Att.9.9.2)"

The strength of the moral bond which is being evoked in such passages should not be underestimated. For instance, when asked what he would do if Caesar should want both to hold the consulship and retain his legions, Pompey replied (on the evidence of Caelius who was present): "What if my son should strike me with a stick? (Cic.Fam.8.8.9)". The implication is that such an act would be unthinkable given the bond existing between a father and his son. Cicero himself was unable to command this type of relationship with the people of Rome, but he felt that a father-figure would be best equipped to restore the res publica to its pristine state.

III.

Cicero’s political theorizing might be viewed as an attempt to fit the ideal selfless benefactor into the Roman political framework. No consistent title is applied to the ideal figure in the works considered. A number of analogies are used. However, it is apparent that the father analogy receives
more attention in Cicero than was ever the case in Hellenistic treatises. This can be explained by the "Roman" implications of the analogy as well as by Cicero’s own experience.

It need not be assumed that the Romans themselves did a great deal of theorizing about the best form of political organization. However, the rise of Rome did provoke some notable political comment (77). Polybius (Book 6) argued that Rome’s mixed constitution was the foundation upon which her outstanding success had been built. Panaetius revised Stoic thinking about the political role of the Stoic wise man. Not only does he share with all men the natural feelings of love and loyalty, companionship and curiosity, but he is not above ambition. He may well have an urge to become a leader, an *appetitio guaedam principatum* (Off. 1.11-14). Such a feeling is not to be condemned, if it goes along with moral superiority, a sense of fitness and a feeling for beauty. This view would have appealed to elite Romans influenced by Stoicism and probably owes something to Panaetius’ acquaintance with Scipio Aemilianus. Carneades challenged the Stoic doctrine of natural law and argued that the only natural standard of conduct was self-interest. Carneades did not attempt to reverse the accepted meaning of justice so as to replace it by the "right of the stronger", but he showed that the exercise of power within states and even more between states, is always to a greater or lesser degree unjust. The Romans, if they wished to act justly, would have to return to their old owners all the

77: T.A.Sinclair (1967), chap.xiii.
possessions which they had won and go back to living in hovels in misery and want (Rep.3.21). This discussion of the basis of imperialism is reminiscent of the Athenian contribution to the Melian dialogue (Thuc.5.85-112). Carneades was not condemning the Roman empire; his aim was simply to point out that it had no ethical basis. Posidonius, on the other hand, followed Plato in justifying the right of the stronger where it consisted of moral and intellectual superiority (Sen.Ep.90.5). The wise man of Posidonius was endowed with superior wisdom, intelligence and justice. Philodemus of Gadara, contemporary of Cicero and friend of L.Calpurnius Piso Caesoninus (cos.58), wrote a treatise "On the Good King According to Homer" (78). As an Epicurean this was an unusual undertaking. The work, adapting Hellenistic kingship ideas to the Roman scene, is a description of the duties and moral behaviour of a princeps in private and public life. It is not a political pamphlet (79). Philodemus praises virtue in one section and warns that harshness breeds hatred. Cambyses is an example of the wrong attitude (cf.Herod.3.39.3); the king should be like a gentle father. Mildness in judicial matters is then recommended (80). Philodemus is seen as a second-rate thinker; his employment of the father analogy is conventional and it contrasts with the emphasis given by Cicero in his major works of political

79: Murray (1965), p.177, sees the work as being designed for a wide audience, although it is commonly associated with the name of Piso. P.Grimal, "Le 'bon roi' de Philodême et le royaute de Cesar", REL xlii (1966), 254 returns to the idea that the work is aimed at Caesar.
philosophy.

These works should probably not be seen as a practical blueprint for the Roman state (81). For a few years after his consulship he was occasionally tempted in his more optimistic moods to believe that his concordia_ordinum, guaranteed by Pompey, inspired and directed by himself, might be workable. In the end, however, he writes of an ideal state which is quite unlikely to be duplicated in practice. De_Re_Publica, written between 54 and 51 BC, and De_Legisbus, begun about 52, then broken off and resumed in 46-44 BC, represent an amalgam of Greek thinking and Roman history. They are the work of a disappointed and disillusioned man, retired from an active role in politics, in search of some consolation in an ideal world. Yet Cicero did not need to read Greek political philosophy to ponder how the ideal benefactor could be fitted to advantage into the Roman political environment. His own experience would have been sufficient impetus. There was much in Greek philosophy which suited his purpose.

In De_Re_Publica, Cicero's ideal figure "must be able to act both as field and household superintendent of the commonwealth; he must be fully conversant with justice in its highest aspects, for without that no one can be just; and he must not be ignorant of the civil law. His knowledge of it should be like the pilot's knowledge of the stars, or a physician's knowledge of physics...Nature has given to man a

81: D.Stockton (1971), p.344. For the view that Cicero may have been thinking in terms of a kind of temporary dictatorship to be held by Pompey, see F.Dvornik (1965), p.474.
certain fear of justified censure. The governing statesman (rector rerum publicarum) strengthens this feeling by the force of public opinion and perfects it by the inculcation of principles and by systematic training, so that shame deters the citizens from crime no less than fear... For, just as the object of the pilot is a successful voyage, of the physician, health, and of the general, victory, so this director of the commonwealth (moderator rei publicae) has as his aim for his fellow-citizens a happy life, fortified by wealth, rich in material resources, great in glory and honoured for virtue. I want him to bring to perfection this achievement, which is the greatest and best possible among men... The leading man of a state (princeps civitatis) must be fed on glory, and the state can stand firm only so long as honour is given by all to their leader... (Rep.5.5-9)". It will be noticed that Cicero has no consistent title in mind for his ideal figure.

In Book 1, however, the good king was characterized as a father. After discoursing on the three systems of government, Cicero has Scipio confess: "I do not approve of any of them when employed by itself, and consider the form which is a combination of them all to be superior to any single one of them. But if I were compelled to approve a single, unmixed form, [I might choose] kingship... the name of king seems like that of father to us, since the king provides for the citizens as if they were his own children (Rep.1.54)". The sense is obviously that of the Greek basileus, rather than the Roman rex/tyrannus.
Further on, Scipio describes the advantages of kingship, the system which takes after that of Jupiter who is king and father of all and under which the whole universe [is ruled] by [a single] mind (Rep.1.56-57). Rome herself was ruled by kings in the not too distant past. One of them, Servius Tullius, was "a very just king (Rep.1.58)".

Monarchic rule is recommended by human nature: "If there is any kingly power in the minds of men, it must be the domination of one single element, and this is reason - for that is the best part of the mind - and if reason holds dominion there is no room for the passions, for anger, for rash actions". So also, "if the management of a state is committed to more than one, you can see that there will be no authority at all to take command, for unless such authority is a unit, it can amount to nothing (imperium, nisi unum sit, esse nullum potest) (Rep.1.60)".

"Just as the sailor, when the sea suddenly grows rough, and the invalid when his illness becomes severe, both implore the assistance of one man, so our people - who in times of peace and while engaged at home wield authority, threaten even their magistrates, refuse to obey them, and appeal from one to another or to the people - in time of war yield obedience to their rulers as to a king, for safety (salus) prevails over caprice (Rep.1.63)".

Indeed, previous generations of Romans loved and willingly followed just kings. Ennius wrote: "For many a day does sorrow fill their breasts, whenever a great king has met his end (post
optimi_regis_obitum); In grief one to another thus they speak:
'0 Romulus, O Romulus divine, mighty guardian of our native
land - sent from the gods to our need (qualem_te_patriae
custodem_di_genuerunt)! O father, O sire, blood from gods
derived (o_pater, o_genitor, o_sanguen_dis_oríundum)!' (Enn.A.111f.Vahlen)". Cicero’s comment is instructive: "Neither
masters nor lords did they call those men whom they lawfully
obeyed (non_eros_nec_dominos_appellabant_eos, quibus_iuste
peruerunt), nor kings, but guardians of the fatherland,
fathers, gods (denique_ne_reges_guidem, sed_patriae_custodes,
sed_patres, sed_deos);...They thought that life, honour, and
glory had been granted to them through the justice of their
king. And the same goodwill toward kings would have abided in
their descendants had the true image of kingship abided; but,
as you know, it was through the injustice of one man alone that
this whole form of government was overthrown (Rep.1.64)"
Cicero is attempting to rehabilitate the image of the king at
Rome. He does so by claiming that Romans once looked upon their
kings in the manner of a Greek basileus, and called them by
names (including "father" and "god") which are modelled on
those of Greek cult. All this was upset by the actions of
Tarquinius Superbus. The implication is that, whilst the Romans
cannot now tolerate a king (or, more precisely, an autocrat
with the title rex), they can certainly accept a figure whose
qualities are those of the good king/selfless benefactor.
This opinion is put into true perspective when Cicero
emphasizes, through his spokesman Scipio, that, although
kingship is by far the best of the three primary forms, "a moderate and balanced form of government which is a combination of the three good, simple forms (viz. the Roman republican government) is preferable even to the kingship (Rep. 1.69)."

The good king/tyrant antithesis of Greek political philosophy is prominent in Cicero's theorizing. In De Re Publica he writes that: "A rex (sc. Tarquin) was transformed into a dominus... here we have a dominus of the people, whom the Greeks call a tyrannus; for they maintain that the title rex should be given only to a ruler who is as solicitous for their welfare as a pares to his people, and maintains in the best possible conditions of life those over whom he is set. Such a government is truly a good one, as I have said, but nevertheless it inclines, and, I may almost say, naturally tends, toward the condition which is the most depraved of all. For as soon as this rex turned to a dominatus less just than before, he instantly became a tyrannus (Rep. 2.48)." Cicero is relating Greek theory to the Roman environment but he acknowledges difficulty with the term rex and tends instead to highlight titles and analogies such as pater/pares. His own experience must have acted as a prompt because the father analogy was not as prominently highlighted in Greek thought.

In the De Officiis (finished Nov. 44), Cicero says that those who are to govern the res publica should keep their eye so determinedly on what benefits the citizens that they forget their own profit, and subordinate all their actions to the service of the citizens. Managing the business of the res
publica is like managing that of a ward; the estate must be managed for the advantage of the beneficiary, not for that of the manager (Off.1.85). A criticism of Caesar as parens (patriae) is also made. "Here you have a man", says Cicero, "who was ambitious to be rex of the Roman people and dominus of the whole world...oh, immortal gods! can the most horrible and hideous parricidium of the patria bring advantage to anybody, even though he who has committed such a crime receives from his enslaved fellow-citizens the title of parens? (Off.3.83)". In Cicero's unfavourable assessment, Caesar's treatment of the patria, the communis_parens (Cat.1.17), was at odds with the parens_patriae title which he received. Caesar wanted to be a rex in the pejorative sense; his experience represents a subversion of the ideal. Soon after (Off.3.90), Cicero presents what is ostensibly a hypothetical contentio_pietatis, taken from the sixth book of Hecaton (a Platonizing Stoic and pupil of Panaetius). It involves reiteration of the principle that a son's fundamental loyalty is to the patria, not to his father. In the circumstances, this principle perhaps has more than a purely philosophical interest. It is instructive to compare the conclusion to Book 1 of De_Officiis (1.160): "In social relations there are gradations of duty so well defined that it can easily be seen which duty takes precedence over any other: our first duty is to the immortal gods, our second to patria, our third to parents, and so on in a descending scale to the rest".

Loyalty to the state was a major concern for Cicero. This
was in particular the case when confronted with the great power of the dynasts (82). For example, in December 54 BC, in a letter to Lentulus Spinther in which he attempts to justify his recent favourable stance towards Caesar, Cicero uses Plato to illustrate his fundamental loyalty to the patria which is in a sense equivalent to a parent: *Id enim iubet idem ille Plato, quem ego vehementer auctorem sequor; tantum contendere in re publica, quantum probare tuis civibus possis, vim negque parenti neque patriae afferi oportere* (Fam. 1, 9, 18; cf. Plato, Crito 51C).

In Chapter Three a number of stories were examined in which a loyalty dilemma is postulated between the state and Roman fathers, the state usually being favoured in the outcome. Possibly the most famous of these stories has Q. Fabius Maximus the Cunctator, hero of the Second Punic War, dismounting on the orders of his son the consul in 213 BC (83). According to Plutarch (Fab. 24.1ff), Fabius immediately embraced his son and said: "You understand what a people has made you its officer, and what a high office you have received from them. It was in this spirit that our fathers and we ourselves have exalted Rome, a spirit which makes parents and children ever secondary to our country's good". Fabius' position is thus quite clear: no father is due a higher allegiance than that which is due to the state; or, alternatively, a son's first duty is to the state and a father's claim is subordinate to that of the state.

83: Livy 24.44.10ff; Plut. Fab. 24.1ff; Gellius 2.2.13ff; cf. T. R. S. Broughton, *MRR* I, p. 265.
Cicero could well be concerned with this point in the De Officiis passages relating to Caesar's \textit{parens patriae} title. The point would have been of interest to a people who were accustomed to measuring patriotism in filial terms.

\textit{Parricidium} originally denoted the slaying of a \textit{par}, an equal member of a family (84). By Cicero's time, however, a parricide was one who slew a parent (cf.\textit{Cic. Cat.} 2.8; \textit{Mil.} 17), and Cicero applied this term in the context of treason against the state (\textit{Rab. Perd.} 27; \textit{Sulla} 19; \textit{Vat.} 35). Violence done to the \textit{patria} was as wrong as if done to a \textit{parens} (\textit{Cic. Fam.} 1.9.18). Violence done to the \textit{parens/pater patriae} should therefore have been at least as wrong as violence done to the \textit{patria} — except where the \textit{parens/pater patriae} was actually a tyrant.

IV.

It would seem that Caesar's honours have long been viewed in an unhelpful light. Scholars have asked what his final aims were, and whether he intended to be recognised as a god during his lifetime or a king, or both (85). He certainly wanted his primacy recognized and, at least in the beginning, was concerned not to ride roughshod over traditional sensibilities.

Christianizing has impelled a considerable number of writers to assume that the status of "god" was something final in his thinking, and that the appearance of the word deus would signal the attainment of this ultimate aim. Yet if deus is used as the predication of a particular power of an individual, it need not imply the attainment of an ultimate aim. In terms of procreative/tutelary power, a mortal benefactor and a god were comparable in a manner which need not carry hubristic connotations. Kings were likewise figures of procreative/tutelary power. In De Re Publica (1.64), Cicero argued that Roman rulers used to be called names such as guardians, fathers and gods - names which are reminiscent of Greek cult epithets and which do not require the recipients to be dead. It will be noticed that "god" is grouped with the other names which are appropriate for honorific use in this context (86). It is not necessarily something ultimate, although a hostile commentator might make much of the implications. When Cicero exuberantly calls Lentulus Spinther his deus (p.red.Sen.8; p.red.Quir.11; Sept.144), we cannot conclude that he has been leading up to this name all along and that it takes immediate precedence over patera, salus etc. This is not to deny that gods were thought of as being on a higher plane than mere mortals, but the gap could be bridged when referring to benefactors who have performed outstanding services. The important point is recognition of the sphere of ideas centred upon the selfless benefactor ideal.

The honours conferred upon Caesar were framed with reference to the ideal scenario and reflect the circumstances of acculturation. His extraordinary power is recognized in procreative/tutelary terms via the extraordinary honours. Their sheer number and variety reflect his extraordinary pre-eminence and the influence of Greek practice. The honours should probably be thought of as a totality. It is misleading to isolate particular examples and to infer that they are especially prominent or meaningful, and that Caesar intended it so. Obviously, some honours have particular connotations which might be absent in others, but all relate to the ideal construct. Caesar was not working out the intricate relationships between them (87). Nor is it necessarily right that he and his supporters alone were the motivating forces behind the plethora of honours. His opponents also had an interest in promoting the ideal — for the sake of highlighting the gentle disposition of the ideal autocrat. They were concerned to avert a bloodbath after the civil wars. Their motivation was more than insincere flattery or attempts to embarrass him would appear to indicate. It is doubtful whether there is much to be gained from talking about the practical reality of individuals' motives; they would have run the full gamut. The ideal scenario is important, not the degree of sincerity which characterized offers of honours. In this section, the aim is to describe the circumstances in which Caesar received the parens patriae title, to reflect on its

significance, and then to show how this title was used prominently after his death in the propaganda programmes of his supporters and opponents.

The chronology for Caesar's honours is not entirely secure, although it is plain that many of them can be attributed to the periods immediately after the victories at Thapsus and Munda. Appian lists the p.p title among the honours of 45, Dio among those of 44 (88). Weinstock favours 45 for a number of reasons. Firstly, he sees no reason to support Alfoldi's view that coins which bear the cognomen *parens patriae* were issued after Caesar's death (89). Secondly, he links the p.p title with the oak wreath which was awarded to Caesar in 45 "for having saved the citizens (90)". Thirdly, Weinstock supposes that the time before the Ides of March in 44 was simply too short for the many honours which are assigned to it (91). There are replies to each of these views. In the first place, the sequence of dies establishes that the p.p coins were in fact issued after Caesar's death when the p.p title was an

88: Appian, BC.2.106, 2.144; Dio 44.4.4. No date is indicated by the other evidence: Livy, Per.116; Nic.Dam.y.Caes.80; Suet. Jul.76.1; Flor.2.13.91; cf.Inscr.It.xiii,1,p.183; ILLRP 407, 408.


90: ibid, p.163ff, 201ff; cf.p.240 where the oak wreath is described as "the symbol of the *parens patriae*". For the *corona civica* in 45 BC: Cic.Deiot.34, 40; Appian, BC.2.106; Dio 44.4.5.

important element in Antony's propaganda programme (92).

Secondly, the oak wreath and p.p title are not complementary in the way Weinstock implies; there is no reason to think that the receipt of one necessarily entails receipt of the other at the same time or soon after. Weinstock is theorizing on the basis of Cicero's experience (cf. II above) and the arrangement of coins/inscriptions which combine the p.p title with a representation of the oak wreath. The experience of Augustus, who was awarded the oak wreath in 27 BC and the p.p title in 2 BC, shows that the two honours need not necessarily be received in close proximity. Their regular appearance together on coins and other monuments indicates that they were a popular combination, especially after 2 BC when they both featured on Augustus' house on the Palatine. Each honour is appropriate for a saviour of the citizens, who might be a ruler distinguished by clementia. Each relates in its own right (and without assistance from the other) to the ideal scenario. It is not surprising that they appear together. Furthermore, under the Principate, both together and individually, they evoke the memory of Augustus and have value for this fact. Yet one need

not imply the other in its absence (93). Finally, in answer to the third of Weinstock's views, which possibly underlies the first two, there are strong indications that later honours were not offered to Caesar as single items, but altogether at once: The periochae of Livy (Per. 116) mention plurimi maximique honores, and Suetonius (Jul. 76.1) plurima honorificentissima decreta brought to him most solemnly by the universi patres conscripti (94).

In this light one can turn to Gerhard Dobesch, who sought to expose the successive stages of Caesar's (supposedly) methodical planning (95). The thoroughness of Dobesch's attempt to establish a chronology for Caesar's honours can be appreciated without accepting his thesis that Caesar aimed systematically at making himself a god. Two phases of honours are distinguished. The honours voted on the news of Thapsus represent Phase 1 (96). They included the substitution of Caesar's name for that of Catulus in the dedicatory inscription on the Temple of Jupiter on the Capitol (which in fact was never done: Tac. Hist. 3.72.3), and the erection on the Capitol opposite the statue of Jupiter of his chariot surmounted by a...
bronze statue of himself standing on a globe with an
inscription honouring him (in Dio's rendering) as "hemitheos".
We cannot now be sure what the Latin was, but at some time
later than his triumph in Rome (Dio 43.21.2) Caesar ordered the
inscription to be erased. Most take this as a sign of modesty;
Taylor and Dobesch see it as a mark of pretentiousness in that
he wished to be more than half a god (97). It seems better to
envisage it as a sign of deference to traditional
sensibilities.

Phase 2 itself consisted of two successive stages. The
first stage, which fell between Munda (20 April 45 BC) and
Caesar's return to Rome in October (98), was designed to honour
Caesar as the second founder of Rome. Weinstock has illustrated
the importance of the celebrations at the Parilia (21 April) in
this connection (99). The honours of this period included a
Temple to Libertas (Dio 43.44.1), an ivory statue (Dio
43.45.2), a statue in the Temple of Quirinus with the
inscription deo invicto, and another on the Capitol beside the
statues of the kings and of L. Iunius Brutus, who founded the
Republic. Moreover, his chariot (presumably with the statue and
globe at its feet) was to join the procession of statues of the
gods in the pompa circensis (Dio 43.45.2ff).

The second stage of Dobesch's Phase 2, thought to have
been a matter of a single decree (100), embraced "volle

98: Dio 43.42-8; G.Dobesch (1966), p.66f.
100: On the single decree, see Balsdon's scepticism but
not refutation: Bonmon 39 (1967), p.152 (with refs.to the
contrary).
uneingeschränkte Vergottlichung als divus Iulius (101)"; and also the perpetual dictatorship and the *parens patriae* title. (102). According to Dobesch, Caesar was to be recognized as *divus Iulius* and in fact identified with Jupiter. A temple was to be erected to him and his Clementia, with Antony as its *flamen* ("like a *flamen Dialis*": Dio 44.6.4). He was also to be buried within the *pomerium*. Dobesch dates this single decree to late December 45 BC, but Balsdon's date of January or early February 44 BC is preferable (103). Nicolaus of Damascus (Life of Augustus 78), whose evidence is summarily dismissed by Dobesch (and too readily by others), states clearly that the procession of senators which carried news of the decree to Caesar was led by one consul, Caesar's colleague—viz. Antony. The date, therefore, is January or early February 44 BC, if Cicero was right in referring to Caesar as *dictator perpetuus* at the time of the Lupercalia (15 February 44 BC: Phil.2.87). This date means that the final set of honours comes just before the time of Caesar's anticipated departure for the East.

The senatorial procession found Caesar in the Temple of Venus Genetrix in the Forum Iulium. Our sources are unanimous in stating that he received the deputation in an extremely off-hand manner and gave great offence by not rising to his feet on its arrival (Suet.Iul.78.1; Plut.Caes.60.6; Dio 44.8.3). This kind of arrogance was evidently characteristic of

102: That Caesar's title was *parens patriae* rather than *pater patriae* is confirmed by Cicero and the coinage: A.Alfoldi (1971), p.95.
Caesar's last months. Though he rejected the diadem and the appellation *rex*, Cicero could employ the verb *regnare* in its pejorative sense when referring to his administration (104). It was Caesar's autocratic administration and his failure to take adequate notice of traditional sensibilities which cost him his life.

Such arrogance would not become the *pares patriae*. Alfoldi (105) believes that Caesar received the *p.p* title for his clemency in contrast to Cicero who was awarded it for his cruel suppression of the Catilinarian conspiracy. There was certainly an emphasis upon Caesar's clemency (106). According to Appian (BC.2.144), Antony told the Roman people at Caesar's funeral that the *p.p* title was a testimonial to his clemency, an assertion which tends to imply that the title was a product of the insecurity of Caesar's opponents, grateful for his clemency and hoping for its continuance. However, it does not seem probable that a comparison with Cicero played any major role in the considerations of the senate. More fundamental was the fact of Caesar's autocracy and the mutual desire of his supporters and detractors (the latter out of self-preservation) to emphasize the selfless benefactor ideal. Caesar was, despite...
his arrogance at the time, the "New Romulus", the new founder of Rome, likely initiator of a new saeculum, liberator, saviour, salus of the state, a man of various virtues in addition to clementia, and so on (107). A new calendar was developed which ended confusio and sealed his new order (108). The Roman people looked upon him in these terms and expected that he would bring an end to the quarrels and vices which had afflicted Rome for so long.

Caesar's p.p title evokes a plethora of ideas, and serves as an indicator of continuing concern about his capacity for bloodshed after the civil wars (109). Weinstock gives the misleading impression that its meaning was unequivocal. He finds Dio's interpretation to be "clearly unexceptionable (110)". When recording the p.p honour for Augustus, Dio says that the title "father" first served to stress a father's love for his children and the childrens' respect for their father. Later it gave the emperors the same power over their subjects which fathers once had over their children (Dio 53.18.3). The implication is that the title originally connoted the moral bond between a father and a son, and subsequently carried legal implications to do with patria potestas. In support of this view, Weinstock argues that a bond of filial pietas was invoked in a technical manner between the citizens of Rome and Caesar. Dio's interpretation will be discussed in the next chapters.

107: A quick glance at Weinstock's (1971) index will refer the reader to relevant evidence.
but it must be said that the picture of schematic development supported by Weinstock is highly questionable. Above all, legal implications are strongly to be doubted. In addition, the passages analyzed by Weinstock do not indicate that pietas governed relationships with the pater/pares_patriae in any technical sense. Pietas does not entirely supplant or overshadow fides in Weinstock’s passages (111). Emphasis upon pietas, which tends to connote a deeper sense of obligation, is understandable in the strained atmosphere which has produced a sharpened focus on the ideal.

After his death, Caesar’s p.p title was prominently employed by the Caesarians in their propaganda war against Brutus and Cassius. It became an element of some controversy (112). The Romans were evidently willing to accept an autocrat whose qualities were those of the pares_patriae; Brutus and Cassius disputed Caesar’s claim and described him as the opposite, a tyrant. Cicero’s ridicule of Caesar’s p.p title in works written after the Ides of March must be interpreted in this light. The invective focused in particular upon the question of loyalty to the pares_patriae. It illustrates that there was no objective standard for characterizing an individual as pares_patriae. Fluidity pervades the supposed anitthesis between the good king and the tyrant.

Numismatic evidence shows that, after the abolition of the

111: Cic.Att.9.78.1 (fides and pietas); Fam.10.31.3; S.Weinstock (1971), p.256ff.
112: For the role of the p.p title in Caesarian propaganda, see Cic.Fam.12.3.1; Phil.2.31; 13.22 and 25; Dio 44.46.1 and 3; Florus 2.17(4.7).1; Val.Max.6.4.5; Suet.Caes.85 and 88; Appian, BC.2.144.
dictatorship, Antony employed the title *parens patriae* and the Temple of the divine Clementia of Caesar on a succession of issues in order to foment hatred against his foes (113). On one issue the head of Caesar as *parens patriae* is accompanied by the head of Antony with beard as a sign of mourning; the reverse refers to the *decursio* of the *desultores* at the Parilia (114). This indicates both the role of Antony and the demonstrations at the Parilia on Caesar's behalf as the initiator of the new age (115). Antony's view was that those who had bestowed the p.p title and associated honours upon Caesar, in particular the beneficiaries of his *clementia*, had acted in deliberate bad faith (cf. Appian, *BC* 2.144). Nicolaus of Damascus (*v.Caes.* 80; cf. Suet. *Iul.* 86; Dio 44.7.3-4) probably reflects something of this propaganda when he writes that the declaration of sacrosanctity and the p.p title (which he renders "father of the *polis"*) were intended by Caesar's enemies to put him off his guard. "Such honours convinced Caesar of the goodwill of all", he says. There is implicit criticism here of those who subverted the ideal for their own advantage and did not reciprocate the love and respect that reigned in the ideal scenario. It is not necessary to follow Von Premerstein (116) in believing that the oath for the protection of Caesar's person in 44 BC was sworn by both senate

113: see note 92 above.
and people, and marked the formal establishment of a patron-client relationship, a "Gefolgschaft", between Caesar and all the citizens of Rome. The bond between Caesar and the citizens was not technical in this way; it was moral - like the pietas which a son owed to his father (117) - and dependent upon the ideal scenario. Of course, from the point of view of the liberators, the dictator had been a tyrant and had been justly killed. Suetonius gives an idea of their viewpoint (Iul.76).

Caesar had experienced allegations of tyranny before becoming Rome's ruler (118). Cicero himself levelled the charge at Caesar at the beginning of the civil war and repeated it later (119). In the dictator's presence, on the other hand, the opposite conception was stressed. When pleading for King Deiotarus at the end of 45 BC, Cicero referred to Caesar's statue on the Capitol and to the gossip that it represented the new tyrant: te in invidia esse, tyrannum existimari, statua inter reges posita animos hominum vehementer offensos (Deiot.33). He refuted such talk with the claim that Caesar was not a tyrant but the clement guide of his free fellow citizens (Deiot.34). Similarly, in the Pro Ligario:

"Every word I have spoken I would have referred to one

119: Cic. Att.7.20.2 (Feb.49): ad fugam hortatur...turpitudo coniungendi cum tyranno; 13.37.2 (Aug.45): nisi viderem scire regem me animi nihil habere; Att.14.14.2; 15.20.2; Phil. 2.114: hi...in regnantem impetum fecerunt; Off. 3.83: qui rex populi Romani dominusque omnium gentium esse concupiverit idque perfecerit.
single head - to your humanitas, or your clementia or your misericordia. I have never pleaded after this fashion: 'I crave your pardon for my client, gentlemen; he blundered - he slipped - he never thought - if ever again...'. That is the tone one adopts towards a parens, not to a jury. For Ligarius, I plead before a parens (sc.Caesar): 'He blundered, he acted thoughtlessly, he is sorry; I throw myself upon your clementia, I crave indulgence for his fault, I implore his pardon' (Lig.30).

The parens, therefore, is a lenient autocrat, a man of clementia, and there is an implicit contrast with the figure of the tyrant. As had been Cicero's experience after 63 BC, Caesar's enemies were extremely critical of the manner in which he used his power. The antithesis between the tyrant and the father permeates our discussion. We can conclude that the bestowal of the parens title requires some thought about its antithesis. Furthermore, in relation to a wielder of power, we can say that this title characterizes his attitude and the manner in which he uses his power. By implication, it should also say something about the loyalty, acceptance, even warm regard of those who bestow the title.

Cicero's attitude (understandably) is markedly different after Caesar's death. When quoting from a letter of Antony's to Hirtius and Octavian, he says that Antony is angry "that the son of a buffoon [Trebonius] seems dearer to the populus Romanus than C.Caesar, parens patriae... (Phil.13.23)". Antony holds that the people should have the greatest affection for
the man who is hailed \textit{parens_patriae}. Note too how he favours \textit{parens} (not \textit{pater}) \textit{patriae} as the form of Caesar's title.

Later in the same letter, Antony addresses Octavian as: "You who owe everything to a name...\textendash\textendash\textit{(Phil.13.25)}". "He owes certainly", comments Cicero, "and discharges the debt nobly. For if Caesar were \textit{parens_patriae}, as you (sc.Antony) name him \textendash my sentiments I will reserve \textendash why is this youth not more truly \textit{parens}, from whom we certainly receive our lives rescued from your most criminal hands?" Again Caesar is \textit{parens} (\textit{patriae}), and Cicero makes it clear that it is Antony who calls him this. It therefore seems unlikely on this basis that Weinstock can be correct in his view that it was Cicero who prompted the bestowal of the title on Caesar in the first place (120). The most striking assertion, however, is that Octavian deserves to be called a \textit{parens} (\textit{patriae}) because he has saved the lives (of citizens) from Antony. Forty-one years were to elapse before Augustus officially accepted the \textit{pater} (\textit{patriae}) title in 2 BC.

After Caesar's funeral, the frenzied mob improvised a cult where the pyre had stood, apparently at the instigation of Amatius (pseudo-Marius) (121). There is some evidence that the \textit{p.p} title played an integral part in the cult ceremonies. Cicero writes of a funeral monument and a column set up by the people which was destroyed by the consul Dolabella at the end of April 44 (122). Suetonius describes how, after Caesar's

121: \textit{ibid}, p.364ff.
122: \textit{Cic.Phil.1.5; Att.14.15.1; Phil.1.30; 2.107; Att.14.16.2; Fam.9.14.1; 12.1.1; Lact.div.inst.1.15.30.}
death, the plebs set up in the Forum a solid column of Numidian marble almost twenty feet high, and inscribed PARENTI PATRIA E upon it. At the foot of this they continued for a long time to sacrifice, make vows, and settle some of their disputes by an oath in the name of Caesar (Suet. Jul. 85). It seems that the column destroyed by Dolabella was replaced by the one mentioned by Suetonius, which was in use longo tempore (123). Other evidence refers to an altar and sacrifices in connection with this cult (124).

Lucan alludes to the Forum cult in a hostile manner when he praises Cato as the real parens patriae, worthy of altars at Rome, of oaths by his name, and of being consecrated a god, as he would be sooner or later (Lucan 9.601). From this it would seem that Caesar’s cult was noted, among other things, for its invocation of him as parens patriae. This begs the question of the title’s cultic significance. Suetonius views Caesar’s p.p title as a mortal honour; he contrasts it with honours that were "too great for mortal man (Iul. 76.1)". However, some modern scholars have felt that the posthumous use of p.p denotes something more than simple continuation. Taeger believes it was the crucial factor in the cult of Divus Julius (125). An inscription from Aesernia reads, genio deivi Iuli parentis patriae quem senatus populusque Romanus in deorum numerum rettulit (ILS 72). It seems overly technical to place

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124: Cic. Fam. 11.2.2; Appian, BG. 2.148; Dio 44.51.1.
such evidence alongside that for the Forum cult and conclude that worship of Divus Julius depended upon his p.p title. For the same reason it would be unwise to think that Caesar's Genius is being worshipped here because he was acknowledged as pparentes patriae. The Genius could be worshipped in the absence of any reference to p.p, as indeed Caesar's probably was, according to a decree of 45 (126). Alfoldi, it should be noted, thinks the cult of the Genius fits the living Caesar at the very end of his life when he was (so Alfoldi thinks) called divus (127). It remains more probable that the Aesernia inscription does refer to Caesar after his death (128). There is evidence that the dead can have a Genius, as at Forum Clodii where an inscription of AD 18 refers to the Genii of Augustus and Tiberius being invited to dine at the altar of the Augustan numen (129). Certainly, it is the Genius of the living emperor that is consistently the object of cult (130), but it should be borne in mind that cult arrangements for Caesar were more a matter of impulse and passion than correct form before his official consecration (131). Furthermore, the highlighting of Caesar's p.p title fits the contrasting claims made after his death rather well (see above). The recognition of procreative/tutelary power is fundamental to this worship, not Caesar's p.p title, which is appropriate in the circumstances

129: CIL XI.3303 = ILS 154; for further refs, see W.F. Otto in RE VII.1 (1912), 1162f. s.v.
for its procreative/tutelary associations, its impact as a resounding name given in honour while he was alive, and for its contemporary notoriety.

By October 44 BC, Antony had set up on the rostra a statue inscribed PARENTI_OPTIME_MERITO (Fam.12.3.1), a manifestation of his claim that it was he whom Caesar had adopted by testament (Phil.2.71). Cicero's comment is that the conspirators are thereby condemned as parricidae rather than mere sicarii (Fam.12.3.1). The charge of parricidium was apparently one which the Caesarians levelled at Brutus and Cassius (132):

"I confess", says Cicero, "that if they (sc. Brutus and Cassius) are not the liberatores of the Roman people and conservatores of the res publica, they are worse than sicarii, worse than homicidae, worse even than parricidae - if indeed it be more atrocious to slay the parens patriae than one's own father...but if you call them parricides, why do you honour them?...So they are not homicidae. It follows that in your judgment they are liberatores, since indeed there can be no middle tertium term (Phil.2.31)."

Caesar's position as parens patriae was obviously used prominently as a propaganda weapon by his followers after his death. Brutus and Cassius described him as just the opposite: an oppressive tyrant from whom the state had to be liberated and saved. The interpretation of the use of power would seem to be fundamental. You can only be one of two options according to

the frame of reference, and the difference is subjectively determined. Cicero skilfully exploits the situation.

In buoyant mood, Cicero harks back to his own *parens* title: "On quitting Syria, (Pompey) embraced me, thanked me, and said that it was owing to my *beneficia* that he would see his *patria* again...In a very full assembly my consulship so pleased the senate that there was no senator that did not thank me as if I were his *parens*, and credit me with the preservation of his life, fortunes, children and *res publica* (Phil.2.12)." Much of this is simply mendacious as we have seen, yet it is right that we continue to note the *parens* bestowing *beneficia*, saving the *patria*, and so on. Antony's treason against the *patria* is labelled *parricidium* in the *Philippics* (14.35; cf.4.5), and Cicero says that Antony should have treated his uncle like a father, considering what he had done for him (Phil.2.99).

The *Letter to Octavian* is almost certainly not by Cicero. It carries a reference to Decimus Brutus as *rei publicae parens* (*ad Oct.7*), a form which is not directly paralleled in Cicero but which is a natural extension of the characterization of prominent individuals as parents of the state.

In June 43 BC, Brutus wrote a bitter letter to Atticus. "Let Octavius call Cicero *pater*," he says, "...his words are belied by his deeds (Cic.*ad Brut.*1.17.5)". Brutus believes that Octavian's actions are not prompted by a feeling akin to filial affection. He is working in his own interest and has framed his link with Cicero in terms which he feels to be most
advantageous to himself. He praises and thanks Cicero for his help, but there is no real sense of submission. On the contrary, Cicero is now not even a free man: *guid enum tam alienum ab humanis sensibus est quam eum patris habere loco, qui ne liberii guident hominis numero sit?* (ibid). The contrast between the familial and the servile relationship is again not based so much on the degree of power over dependants as it is on treatment of them, and on the genuine affection and care inherent in the relationship. Brutus spells this out in his assessment of Octavian: "Our ancestors would not even tolerate a *dominus* in a *parens* (Cic. *ad Brut.* 1.17.6)."

Cicero's evidence illustrates that there is no objective standard for measuring whether one is or is not a *parens*. The criteria are for the most part subjective and liable to contradiction. The p.p. title requires a prior judgment about the disposition of the powerholder, and relates to the loyalty of those bestowing it. It is not indicative of the degree of power, or of an addition to an established quantity of power. That the p.p. title became a regular part of the imperial titulature is explained in no small part by Cicero's personal experience and rhetoric. It was supplemented by the experience of Augustus.
CHAPTER 6: AUGUSTUS AS "FATHER".

The Res_Gestae is brought to a climax with the bestowal of the pater_patriae title upon Augustus (RG 35.1). It can be taken that the characterization as "father" follows in logical, calculated consequence from the preceding sections, and that it resolves the ambivalence between "autocratic" and "Republican" elements in the work. The res_gestae and impensa listed in the RG are of primary importance for understanding the p.p. title as applied to Augustus. Also important is the argument that he was working on behalf of the res_publica, and the general concern for Rome, its empire, environs, citizens and traditions. Augustus is careful not to let the res_publica/patria be overshadowed. By the end of the RG, Augustus as pater_patriae is more a figure of auctoritas than potestas (Part I below). By contrast, writers of the Augustan period tend to employ the father analogy in a way which does not have the same sense of deference for Roman culture or Republican political tradition as the RG. It appears in language of honour and obligation which, when referring to the emperor, is frequently supplemented by divine associations, or allusions to the dawn of a new Golden Age and the coming of a new Romulus (Part II). Both ancient and modern authorities have experienced some difficulty in reconciling this charismatic emperor with the figure of the princeps as a Republican magistrate. Augustus as "father" is apparently compatible with both images. The ambivalence surrounding the emperor's position is set into
context by a consideration of the process of acculturation and the imperial practice of *recusatio*, which apparently served to evoke the selfless ideal (Part III). There remains the decision to accept the *p.p* title in 2 BC. If the selfless ideal was evoked by the practice of *recusatio*, what prompted the decision to accept *p.p* in this particular year? It is argued that the opening of the Forum Augustum in this year was a primary consideration, and that the title was meant as an ultimate testimonial to Augustus' services on behalf of the state (Part IV). The final section examines usage of the *p.p* title in cult. Invocations and acclamations are especially highlighted. It emerges that the title is likely to have been employed in a variety of cult contexts where the object was to honour the emperor in ideal benefactor terms (Part V).

I.

The *Res Gestae* ends with Augustus' receipt of the *pater patriae* title (RG 35.1). It can be taken that the RG illustrates how and why Augustus came to receive this title. However, it is evident that Augustus in the RG differs a lot from Hellenistic presentations of the selfless benefactor ideal in inscriptions and philosophical tracts. The RG contains strong elements of force, coercion, and self-aggrandizement (1). It is true that "Augustus is a parader of power and a

power-taker (2)"; although by the end he is more a figure of auctoritas than potestas. How is this to be reconciled with selflessness? Can the res_gestae and impensa be viewed as beneficiar? If so, who are the beneficiaries?

The answers to these questions should probably begin with those passages which emphasize that the princeps is operating on behalf of the patria/res publica (3). In such passages he is not operating from selfish motives. The element of self-aggrandizement, which is explicable in terms of the tradition of noble competition and advertisement, is kept within reasonable limits (4). Other passages stress Augustus' concern for lawful procedure, for proper religious observance, his revenge motive (filial piety), his clemency and modesty, along with the unanimous, spontaneous, and sincere support he enjoyed (5). All these passages are in conformity with the ideal. They describe a virtuous leader of modest disposition who is nonetheless capable of applying overwhelming military might on behalf of the patria. He was far from seeking a monarchical position (6). In fact, he refused important offices.

3: e.g.RG 1.1; 1.3; 2.1; 25.1; 26-33; 34.1.
5: Law: e.g.RG 1.2; 1.3; 1.4; 2.1; 6.1; 8.1; 8.5; 14.1; 20.4; 22.2. Religion: 7.3; 8.2-4; 19; 20.4; 21.2; 22.2; 24. Revenge: 2.1; 19.1; 20.3; 21.1-2; 22.2. Clemency: 3.1-2; 34.2. Modesty: 4.1; 5.1; 5.3; 6.1; 6.2; 10.2; 21.3; 24; 34.1; 34.3. Unanimous, spontaneous support: 9.2; 10.2; 25.2; 34.1; 35.1; Ramage (1987), p.29f.
and honours (7). The use of the negative in describing such refusals tends to place responsibility for the action on those offering the offices/honours, whereas the positive forms do most credit to Augustus himself. It will be noticed that the forms of power likely to be the most objectionable in Augustus' eyes, e.g. the dictatorship and perpetual consulship, are rejected using the negative forms. The overall effect, however, remains one of modest refusal. In similar vein, Badian's preference for attrahere in the Latin reconstruction of the Laudatio Agrippae should be noted. This better gives the sense of Agrippa's power being forced upon an unwilling man. He was not driven by reprehensible ambition; he was "dragged into" his role by the Republic itself (8). This presentation is quite similar to that of the RG, although Augustus was by no means unwilling.

There is a balance in the RG which nicely encapsulates the tension between force and morality, potestas and auctoritas, that has featured prominently in this study so far. The circumstances of Augustus' career provide much of the explanation for the RG presentation. In addition, it will be remembered from Chapter 3 that the use of extreme force can nonetheless be reconciled with the ideal at Rome, depending upon motivation and the advantage of the state. It would seem

7: RG 4.1 (triumphs: supersedi); 5.1 (dictatorship: non recepi); 5.3 (perpetual consulship: non recepi); 6.1 (offices contrary to mos maiorum: nullum...recepi); 10.2 (pontifex maximus: recusavi); 21.3 (aurum coronarium: remisi...non accepi); 34.1 (res publica: transtuli).

that the RG describes a development in Augustus' career from young adventurer to mature statesman. The latter conforms unequivocally to the selfless ideal and is recognized as pater patriae; but the former is not incompatible with the ideal.

Ramage (9) draws attention to the careful balance that exists between the introduction (RG 1-2) and the conclusion (RG 34-35). Augustus opens the RG with a statement of his age at the beginning of his career, and ends with a statement of his age at the time of writing. In addition, at the beginning there is strong emphasis upon Octavian's acting alone as a private person (RG 1.1: privato consilio et privata impensa). At the end (RG 35.1) there is a fairly long section which describes the conferring of the p.p title. Octavian began as a military adventurer and ended his career recognized by all as the ideal ruler. He had come a long way and the RG is designed to make this fact clear in the balanced arrangement of its passages.

The rest of the introduction is to be balanced against RG 34. Octavian raises an army, defeats Antony, restores libertas, moves systematically through the cursus honorum to the triumvirate, and finally destroys Brutus and Cassius. The picture is of a man acquiring temporal power or potestas. Indeed, he attained supreme power but gave it back to the senate and people (RG 34.1: ex mea potestate). For this service (RG 34.2: quo pro merito meo) he was awarded the name Augustus, and was acknowledged as the victorious saviour of his fellow citizens (RG 34.2: laureis...coronagae civica), whose special

qualities were *virtus*, *clementia*, *iustitia* and *pietas* (RG 34.2). These qualities were present and starting to make themselves felt at the beginning of his career; by the end of the RG they have been recognized many times over and have finally become institutionalized (10). His rule is now to be understood more in terms of *auctoritas* than *potestas* (RG 34.3).

In similar vein (11), it is worth noticing how Augustus moves from general in the field (RG 25-30) to much-respected diplomat (RG 31-33). These are precisely the terms in which Nicolaus of Damascus described Augustus' career at the beginning of his biography (12). According to Nicolaus, Augustus first extended his power with weapons, but later won voluntary obedience from both Greeks and barbarians by promoting his *philanthropia* (*clementia* in the Latin context). Throughout this development the *princeps* operates on behalf of the *patria/res publica* but is to be accounted for as a figure of comparable power in his own right. Augustus is careful not to allow the *patria* to be overshadowed in the RG. The worship of *Roma et Augustus* indicates how the power of the *patria/res publica* was to be accounted for alongside that of Augustus – and in the first position (13)! On the other hand, in Ovid's view *res est publica Caesar* (Tr.4.4.15).

In RG 25-33, Augustus matures from *dux* into *princeps* into

12: Jacoby, FGrH.125.1.  
Augustus into pater patriae (14). The ideal is apparent throughout this development. For instance, Augustus’ presentation of the coniuratio Italicae (RG 25.2) illustrates how he was able to reconcile his early activities with the ideal scenario. From 32 BC, Antony and Octavian accused each other of illegally disrupting the normal operation of the res publica (15). Meanwhile, both of them retained control of their armies. In retrospect, Augustus claims an extra-legal source of legitimacy. He asserts that "the whole of Italy" swore personal allegiance "of its own free will" to him, and "demanded" that he be their "leader" in the war which he won at Actium (RG 25.2). The terms all come from the language of obligation rather than of law. They relate to the sphere of ideas embodying the ideal benefactor and the ideal dependant. However, "Italy" was not the Roman state; it was not the "senate and people of Rome", the source of lawful power. A leader (dux) is not a magistrate endowed with imperium, or anyone else entitled to command Roman troops. The coniuratio Italicae was a major elaboration of the practice whereby dependants swore to follow a designated leader during a time of emergency (16). The oath was a matter of personal commitment. In other words, the validity of Octavian's position rested upon

moral rather than legal grounds (17). The later imperial oath of allegiance committed those who swore it, and their descendants, to be supporters of the family of the Caesars forever (18). One noble house was asserting its personal hold over the whole community. The illusion of unanimity was very important. It was an important principle of religious observance that community consensus was necessary for maintaining the pax deorum and for continued divine support (19). Therefore, a Roman would perhaps stress unanimity in this context regardless of the selfless ideal. On the other hand, the insinuations of unanimity, spontaneity, and complete sincerity accord well with the ideal and show how the presentation of events in the RG may be reconciled with it, whatever the realities. In this case, for example, it even seems probable that clients of the Antonii were forced to swear for the sake of uniformity. Whereas the phrase gratiam fecit coniurandi in Suet. Aug. 17 is usually rendered "he (Augustus) granted (the Bononians) the right of refusing to join (20)", D. Matz argues cogently that it should be understood in the circumstances as "he (Augustus) granted (the Bononians) the favour of joining (21)".

The title of the RG indicates a clear division between res

17: but see Linderski’s discussion of the legal distinction that could apparently be made between miles and promilité in this context: ibid, p. 74ff.
20: e.g. R. Syme (1939), p. 285.
gestae and impensa: Recum_gestarum_divi_Augusti_guibus
terrarum_imperio_populi_Romani_subiecit_et_impensa_quas_in
rem_publicam_populumque_Romanum_fecit. The former are described
as covering the whole world but involving the power or empire
of the Roman people. The impensa also relate to the people of
Rome and to their government. This further emphasizes the fact
that the pater_patriae is concerned with the interests of the
Roman people: their traditions, government, empire. He is not,
as presented in the RG, concerned with the provincial peoples
of the empire and their ways.

The huge scale of the cash grants and handouts (RG 15-24)
relates to the moral bonds which Augustus has in mind. The use
of wealth in this fashion was a long-established practice, but
the comprehensive scale in this instance, encompassing the
entire populus_Romanus, was something new. The impensa
provided "the effective guarantee" of loyalty to the ruling
house (22). As tangible manifestations of Augustus' overwhealing power they are of vital importance for the sort of
obligations which are to ensue in consequence. In ideological
terms, what is required are guarantees of the intangible,
viz. the character of the benefactor who is capable of
endowments on so grand a scale. The RG is full of such
guarantees: for instance, apart from the stress on his virtues,
there is the unanimity, universality, spontaneity, and
unreserved willingness surrounding such events as the Italian
oath, his election as pontifex maximus, and acclamation as

pater patriae; and the manifest respect for Roman tradition, in particular the laws, religion and Republican political practice (23). Augustus wants to put himself at the end of a long line of Roman heroes who have benefited the state in dangerous times. The arrangement of statues in the Forum Augustum makes this clear (24). He claims to be a benefactor of unprecedented power with a character which accords with the selfless ideal. He is not a grasping outlaw aiming at autocracy. Autocratic elements are more than balanced by indications that he acted as a Republican magistrate. The climax of the work refers to the community's acknowledgement, through the title pater patriae, that all of this is so.

**Liberalitas**, no more than a welcome attribute of a politician under the Republic, rapidly became an essential quality of the emperor (25). During the Republic the state assumed responsibility for ensuring the protection and nourishment of citizens. Grand patrons, of course, operated prominently within this framework (26). Disbursement by a state to its own citizens from the revenues of the state is not a *beneficium* at all and requires no reciprocation, only justification, in opposition to other ways of disbursing revenue (27). Under the Empire, however, the state was

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23: RG 25.2 (Italian oath); 10.2 (pontifex maximus); 35.1 (pater patriae).
supplanted in this regard by the emperors, who converted their duty into an ideological tool of great value (28). The advertisement of feats of military prowess and "voluntary" acts of liberalitas symbolically confirmed the procreative/tutelary power of the emperor and the debt owed to him in line with the ideal scenario. Measures designed to safeguard family life and promote fertility within the state may be seen as consistent with this process and with the expectations of society (29). He was acting as a good father just as the state had once adopted a parental role. Suetonius concurs with the ideal view when he denies that Augustus' notable largesse had selfish motives. Augustus was "an emperor who sought not his own popularity but his people's health (Suet.Aug.42)". He appears as "a man of generosity tempered by strictness and a strong sense of moral values - in fact as a good father to his people (30)". Two main categories of benefaction appear in Suetonius, as they do in Augustus' own work (RG 15 and 22-23): distribution of money and grain (Suet.Aug.41-42) and provision of shows (Suet.Aug.43). Juvenal (10.77-81) cuts through the symbolism with his bitter comment that the Roman people "used to confer consulships, power, armies, everything - but now they do nothing and long anxiously for just two things: bread and the games".

II.

Writers of the Augustan period tend to employ the father analogy in a way which does not have quite the same sense of deference for Roman culture or Republican political tradition as the RG. Augustus is described in terms that would not have been out of place at a Hellenistic court. It is evident that the poets were not so concerned with traditional sensibilities in their fulsome praise of the princeps. The father analogy appears in language of honour and obligation which, when referring to the emperor, is frequently supplemented by divine associations, or allusions to the dawn of a new Golden Age and the coming of a new Romulus.

It should not be thought that the poets' intention was the divinization of the princeps. Instead, they operated within the framework provided by the ideal scenario. Nonetheless, those passages which link Augustus with Romulus or Jupiter, or label him deus, or speak of him as the initiator of a Golden Age differ from the RG presentation and show how pervasive were such ideas in contemporary Rome. They do not appear to the same degree in the RG because that is a work which takes account of traditional sensibilities, particularly with regard to the elevation of charismatic individuals. In the writers of this period the appellation "father" is used as a positive title for a variety of benefactor figures.

Vergil is particularly fond of the epithet pater for his characters. In the Aeneid, for instance, it lends solemnity and tends to reinforce the point that the great heroes and gods
mentioned are ancestors of the Roman race. Pater as an
epithet, by contrast, is almost completely absent (but note
Georg.3.36), a fact perhaps explained by the dominance of male
characters. Aeneas and Jupiter appear frequently as pater (31),
and Jupiter is also referred to as divum pater atque hominum
rex (32), along with pater omnipotens (33), pater deum
(Aen.10.875) and pater Romanus (Aen.9.449). Anchises is
frequently referred to as pater Anchises and it is clear that
this is not meant simply as an indication of his relationship
to Aeneas (34). In fact, numerous gods and heroes earn the
title pater in evocation of their ancestral role in founding
and propagating the Roman state (35).

Pater as an epithet appears likewise in the context of
language signifying honour and indebtedness in the works of
Horace. Jupiter is commonly described as a father and is often

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31: Aeneas: Aen.1.580, 1.699, 2.2, 3.716, 5.130, 5.348,
5.461, 5.545, 5.700, 5.827, 5.867, 8.28, 8.115, 8.606, 9.172,
11.184, 11.904, 12.166, 12.440, 12.697. Jupiter: Georg.1.121,
1.283, 1.328, 1.353, Aen.1.665, 2.617, 4.238, 7.558, 10.875,
Ciris 134, 202, 269.

32: Aen.1.65, 2.648, 10.2, 10.743 – an arrangement for
which there seems no technical significance.

33: Georg.2.325, Aen.1.60, 3.251, 4.25, 6.592, 7.141,
7.770, 8.398, 10.100, 12.178.

34: Aen.2.687, 3.9, 3.263, 3.525, 3.539, 3.558, 3.610,

35: e.g. pater Tiberinus: Georg.4.369; pater Teucer/pater
Iasius: Aen.3.107, 5.168; Saturnius pater: Aen.4.372; pater
Portunus: Aen.5.241; Acestes pater: Aen.5.521; pater Latinus:
Aen.7.61, 7.92, 7.294, 7.593, 7.618, 11.469; pater Sabinus:
Aen.7.178; Tyrhrus pater: Aen.7.485; pater Inachus: Aen.7.792;
pater Dardanus: Aen.8.134; Ianus pater: Aen.8.357; Vulcan
pater/pater Lemnios: Aen.8.394, 8.454; pater Evandrus:
Aen.8.558; pater Hyrtacus: Aen.9.406; pater Appenninus:
Aen.12.703; pater Oceanus/pater (Neptune): Ciris 392, 72,
Aen.5.863; pater Faunus: Aen.7.102; pater Daunus: Aen.10.688,
12.22; pater Aeacus: Culex 298; pater Tros: Georg.3.36.
addressed simply as pater, without qualification (36). Other
gods might also be called pater/pares (37). Other examples
conform. A lacuna in the text may be filled with pious or pater
as an epithet for Aeneas (var.Carm.4.7.15). Chrysippus is
honoured as pater, probably in his capacity as the second
founder of Stoicism (Serm.1.3.126). In the event of an
agreeable outcome, Fortune is a pares (Carm.1.7.25). In
Serm.1.3.43 we are advised to "deal with an amicus as would a
pater with his child and not be disgusted with a blemish".
Ennius, as the founding father of Latin literature, is
addressed as pater (Epist.1.19.7). When Horace sought the
advice of C.Trebatius Testa, a famous lawyer, on the subject of
satiric writing, he hailed him as pater optime (Serm.2.1.12), a
form which both recalls Horace's description of his natural
father as pater optimus (Serm.1.4.105) and links with Greek
thought on the selfless benefactor as the arsitos aner who was
characterized by his virtuous nature. Maecenas is accustomed to
being called rex and pater, apparently even by Horace himself
(Epist.1.7.37). In political rhetoric, as we have seen, rex was
intolerable, but here it evokes Maecenas' Etruscan royal
ancestry and is acceptable in this light. Furthermore, there is
nothing to stop the sense of rex being that of the good king

36: e.g.Carm.1.2.2, 1.24.3, 3.29.44; cf.Carm.4.6.22 (divum
pater); Carm.1.12.49 (pater atque custos gentis humanae); 
Serm.2.1.42 (pater et rex); Carm.1.12.13, 2.19.21 (pares).
37: e.g.Carm.1.3.3 (the pater of the winds is asked to
speed Vergil to Greece); Epist.2.1.5 (Liber pater);
Carm.1.18.6, 3.3.13 (Bacche pater!); Serm.2.6.20 (Janus is
pater of the dawn); Epist.1.16.59 (Iane pater!); Carm.1.10.6
(Apollo - or Mercury? - is referred to as pares of the lyre).
(Greek basileus) between two such educated men (38).

Livy, not surprisingly, refers to Jupiter as the "father of gods and men" (Livy 1.12.5; 8.6.5). Horatius Cocles invokes pater Tiberinus (Livy 2.10.11). The senators, of course, are commonly referred to as patres (e.g. Livy 4.42.9, 5.7.12, 6.26.3). Roman colonists are said to owe to the populus Romanus all that children owe to parents (Livy 27.9.11). Romulus is hailed as rex paresque urbis Romanae and pares urbis huius (Livy 1.16.3; 1.16.6; cf. 4.3.12: pares urbis).

The ideal is evoked when a beloved military commander is said to stand in loco parentis to his army and is owed pietas by his troops (cf. Livy 2.60.3, 4.42.9, 25.38.2). The contrast is with a general who commands like a tyrant (Livy 2.60.3). According to Cicero, the ideal relationship subsists by tradition between an imperator and his quaestor (39). Ogilvie's comment is that this reflects:

"a piece of sentimentality displayed by armies of the late Republic which gradually merged with other similar concepts into the symbolic ideal of the Princeps as Father of his people. In the Republic, however, the general as father to his army is to be sharply distinguished from compliments in other spheres like patriae pares (40)."

The distinction ought not be too sharp because all such compliments have been framed with reference to a common ideal.

38: For ironic usages, which depend upon the ideal for their effect, see Serm. 2.3.96; 2.7.111; 2.8.7; Epist. 1.6.54. 39: Cic. in Caec. Div. 61-2; Q. red. sen. 21, 35; Planc. 28; de Ocat. 2.197ff. 40: R. M. Ogilvie (1965), p. 385.
Moreover, to dismiss the practice as a "piece of sentimentality" is to see it as trivial when in fact the repeated emphasis upon moral obligations in the ideal sphere actually betrays a serious concern for their apparent ineffectiveness in the late Republic (cf. Planc. 72-73). In settled times, when self-interest was subordinate to respect for lawful procedure and community welfare, these obligations would be expected to dominate.

Ovid's evidence shows that he is working in the same framework of ideas. Hence Jupiter is labelled "the father of the gods (e.g. Met. 15.818)". The earth is called "our great parens (Met. 1.393)". Romulus is "the Ilian father (Fasti 1.39)". Elsewhere he is pater urbis (Fasti 3.72) and conditor urbis (Fasti 1.27). Father Tiber appears in another passage (Cons. 243).

In general, therefore, the "fathers" of Augustan literature conform with the ideal scenario, and although numerous gods may be entitled pater or parens the honour would seem ordinarily to glean no divine aspect for its earthly recipients. On the other hand, Augustus' overwhelming power leads to inevitable comparisons with Jupiter, Romulus and others. The degree of association might even be very close at times. It is, therefore, a fair question to ask about association with the divine and its implications for the emperor as "father", especially given the traumatic character of the times. The late Republic was a time of flux and strain. Many Romans would have known only civil strife. The appeal of
an individual who could give hope of a new Golden Age was in all probability profound. Alfoldi has highlighted the longing for a new Romulus which was engendered by a Messianic fervour in late Republican Rome (41). The society was increasingly influenced by eastern mysticism and Jewish-oriental Messianic thought. Vergil shows distinct traces of it (42). Augustus was compelled to suppress false Sibylline oracles (Suet. Aug. 31.1). The influx of new social groups led to the introduction of new religious influences, and philosophical theories about apotheosis and the nature of the divine were apt to blur the distinction between charismatic mortals and the gods and make traditional views seem less applicable.

Yet it is a misnomer to see "decadent" and "polluting" foreign influences gradually undermining the traditional Roman religion and paving the way for worship of Augustus as a living divinity at Rome, who would be addressed as deus (43). The very word deus might be rationalized as an honour which befits a man whose power is comparable to that of the gods. The honours promulgated for Augustus before his official consecration in AD 14 were not designed to turn him into a god. They were more concerned with recognizing his unprecedented power and charismatic aura. There is evidence that some senators wanted Octavian to take the name "Romulus" in memory of the original founder of Rome. Octavian himself was apparently desirous of being called "Romulus" but for its regal associations and the

tradition that Romulus had been torn apart by senators (44).
Even the plans for his house on the Palatine seem to show traces of this early "Romulus" period before he decided to emphasize continuity with the Republic and accepted the name "Augustus" (45). Augustus as "father" may be compared to Jupiter and Romulus in particular, but this occurs in the context of the ideal scenario and it is usual for a clear distinction to be made between the emperor and the gods.

Horace gives the impression that Augustus was being addressed as *pater atque princeps* in Rome, or at least that he could be called by such titles as the deliverer and hope of the state (Carm. 1.2.50). Manilius later addressed Augustus as *patriae princepsque paterque* at the beginning of his *Astronomica* (1.7-8). In another passage Horace refers to Augustus as *pater urbiium* (Carm. 3.24.27). Editors usually take this as a title by which he was styled on contemporary statues, perhaps in colonies with which he was connected (46). Hence the words often appear in block capitals. However, it is probable that this appellation, which is not attested epigraphically in this form, has been coined by Horace with reference to the type

44: Suet. Aug. 7.2; Dio 53.16.7.
46: cf. CIL IX.540 (Firmum) and ILS 5336 (Iader): parens coloniae; CIL XI.720 = ILS 5674 (Bononia): divus Aug(ustus) parens; AE 1969/1970, 194 (Bononia): pater (?); CIL XI.3083 (Falerii): pat(e)r patriae et municipi. The two inscriptions from Bononia may in fact be one, which possibly supports the reinterpretation of Suet. Aug. 17 by D. Matz (above n. 19); see L. Keppie, *Colonisation and Veteran Settlement in Italy, 47-14 BC*, London: British School at Rome, 1983, p. 114 n. 67. The title of *pater* (or *mater*) *coloniae* could be awarded to local citizens in return for their munificence: CIL XI.7993; ILS 6657.
of honorific titles that would be appropriate for the founder or benefactor of a city. What is remarkable about this passage is that Horace is writing in support of Augustus' programme of moral legislation (47), and he associates the scelus of immorality, greed and lust with the scelus of civil war: "He who wishes to end sacrilegious murder and civil frenzy and be acclaimed pater urbi must control sexual licence (Carm. 3.24.27)". The debilitating forces which afflict the society manifest themselves in civil war as they do in sexual licence. The ideal benefactor can and must deal with such forces in all manifestations.

Romulus offered the outstanding example among the Romans before Julius Caesar of a mortal who had won heaven by his merit. Augustan writers make much of the comparison between Augustus and Romulus (48), but in Ovid's eyes the emperor is the greater of the two. This represents a substantial change in attitude from Octavian's early period of ascendancy. In fact, when Ovid refers to the conferral of the p.p title upon Augustus, he contrasts Augustus and Romulus in terms reminiscent of the good king/tyrant antithesis:

"Holy pater patriae, this title has been conferred on you by the people, by the senate, and by us, the equites. Your deeds had given it to you already, but eventually you did

receive your true title; for a long time you had been father of the world (pater_orbis). You bear on earth the name which Jupiter bears in high heaven: you are the father of men (hominum_pater), he of the gods. Romulus, give way! Augustus makes great your walls by guarding them. You built walls which were jumped over by Remus. You held... (a small domain). Caesar holds whatever is beneath the lofty heaven. You carried off women; Caesar bids wedded women be chaste under his rule. You received the guilty into your grove; Caesar drives the guilty off. Violence was pleasing to you; under Caesar the laws flourish. You hold the name of dominus; Caesar has the name of princeps. Remus accuses you (of his death); Caesar pardoned his foes. Your father made you a god; Caesar made his father one (Fasti 2.127ff)".

It is possible that these lines formed at least part of a speech delivered to Augustus on behalf of the equites in connection with the conferral of the p.p title in 2 BC (49). His deeds throughout the world on behalf of the Roman people had long been sufficient for acknowledgement as father of the world. What was lacking was formal acknowledgement that he was "father" at Rome. This came with the great display of consensus from Roman citizens (senate, plebs, equites) which broke down Augustus' modest resistance and impelled acceptance of the p.p title.

Romulus is superseded by Augustus who is compared to, and yet distinguished from, Jupiter. Augustus the pater_patriae is

clearly an earthly figure (50). Mommsen's view of the p.p title as more a divine than a human honour cannot be substantiated (51). Augustus performs a similar function to Jupiter (52), but Jupiter rules in heaven while Augustus rules on earth (cf.Hor.Carm.1.12.52; 57-58; 3.5.1-3). On the other hand, there are times when he is directly identified with Jupiter (53). For example, "Livia is the only woman found worthy of the couch of great Jupiter (Ovid, Fasti 1.650)". Such instances seem to represent literary conceits that are based upon a comparison of power. J.R.Fears has argued that Augustus played down Jupiter as a matter of religious policy (54).

The military prowess of the pater_patriae is not neglected. Mars pater and Caesar pater (sc.Augustus), who is also the pater_patriae, arm and protect Gaius Caesar as he prepares to campaign against the Parthians (55). Elsewhere (Irist.2.574), Ovid hails Augustus thus: O_pater, O_patriae cura_salusque_tuae! Manilius also refers to the invincible pater_patriae (Manil.1.925).

Ovid's exile led him to stress the father analogy in the hope of persuading Augustus to recall him. Clementia is emphasized as an attribute. For instance, Ovid prays that the father of men may imitate the mercy of the father of the gods:

50: cf.Suet.Iul.76.1, where Caesar's parens_patriae title is not an honour "too great for mortal man".
51: T.Mommsen, STR.2.780.3.
52: cf.Ovid, Met.15.858ff, where each is pater and rector.
55: Ars_Am.1.197, 203; cf.Fasti 2.481 (Mars as pater armigotens).
"If at every human error Jupiter should hurl his thunderbolts, he would in a brief space be weaponless. Instead, when the roll of his thunder has died away...he scatters the clouds and clears the air. It is just, then, to call him the father and ruler of the gods...(and) inasmuch as you are called father and ruler of our native land (patriae rector paterque), follow the course of the god who holds the same title (Trist.2.33ff).

Similarly, Messalinus will find in Augustus "no Polyphemus or Antiphates, but a calm and merciful parens, ready to grant pardon, and one who often thunders without fiery bolt (Pont.2.2.113ff)".

After AD 14, still hoping to secure recall by writing to members of the imperial family, Ovid continues to apply the "father" epithet to Augustus, a usage in accord with the contemporary rhetoric. One thinks in particular of coins issued under Tiberius bearing the legends DIVVS AVGVSTVS PATER and DIVVS AVGVSTVS PATER PATRIAE (56). The poet prays that Augustus' divine power (numen) will be moved by his poems, "for not undeservedly do you have the gentle name of parens (Pont.4.9.134)". In another passage he says that "whereas the body of pater Augustus had been mortal, his divine spirit (numen) had departed to an abode in the sky (Pont.4.13.19ff)".

It is interesting to note that the most famous poems associated with ideas of a new Golden Age do not apply the father analogy to Octavian/Augustus, although it was no doubt

bandied about in contemporary Rome (cf. Cic. Phil. 13.25). These are the poems which probably began Alfoldi thinking about the figure of the pater patriae (57). The attitude of the poets in the early period of Augustus' ascendancy probably explains this fact. Vergil's Fourth Eclogue must be interpreted against the volatile political atmosphere of triumviral Rome (58). It is not an optimistic poem: professedly hopeful, it offers only the fantasy of a coming age of bliss which depended on the birth of a "Wunderkind" (59). Perhaps this child could become the father of his country, but that is mere conjecture (60). In a contemporary epode, Horace suggested that the only hope of deliverance from civil tumult was to set sail in pursuit of the Isles of the Blessed (Hor. Ep. 16).

After the battle of Actium in 31 BC, the Georgics picture Octavian as the potential saviour of Rome (Georg. 1.500-504). A measure of uncertainty can be felt. However, by the late 20s BC, when Augustus was firmly in control, the Aeneid carries the confident recognition of him as Rome's saviour (Aen. 6.791ff). Horace is similarly confident (Carm. 1.2). Jupiter is shown assigning him to the role of expiating sin (Carm. 1.2.29-30).

The Roman people need Augustus, or else it will be overwhelmed.

57: cf. A. Alfoldi (1930).
60: I do not mean to imply that the child is Octavian.
by *scelus* (61). His role as saviour is perpetual (62). In the same ode Horace refers to appropriate titles such as *pater atque princeps* (*Carm.* 1.2.50). The appellation "father" is apparently fitting for the autocrat recognized as being in control.

In contrast to the RG presentation, the father analogy can be associated more readily with the charismatic side of the emperor's image in the evidence of Augustan writers. The point is that the *p.p* title seems to have had a special ability to interact successfully with traditional sensibilities, especially in the political context, and this explains its potency as a factor at Rome. *Pater, princeps,* and so on, were positive titles, always to be understood with reference to opposites, such as *dominus, rex* and *tyrannus,* which evoked the absence of *libertas* in the relationship between a master and slave. That *libertas* could be compatible with an autocrat at all in the Roman political environment is something to which we shall now turn.

III.

Ancient and modern authorities have experienced difficulty in reconciling the charismatic, autocratic emperor with the image of the *princeps* as a Republican magistrate. The emperor as "father" is evidently compatible with both images (RG 35.1)

62: cf.Chapter 1, which depicted an atmosphere of insecurity and uncertain status that required constant vigilance and continuing efforts to keep malevolent forces at bay.
and the aim here is to investigate how this can be so.

Many school textbooks still tend to concentrate upon the "constitutional" position of the emperor (63). This is understandable given the predominantly "senatorial" and "Romanocentric" nature of our literary sources, particularly for the early Empire. In light of the cultural framework, on the other hand, Fergus Millar suggests that the orientation should not be from Rome looking out, but from the Greek world looking in (64). The Greek view of the emperor is well illustrated by the inscriptions which were analyzed in Chapter 1. It is important to note that members of the imperial family could likewise be conceived in terms of the selfless benefactor ideal. The imperial house as a whole, the domus divina, was ascendant in the eyes of subjects. Livia is a case in point. Her prominence at Rome was understood by Eastern observers in much the same way as that of her male relatives and hence she was a recipient of cult (65). The Greeks, therefore, looking inward at figures of power in Rome, framed that power in procreative/tutelary terms. Roman imperial ideology makes most sense if it is accepted that the process of acculturation produced a discernible focus upon the ideal benefactor at Rome in terms which are influenced by Greek practice and which accord considerably with the Greek conception. Roman tradition affected the application of the ideal to the emperor, but

64: F. Millar, "The Emperor, the Senate and the Provinces", JRS 56 (1966), pp. 156-166.
sensitivities were assuaged, as will be argued in this section, by a stance of *moderatio/modestia*, accomplished through the practice of *recusatio*. Concentration upon the emperor's Republican position and powers is largely a product of the extreme sensibilities of the senators in particular, though this is not to say that even the most apolitical plebeian would be unmoved by appeals to Republican sentiment.

From the time of his victory at Actium, Augustus' life work can be seen as an attempt to impose the positive side of the *pater/dominus* or good king/tyrant antithesis on men's minds. This was done in the context of a shame culture rather than a guilt culture (66). In other words, the standard of action is found in the opinion of others, not in the inward conscience. We have already glimpsed this process in relation to Cicero and the concerted media campaigns which attended the execution of the Catilinarians (Chapter 5, Section II). Augustus' image is probably due more to good press than to behaviour. What might be taken as deference from Augustus could equally be seen as dissimulation from Tiberius. It might be reiterated that there is no objective standard for measuring whether one is or is not a father rather than a tyrant. The criteria for the most part are subjective and liable to contradiction.

The displays of deference and refusal which are recorded

in the RG seemed quite transparent to me as a schoolboy (67). My attitude at that time was born of complete ignorance of the ritual dimensionpredicated on the selfless benefactor ideal. The hostility of a Tacitus is equally born of a failure, intentional in his case, to account for the ritual dimension. It is this dimension which makes appreciable sense of the RG presentation of Augustus' res gestae/impensa on the one hand, and the reactions of beneficiaries on the other. The honours offered to the emperor need not be explained purely in terms of coercion and base flattery, although these are undeniable factors in reality. All parties were operating within the same ideological sphere, which could furnish congenial ideas to opposing interest groups. The "virtues", for instance, which highlight the powers and disposition of the emperor are programmatic as well as honorific. They prescribe acceptable attitudes and behaviour, and seek to limit the arbitrary exercise of imperial power. The scenario has been likened to the binding of Gulliver by the Lilliputians (68).

The manifest deference in the Roman autocratic style is vital to our discussion. It appears that the selfless benefactor in the Roman context is evoked by the refusal ritual. The "father" emperor, who does not operate from self-interested motives, is a figure of recusatio, of deference.

67: e.g. RG 4.1 (triumphs: supersedi); 5.1 (dictatorship: non recepi); 5.3 (perpetual consultship: non recepi); 6.1 (offices contrary to mos maiorum: nullum...recep); 10.2 (pontifex maximus: recusavi); 21.3 (aurum coronarium: remisi...non accepi); 34.1 (res publica: transtuli).

68: An analogy suggested to me by Dr. Levick in private conversation.
shown to Roman sensibilities. Such deference is associated over a prolonged period with the p.p title. This seems strange at first sight: a title which implicitly acknowledges an individual's ascendancy being tied to Republican sentiments. The nature of the tie is of great importance. The emperor as Republican magistrate is a "father" because of emphasis upon his selflessness, evident in displays of deference to Roman tradition, and the charismatic emperor is "father" more from emphasis upon his great power and services on behalf of the state. Recusatio has seemed transparent to many: feigned modesty in the face of excessive flattery (69). On the other hand, the practice encapsulates the fundamental ambivalence in the emperor's position: the power inherent in the autocratic reality is balanced by the elaborate displays of deference for Republican tradition and institutions, the senate in particular (70).

Modern historians have interpreted this ambivalence from two main viewpoints (71). The dominant viewpoint for a long time was that of Mommsen and the English "constitutionalists" who sought to define the emperor by the powers legally conferred upon him. Adherents of this point of view tended to draw a contrast between the "Republican" nature of the "Principate" and the "monarchic" character of the later "Dominate". Already in the 1930s, however, Alfoldi took a different course, using the details of imperial ceremonial and

71: ibid, p.32.
self-presentation to evoke the underlying monarchical reality of the Principate from its inception. Alfoldi wanted to bring to prominence many of the manifestations of imperial ideology which are often passed over by the written histories, biased as they are by "Roman" and "senatorial" outlooks (72). Other continental scholars have followed this lead. Weinstock is prominent among them. Alfoldi was especially sensitive to the ceremonial elements which expressed autocratic remoteness. Charlesworth noticed how emperors of the late Empire compared in this regard with the Hellenistic monarchs and Persian kings (73). Alfoldi was able to show that many of the ceremonial elements of the late Empire were emerging from the first century onwards. Even discounting rulers like Gaius, it is clear that the court style of such princes as the Antonines served to surround the autocrat with semi-religious awe. The imperial wardrobe contained extravagant clothes from an early period (74). For Alfoldi the religious ceremonial represents the essence of Roman monarchy, while the Republican element, the conduct of the princeps as a simple citizen, is a subordinate modification. Only a small element of the population, the senate, cared for that sort of thing (75).

Alfoldi, therefore, sees separate emperors for separate contexts, and the "real" emperor is the monarchical one. In this study the "separate" emperors are seen as being part of the same ideal construct, and it should not be accepted that the senators alone were interested in deferential behaviour—witness Caesar at the Lupercalia in front of the Roman people (Cic. Phil. 2. 87). Different elements of the construct tended to be emphasized in different contexts: deference in the senate, as in Trajan greeting the consuls with a kiss (Plin. Pan. 71. 4), and exuberant display of beneficence in a semi-divine atmosphere before the people of Rome, as at congiaria; and there could be overlap in each context. Yet each type of behaviour belongs to the ideal.

Contemporary images of the emperor show the degree to which scholars have moved away from the "constitutional" conception. Millar's emperor spends his days receiving embassies, responding to petitions and delivering judgments (76). As a number of reviewers have remarked, Millar has in fact captured the ideal emperor in the conception of the upper classes and educated elite from a predominantly Greek cultural milieu. This emperor is not the sort of man who continually frets about the traditional "Roman" sensitivities of his senatorial peers and subjects. For Millar, the events of 31-27 BC "all marked steps towards, not away from, the establishment of a monarchy; and no good evidence suggests that anybody at

any time claimed, or supposed, otherwise (77)". Veyne, who uses the father analogy on numerous occasions in describing his conception of the emperor, does not connect it with the "Republican" aspect: the emperor rules by "droit subjectif" and justifies his supremacy by voluntary acts of liberality which are designed to enhance his own majesty and distance him from senatorial competitors through the useless extravagance of games and circuses in the city (78). Veyne does not consider how the ideology accentuates and perpetuates the sort of liberality which accords with the ideal.

Wallace-Hadrill sees "a danger in so peeling the husk of the supposedly superficial from the kernel of reality (79)". He believes that the ambivalence itself is of the essence. In other words, he seems to see the "Republican" and "autocratic" conceptions of the emperor as complementary, rather than contradictory. This is an important new viewpoint. The shortfall between the autocratic reality and the selfless ideal is made up by recusatio, deference for Roman tradition. In the particular circumstances of acculturation, as well as political and social change, the emperor's "selflessness" would manifest itself in deference for "Roman" tradition. As a procreative/tutelary benefactor, the emperor would be provider and protector, the sort of figure to be honoured as a military victor and associated with the liberality to which Veyne and Kloft draw attention. He could also be a simple citizen and a

78: P.Veyne (1976), esp.ch.4: "L'empereur et sa capitale".
pious servant of the gods while receiving similar honours to those which the gods receive in line with the ideal against which they were all measured. The beautiful statue of Augustus from the via Labicana combines an ideal visage with the citizen toga of a veiled priest (80).

Wallace-Hadrill examines the ambivalence of court ceremonial from Hellenistic times onward as background to the ambivalence inherent in the position of the Roman emperor. He notes that some behaviour was designed to elevate the ruler above his subjects, while other behaviour was designed to equate their statuses (81). The former behaviour has value for the magnificent display and commensurate impression which it allows the ruler to make, and the latter has value in that it emphasizes equality between the ruler's station and that of his subjects. In what circumstances, therefore, is it desirable for the ruler to emphasize equality with subjects? Wallace-Hadrill sees "conflict": understanding and encouragement of regal majesty (spernones) on the one hand, disapproval of pomp and remoteness on the other. His identification of the source of the conflict is put in these terms (82):

"The Greek tradition feels no hostility to the institution of monarchy (only to the selfish autocrat, the tyrannos). If kings were acceptable, so was their need to stand above their subjects and so were the ceremonial techniques for achieving the required distance. But in the Hellenistic world it was

82: 1982, p. 35.
through diplomatic contact that Greeks most frequently had dealings with kings. Regal approachability, willingness to listen and to transact business with dispatch were essential for the smooth running of the familiar pattern of honours and benefactions (euergesiai) (83)...The price was a sacrifice of distance...Best that the king should be magnificent not in externals but in spirit: megalopsychia is a favourite regal virtue, and of course compatible with the benefactions of a Euergetes (84)".

Wallace-Hadrill thus believes that the ambivalence in Hellenistic regal behaviour developed from the fact that the kings, while they had to be approachable for diplomatic purposes, were nonetheless kings and hence entitled to be represented in elevated terms. The search for social reality behind the ambivalence is commendable, and it certainly seems that deferential behaviour is predicated on some sense of an equality between ruler and subjects. The "selflessness" of the ideal is a denial of interest in being elevated above dependants. Diplomatic negotiations would be facilitated by deferential behaviour on the part of the king. Then again, how much does the deferential behaviour of the Hellenistic kings display their general respect for the institutions and workings of the Greek poleis? The kings, who were indeed Greeks of a sort, stood apart from these institutions but were accommodated

as benefactors within the polis structure by cult services, and these were the medium by which the average citizen came into contact with his ruler.

Much of this also applies to the Roman emperors. In reality their power was absolute and autocratic. But one should not dismiss, or subordinate as does Alfoldi, the "Republican" element in the ideology. To do so would be to abandon the evidence of the main sources for the Principate; and it would be to consider the senatorial ideology atypical, shared neither by the majority of the population nor by the emperors themselves. What is lost in this attempt to resolve ambivalence by rejecting one side of the evidence is the peculiar historical situation which marks off the Principate from other manifestations of autocracy. The Principate was established by an act of denial (recusatio), ritually perpetuated from reign to reign (85). For Wallace-Hadrill, this pose of denial constitutes the dominant feature of imperial ceremonial; and though "monarchical" elements seeped in inexorably, they were only admitted in so far as they were deemed not to contradict the basic pose (86). If Wallace-Hadrill means that the refusal ritual remained important as a controlling factor which received a varying amount of emphasis for a long time in imperial history, then it certainly was "dominant".

The salient features of imperial behaviour are well-attested in the sources. Approval or disapproval, however,

is much more an arbitrary process than Wallace-Hadrill allows (87). The emperor's ability to handle personal relationships could be very important in influencing the judgments of his peers. Tiberius, for instance, when he might have received credit for deference to the senators' dignitas, is accused of dissimulation (88). No emperor could live up to the selfless ideal on a hostile assessment. The distinction between the good king and the tyrant lay in men's minds more than in reality. This is not to deny that the majority of emperors paid close attention to senatorial feelings and behaved in a way designed to show deference. Furthermore, though convention embodies a debilitating drag which has a way of stripping behaviour of much of its initial value, anthropological writings indicate that the ritualized act is not to be neglected. Ritual and the apparently superficial may be read as expressing underlying truths about a society (89).

Augustus records what appears to us to be the most conspicuous act of denial: the return of the res publica from his own power (potestas) to the jurisdiction of the senate and people in his sixth and seventh consulships (RG 34.1). The receipt of p.p follows in the next chapter (RG 35.1). Offices and honours refused by Augustus are included more assiduously in the RG than what was actually accepted. Refusal was not just Beranger's accession ritual. It could be performed in a variety

87: cf. JRS (1982), p.36: "True, the senatorial sources make clear which behaviour they approve or disapprove...".
contexts. Wallace-Hadrill (90) draws attention to regular refusals of the consulship, the praenomen Imperatoris, triumphs, triumphal arches, cults, temples and assorted divine honours such as silver statues. After Augustus, however, much of the impetus seems to have gone out of the practice. In this regard, refusals of the p.p title stand out in theatrical relief over a prolonged period — precisely, one would venture to say, because this title uniquely (most congenially) encapsulated the aspects of autocracy and deference.

Augustus' attitude was shaped in the wider context by a number of factors. Greek and Oriental ideas and practices were influencing most aspects of Roman life, and a continuing process of definition and redefinition as to what was "Greek" and "Roman" was generated. It has been said that the greatest achievement of Augustus was that he was able successfully to change the concept of res publica so that his Principate could be accommodated within it (91). Similarly, the concept of libertas, originally the freedom of a man not subject to an autocrat, was transformed in the early Empire into freedom to live under a benign autocrat (92). Eventually the culture of the ruling class of the developed Empire became, to a very large extent, Greek, though its members called themselves Romans and could feel a strong emotional pull for "Roman" tradition. Resistance to Greek ideas was often vehemently

asserted, especially in political circles at Rome, even if it was not always carried out in practice.

Augustus, through force of circumstance as much as anything else, posed in the civil war as the champion of mores maiorum and leader of the West against Antony, the would-be Hellenistic king who was in league with the decadent forces of the East. Antony was painted as the master of excess, Octavian as the model of Roman gravitas and restraint (93). It was in such an atmosphere that "modest" refusal of honours was first born. The Romans had to come to terms with the ascendancy of outstanding individuals, men whose power would be recognized and honoured in the Greek world. In both Rome and Greece that recognition and honour was predicated on the ideal benefactor figure. However, Roman sensibilities required something extra which would mitigate acceptance of honours that were often similar or even directly inspired by honours for notables in the Greek East. This something extra seems to have been recusatio. As shown by Cicero's experience, the pater patriae, despite emphasis on his positive virtues, was apt to be a rather fluid character who might equally evoke the negative interpretation of his position. Some extra affirmation of the positive virtues was required, and came to be enshrined in recusatio.

As autocracy became established and republican traditions faded, the senate, which witnessed the behaviour of the emperors as they conducted the affairs of the empire, became 93: R. Syme (1939), ch. xx.
the watchdog over "Roman" sensibilities. Thus, as the
Principate develops, it is no surprise that we see conferral of
the p.p title becoming the preserve of the senate and relating
to the deference shown to the senate by the princeps on the
Augustan model. No other honour admits of autocracy (even if
benign) as does the p.p title. It is true that Augustus could
still say that he had no more potestas than that possessed by
his individual colleagues - but this is only true as regards
individual magistracies, as he well knew (RG 34.3). For
Augustus and Tiberius, the title had to be avoided to evoke the
ideal. From the reign of Gaius there is still a practice of
initial refusal in evidence, in deference to the sensitivities
of the Romans, but with the decline in importance of the
factors which shaped Augustus' mind on this issue, so does the
practice appear to decline in importance (94).

What makes the refusal ritual striking is that it is
peculiarly associated with the Romans. Hellenistic kings did
not show comparable reticence with regard to offers of isoteo
timai (95). Yet it was not a Roman Republican practice -
competition for offices and honours among the nobles was
intense. It is only with the great dynasts of the late Republic
that refusal becomes a possibility: Pompey's poorly received
unwillingness, and Caesar with a series of refusals and denials

for which he receives no credit (96).

Hellenistic kings could conform to the ideal without refusing cult honours because they were not as intimately tied to the Greek cities concerned as were the emperors of the Principate to Rome (97). That is to say, the kings were not citizens of the cities, were not confined by a tradition of acting like a citizen, and stood outside the polis framework, although they ensured its protection nonetheless. They did not normally reside in the cities. The upper class authorities of the cities, who offered and promulgated the honours, did not have a tradition of political competition or citizenship equality with the kings. In addition, there could not be quite the same suspicion that the hand of the kings was actually behind the honours - Alexander's request to be worshipped as a god, if it is to be believed, is quite unusual (98). The Roman emperors stand in stark contrast by comparison. Refusal is prominent at Rome, in deference to the sensibilities of those who were required for the business of governing - and there is no need to assume immediately that the emperor himself was not a party to these sensibilities. In dealings with the Greek cities, the emperors seem to make a practice of refusal or modification when the offer of honours comes to them first hand.

96: Pompey: Dio 36.24.5f; cf. the sceptical comment of Caelius in Cic.Fam.8.1.3. Dio implies that Caesar as dictator made a practice of refusal (42.19.3-4), though he fails throughout to specify (cf.43.14.7; 43.46.1; 44.7.2); cf. Cic.Phil.2.87 and Suet.Iul.79.1.
Yet when the senate deals with cult negotiations on a provincial level and subsequently passes on its recommendation to the emperor, refusals are very rare (100). The role of the senate in the complex negotiations, or at least the role of "Roman" sensibilities, seems to have been fundamental. It may be noted in this context that the ritual of provincial assemblies, probably as a result of comparatively tight scrutiny by Romans, shows none of the occasional sacrifices to the emperor found elsewhere; all are on his behalf (101). Simon Price, using the model of gift-exchange (102), believes that imperial refusals facilitate the etiquette of uncertainty that is a necessary part of the carefully structured negotiations between the emperor and the Greek cities. Yet the familiar epigraphic protests by emperors that they are content with mortal rather than divine honours (103) may have been meant not so much for the provincials who set up the inscriptions as for the senators at Rome, privy as they were to exchanges concerning such honours. Cicero's refusal of divine honours, for instance, seems best explicable in this light, viz. as a gesture for the notice of the senate rather than the provincials (Cic. ad Q. fr. 1.1.26). In what sense would the distinction actually affect the provincials? It might save them the expense of a temple or mean that they will sacrifice on

101: ibid, p.226.
behalf of the emperor rather than to him, but the distinction is notoriously slight on both the psychological and social levels.

Wallace-Hadrill sees two conceptual strands, which have separate backgrounds in Hellenistic and Republican thought, coming together under the Empire to form something new. *Moderatio*, the restraint of power, and *comitas*, the friendly treatment of inferiors, meet at the point where each is reduced to the social etiquette of imperial condescension (104). The ideology behind the etiquette is best revealed, he then claims, by the new term *civilitas*, which aptly evokes the behaviour of a ruler who is still a citizen in a society of citizens, where the freedom and standing of the individual citizen is protected by the law, not the whim of an autocrat (105).

Imperial *civilitas* is subsequently interpreted on three different levels which overlap and supplement each other: traditionalist sentiment, politics, and social organization (106). The ritual is not to be dismissed as a sham or charade. It was enacted in all seriousness, because it served to articulate certain deeper truths that, for a period, mattered to the society over which these emperors ruled: the continuity with the Republican past; the dependence of the emperor on the consent of the upper orders; but above all the use of the social structure of a city-state to organize and unify the disparate peoples of the empire. These factors do appear to

105: *ibid*, p.42.
106: *ibid*, p.45ff.
underlie imperial deference, but the picture of moderatio and comitas coming together to form civilitas seems a bit contrived and formal. The selfless ideal in general terms is a preferable mechanism. Given the conditions of acculturation, as well as political and social change, the new virtue of civilitas would be logically engendered by the sharpened focus upon the ideal scenario.

The Republican aspect of our "father" ideal, therefore, is a product of the process of acculturation, and of political and social change. But if imperial refusals evoke the ideal, what makes for ultimate acceptance? In particular, why did Augustus accept the p.p title in 2 BC after so long?

IV.

In this part the aim is to examine Augustus' decision to accept the p.p title in 2 BC. Why in this particular year? What was its significance in the context? It will be argued that acceptance of the title was planned some considerable time before, and that the p.p title was meant as an ultimate testimonial to the services which Augustus had performed for the Roman state.

The significance of Augustus' p.p title is disputed. A number of prominent writers see it as purely honorific, indicative of the atmosphere of flattery and sycophancy which surrounded the emperor (107). Oost asks why it would be refused

if it did in fact embody some substantial power or have real meaning. He views the scenario as one of feigned modesty in the face of excessive flattery (108). Others see legal implications in accepting the title. Bauman argues that it entailed legal sanctions to do with maiestas and patria potentias (109), and Weinstock is inclined to concur with regard to the latter (110). Staerman sees the p.p title as part of the explanation for imperial control of the aerarium in addition to the patrimonium (since the paterfamilias is the lawful owner of all the family's assets) (111). By contrast, Alfoldi and Weinstock tend to be more concerned with religious aspects, the new Romulus, the new Golden Age, the charismatic saviour, deification and so on. Christianizing assumptions permeate the works of both writers, especially about the central aim of becoming a god. The present study stresses efforts to structure power relationships according to moral bonds which subsist in the ideal sphere. The appeal of the ideal lies in the fact that it satisfies the interests of both benefactor and beneficiaries by negating self-interest as a factor. Power is understood in procreative/tutelary terms and individual pre-eminence is justified and accepted in line with the ideal scenario.

Suetonius gives the most detailed account of the ceremonies which attended the taking of the p.p title in 2 BC. A contrast is evident between the experience of Augustus and

111: E.M.Shtaerman, Die Agrarfrage und die senatorische Opposition in der romischen Kaiserzeit.
that of Caesar. Suetonius mentions Caesar's *pater patriae* title in the midst of a list of excessive honours (*Iul. 76.1f: honores...nimos*), which support the contention that he had abused his power (*abusus dominatione*) and was thus justly slain (112). These honours are subsequently contrasted with honours bestowed on him that were "too great for mortal man". Suetonius concludes that there were no honours which Caesar did not receive or confer at pleasure (*ad libidinem*). This refers to the rash of senatorial decrees which conferred honours such as p.p upon Caesar in his last years. The malicious implication is that Caesar himself was behind the decrees, and perhaps that he aspired to recognition as a god. The *cognomen* *pater patriae*, according to Suetonius' classification, was a secular rather than a divine honour but was nonetheless illustrative of Caesar's *dominatio*. It was evidently indicative of tyranny that the tyrant would have bestowed upon himself a title signalling the non-tyrant. Alfoldi comments that as a *cognomen* p.p acquired the character of "einer Herrscherbezeichnung, eines kaiserlichen Monopols (113)". This seems rather likely. He also holds (114: *loc.cit.*) that appropriation of the title by others would have fallen under the *crimen maiestatis*, and cites the charge against Cn. Piso, who allowed his soldiers to call him *parens legionum* (*Tac. Ann. 2.55.4; 80.4; 3.13.3*). This is, however, just another example of the structuring of a power

112: For the evidence that Caesar's title was *parens patriae*, see Chapter 5, section IV above; cf. E.S. Ramage (1985), p.227 n.20.
113: Alfoldi, MH 8 (1951), p.120 and n.448.
114: *loc.cit.*
relationship according to the ideal, and it has no necessary relation to the p.p title.

In the Res Gestae (35.1), Augustus records with pride how the senate, the equestrian order and the entire Roman people called him pater patriae, and resolved that this should be inscribed on the porch (in vestibulo) of his house and in the Curia Julia and in the Forum Augustum below the chariot which had been set there in his honour by decree of the senate.

Suetonius (Aug.58) says that the whole body of citizens with a sudden unanimous impulse proffered Augustus the cognomen pater patriae (115). The stress in this short sentence on consensus, on universality, spontaneity and unanimity is very important; each element contrasts with the presentation of Caesar's experience. The favourable contrast was no doubt intended by Suetonius, or at least by his source, which may have been the Memoirs of Valerius Messala (116). The entire process that is subsequently described, however, appears so contrived that we are led to doubt the sentiments expressed and the degree of support claimed. This is the crux of the matter. The process was contrived, and it is for this reason that the symbolism assumes such importance.

The plebs are said to have acted first (Suet. Aug.58). A deputation was sent to Antium, but Augustus declined the title. Then, at Rome, an incredible (and undoubtedly impressive) scene

was arranged. The people, all wearing laurel wreaths, thronged to the *theatrum* and, as Augustus was taking his seat for the *spectacula*, once more expressed their wish that he be known as *pater patriae*. The people's insistence and the great display of devotion finally broke down his resistance. Soon, in the senate-house, the decisive act took place; and Suetonius tells us that it did not happen by decree or by acclamation, but through Valerius Messala (117). He, speaking for the whole body, said: "May good and prosperous fortune attend you and your house, Caesar Augustus! For thus we feel that we are praying for lasting prosperity for our country and happiness for our city (order?). The senate in accord with the people of Rome hails you *pater patriae* (118)". Suetonius goes to some trouble to inform us of the absence of a senatorial decree or acclamation. This appears to signal a difference from the practice of his own day or at least from that which developed subsequently. The underlying point seems to be that the whole incident was not the result of a tabled *relatio*. To use Suetonius' wording, we are dealing with a *consalutatio* (Aug.58.2) which has ensued from a great display of *consensus*. Augustus' reply borders on the obsequious. With tears in his eyes, he is said to have replied as follows (and Suetonius

117: Aug.58.1: *mox in curia senatus, neque decreto neque adclamacione, sed per Valerium Messalam.*

118: Suet.Aug.58.2: *Quod bonum, inquit, faustumque sit tibi domuique tuae, Caesar Auguste! Sic enim nos perpetuam felicitatem rei publicae et laeta huic precari existimamus:* *senatus te consentiens cum populo Romano consalutat patriae patrem.* W.K.Lacey (1980), p.131 n.25 points to a lacuna in the MSS, which modern editors seem to fill with *urbi; ordini*, however, which dates at least from Torrentius in 1578, seems at least as appropriate on a senatorial occasion.
affirms that he is reproducing his exact words, as he did with those of Messala): "Having attained my highest hopes, Fathers of the Senate, what more have I to ask of the immortal gods than that I may retain this same unanimous approval of yours to the very end of my life (119)?" Again, the emphasis is upon consensus.

The denigration of Caesar's p.p title and the exalting of Augustus' title is surely contrived in these accounts. However, as has been emphasized (III above), there is more to the deferential behaviour which attends Augustus' p.p title than simply a general policy on his part of distancing himself from his adoptive father, the dictator Caesar who henceforward bears many of the marks of the tyrant in the historical tradition (120).

When the year 2 BC began, it was clear that Augustus had great plans. The special games and the opening of the new temple of Mars Ultor must have been extensively advertised (cf.Cic.ad Q.fr.3.8.6, 3.9.2; Suet.Iul.10). The Forum Augustum was already open due to the pressure of court sittings (Suet.Aug.29.1). The plebs will have been able to anticipate a congiarum, as there had been in each of Augustus' last two consulates (121).

The background was ripe for planning the various incidents

119: Suet.Aug.58.2: Cui lacrimans respondit Augustus his verbis - ipsa enim, sicut Messalae, posui: Compos factus votorum meorum, patres conscripti, quid habeo aliud deos immortales precari, quam ut hunc consensum vestrum ad ultimum finem vitae mihi perferre liceat?


121: RG 15.1-2: in 23 BC donatives of 12 frumentationes, in 5 BC a congiarium of 240 sesterces per man.
associated with the conferral of p.p. Augustus was conveniently out of the city (as he was when he resigned the consulship in 23 BC). This necessitated the forming of an embassy from the plebs, presumably voted by the popular assembly and headed by the tribunes. It is significant that the plebs appear to have played no major part when Caesar was awarded his title (122). The deputation’s offer was duly declined but was repeated, according to Suetonius (Aug.58), as Augustus was taking his place at the shows (spectacula). This statement raises problems. According to the Fasti Praenestini, the date on which the senate voted Augustus the title pater patriae was 5 February (123); but there were no regular ludi with spectacula before 5 February (124). This was the day of the annual sacrifice at the Temple of Concordia in arce (125). The day was in consequence parte nefas for public business. There are, however, neither ludi nor spectacula regularly associated with this day either, but the people, according to Suetonius, were waiting for Augustus in the place for the spectacula, having garlanded themselves with laurel wreaths in advance. It cannot have been a spontaneous reaction (126).

The scene in the senate house was also pre-arranged. The senate did not have a formal relatio before it. Instead, the consul Plautius, who would have been in the chair in accordance with Republican practice in February, asked Messala for his

122: Chapter 5, section IV above.
123: CIL 1(2), p.133, the isolated fragment of the Fasti Praenestini.
sententia. In his speech Messala explicitly linked the welfare of Augustus and his family with the public welfare in conferring the p.p title. The same dynastic note was sounded in the Secular Hymn of 17 BC, which asks for the blessing of the gods on the Roman people, on the Quindecemviri, and on Augustus, his house and family (127). Augustus' reply, carefully denying the dynastic implications of Messala's words, was that he might retain the senate's consensus till his life's end — a sentiment appropriate indeed on the day of the sacrifice to Concordia, in whose temple Cicero had been hailed pater patriae very shortly after Augustus' birth some 60 years before (128).

Augustus (RG 35) and Ovid (Fasti 2.127ff) agree that the equites played a part as well, though there is a further difficulty here. At some time during the year they welcomed Lucius Caesar as princeps juventutis. This is unlikely to have taken place before he was given his toga virilis at the Liberalia, normally held on 17 March (Ovid, Fasti 3.771-88). A possible date is the periodical review of the equites mentioned by Suetonius (Aug.38.3), for which the natural date is again in March sometime, the ancient month of the muster at the beginning of the year. This might have been the occasion for the congiarium of 600 sesterties to each man of the plebs on the roll of those eligible to receive the annona (RG 15). The same sum was given in Gaius Caesar's name three years before. The

Liberalia would have been an appropriate occasion, and the time of the year is also suitable, since the spring was when food was at its most expensive. If this gathering of the equites in March was the occasion for their hailing Augustus pater patriciæ, it would seem from Suetonius and the Fasti Praenestini that it occurred after the salutations at the shows and in the senate. Suetonius' failure to distinguish a role for the equites makes this hypothesis insecure, but the idea of separate ceremonies in different contexts is quite appealing: the plebs could have been accommodated at the shows, the senators in the senate on 5 February, and the equites sometime around the Liberalia in March (129).

An alternative suggestion is that delegations from the equites and plebs realized a symbolic *consensus civitatis* by participating in the events of 5 February in the senate (130). This is certainly possible, and it is likely too that the equites were present at the shows together with the senators in their special seats in the theatre or circus. However, a separate occasion for the equites in March is not thereby ruled out. Lacey (131) has a point when he argues that Suetonius' order of events might be distorted by telescoping. The outstanding event of 2 BC was intended to be the completion of the Forum Augustum, celebrated by the opening of the Temple of

129: Note that Suet. Aug. 58.1 seems to make the salutation at the shows an affair of the plebs, and that in the *curia* is most naturally a senatorial affair.


Mars Ultor with lavish games and spectacles on May 12 (132). This would seem to be the most appropriate time of the year for acclamation as p.p by the assembled people. In other words, the acclamation in the theatrum was probably subsequent to, and not prior to, the senatorial occasion. Admittedly, this appears to contradict Suetonius' wording (Aug. 58.1: prima plebs...mox in curia senatus), but it is quite likely given the message of the Forum Augustum and the fact that Augustus' p.p title was inscribed upon his four-horse chariot in the middle of it. Suetonius' decision to deal with the role of the plebs first could have produced distortion if the incident in the senate on 5 February did in fact fall between the deputation to Antium and the incident in the theatrum.

The p.p inscription on the chariot base coincides well with the theory that Augustus was acclaimed p.p at the games celebrating the opening of the Temple of Mars Ultor. If the chariot and inscription were already in place on May 12, they might have acted as a prompt for the proposed p.p acclamation at the spectacula. If they were not yet in place, acclamation at the games might have been the catalyst. The fact that the chariot was decreed by the senate (RG 35.1) would seem to indicate that it was not part of the original design of the Forum. Then again, since the Forum was open before May 12 (Suet. Aug. 29.1), the chariot could have been added before (or for) that date.

It was resolved (censuit) that the title pater patriae

should be inscribed in three places: on the porch of Augustus' house (in vestibulo), in the Curia Julia, and in the Forum Augustum below the chariot which had been set there in his honour by decree of the senate (RG 35.1). Two of the sites chosen for these inscriptions (on the entrance-porch of Augustus' house and in the Curia Julia) directly call to mind the "restoration of the res publica" in 27 BC, and the award of the name "Augustus" (133). At that time the oak wreath was placed above the lintel of the doorway to Augustus' house (134), and the golden clupeus virtutis was hung in the senate-chamber (RG 34.2). In addition, it will be noted that the name "Augustus" has very similar connotations to the p.p title. Ovid says that "Augustus" is synonymous with sanctus and makes the emperor an ally with Jupiter (135). These ideas are strongly to the fore when he subsequently honours the pater patriae (136). The title "Augustus" was conferred on 16 January, when sacrifice was made to Concordia Augusta, an important virtue of the emperor (137). Gage (138) noticed the correlation with Augustus' acceptance of p.p on 5 February, the anniversary of Concordia in Arce. Manilius refers to the emperor as pater patriae during the course of a passage which

134: RG 34.2: super ianuan. The House of the Corona Civica at Pompeii probably gives us an idea of the effect.
135: Ovid, Fasti 1.608-609; Suet.Aug.7.2; Flor.2.34.66;
    Livy 1.8.2.
136: Ovid, Fasti 2.127ff. For further discussion,
137: F.Praen.,16 Jan.= EJ, p.45; ILS 3786; J.R.Fears, 
138: J.Gage, Res gestae divi Augusti ex monumentis 
    Ancyrano et Antioccheno latinis Ancyrano et Apolloniensi 
speaks of *discordia* being bound with adamantine chains by Augustus (1.922-926). As "Augustus", the emperor personified *auctoritas* (139).

It appears that the p.p celebrations were prolonged throughout 2 BC and were intended on one level as a reminder of the events of a quarter of a century before. The new title must have been the subject of debate in the senate and assembly. There is a strong possibility that it was enshrined in the imperial titulature after a senatorial decree (140). This had happened in 27 BC when Octavian was called "Augustus" (RG 34.2); it happened also when Gaius and Lucius Caesar were called *princeps iuventutis* (RG 14.2). In both these instances the verb *appellare* is used, as it is again in RG 35.1. This time, however, the RG mentions no senatorial decree in conjunction with the conferral, probably because the locations for the p.p inscriptions were resolved (using *censere*) by "the senate, the equestrian order and the whole people of Rome", viz.it was not just a senatorial matter. In addition, while Suetonius stresses the absence of a decree in connection with the speech of Messala, Dio (55.10.10) records that the p.p title was decreed to Augustus in 2 BC.

The order of events may have been thus: i) the formation of the embassy from the people, a move made necessary because the emperor was (conveniently) out of the city; ii) the scene in the senate on February 5 involving Valerius Messala; iii) a

ceremony involving the equites roughly coinciding with the receipt by Lucius Caesar of the *toga virilis*, sometime in March; iv) acclamation at the *spectacula*, which were probably connected with the dedication of the Temple of Mars Ultor on May 12; and v) debate and votes on where and how this new honour should be recorded (141). The disadvantage of this reconstruction is that it contravenes Suetonius' order, but it has considerable merit, especially for the fact that it draws the Forum Augustum into the process as the setting for iii) and iv).

The Forum's importance in the publicity programme of the reign has long been recognized (142). Augustus was placing himself and his family into context with the great heroes of Roman history (143). His was a pre-eminence that could be understood in traditional terms. In an edict he called upon the Roman people to test the "leaders of subsequent ages" by this standard derived from the past (Suet. *Aug.* 31.5). On one side of the Forum stood statues of the Julii family; they were faced by statues of *duces* who had performed some outstanding service for Rome at a time of crisis. The rows of facing statues led to the Temple of Mars Ultor, and on the architrave below the pediment

141: cf. Lacey's order: (1980), p.132. He opts to conflate iii) and iv) above, so that senators, equites and plebs demonstrated together at a spectacle connected with the opening of the Forum Augustum.


was the name of Augustus. It was the focal point of the whole architectural concept (144). The implications are hardly subtle. Augustus' services on behalf of the res publica are so great as to overshadow those of all the figures represented. The senate decreed that these services entitled him to a statue between Aeneas and Romulus as the ultimate hero of Rome — and under this statue was the inscription pater patriae (RG 35.1).

Each of the statues in the Forum Augustum was accompanied by an elogium which listed the name and achievements of the figure in question and also gave an exemplum virtutis. It may be taken that the RG is an elaboration of this type of elogium (145). Consequently, each of these great figures in Roman history is in a sense a pater patriae but is now outshone by the deeds of Augustus. There is an element of overkill in the inscription under the four-horse chariot. Furthermore, the message is so strong in the Forum's layout that it seems possible the p.p title was contemplated in association with the Forum from its inception many years before. In other words, a practical reason for the length of Augustus' refusal of p.p may have been the delay in completing the Forum which was precipitated by the difficulty encountered in procuring sufficient private land (146). It was essential that the Forum be built on land owned by Augustus (RG 21.1). He meant to identify the self-serving military adventures of his youth with the imperial interests of the state. Frank noted that the

massive back wall of the forum which contains the niches for the statues was built before the Temple of Mars Ultor was begun, since the temple walls back up against the great wall of Gabine stone. Considering the delay in procuring the land for the boundary wall and then the length of time that must be allowed for the elaborate construction and decoration of Mars Ultor after the wall was finished or near completion, Frank assumed that the niches, and the selection of heroic personages to be portrayed, must be assigned to the 20s BC (147). The Forum represents an ultimate testimonial to his services on behalf of the state, and the dynastic implications would seem to be obvious.

Augustus was certainly recognized as "father" of the state long before 2 BC. We have seen Cicero allude to Octavian as pares of the patria in 43 BC (Phil. 13.25). Horace linked Augustus with the titles pater_atque_princeps (Carm. 1.2.50) and pater_urbium (Carm. 3.24.27) in the sense of benefactor and founder. The legend SPQR PARENTI CONS(ERVATORI) SVO appears on Spanish coins dated 19–15 BC (148), and one milestone seems to have jumped the gun by including p.p in the imperial titulature before 2 BC (149). Dio (55.10.10) says that Augustus was given the strict right to the title of "father" in 2 BC; hitherto "he had merely been addressed by that title without the formality of a decree". Weinstock argues cogently that Augustus was probably offered the p.p title soon after his victory over

148: BMCRE I.69f.
149: ILS 96 - EJ 60, 6-5 BC.
Antony but refused it (150). The similarity between the connotations of "Augustus" and of pater patr iae (see above) would seem to confirm the likelihood of early offers of p.p, and work on the Forum Augustum in the 20s BC is also suggestive. Augustus evidently wished p.p to be treated as an ultimate honour for the ambivalent position he occupied, and as an element to be associated with his Forum complex. Apart from ritual considerations, its Caesarian accretions and the notorious circumstances of its use in the triumviral period may also have prompted refusal. We know that Augustus was concerned with the approach of his climacteric 63rd year (151) and he could argue that by 2 BC the title had been well and truly earned. The father analogy evoked ideas which carried specific appeal for the Romans: the image of the paterfamilias, a figure of unlimited power who was limited in practice by the common perception of moral obligations existing in the ideal sphere; the role of the consilium of pr opinqui nicely parallels the role of the senate; Hellenistic kings appear to have had no comparable title, so p.p could be seen as "Roman" rather than "Greek" in cultural terms; and in general it suggested the selfless benefactor compatible with both the "autocratic" and "Republican" images.

Sometime in the second half of 2 BC there occurred the scandal which led to the Emperor's daughter, Julia, being exiled for adultery with a number of men, some of whom at least

seem to have been nobles of importance. Commentators have tended to go beyond the sources and look for evidence of a political conspiracy. However, it is possible that the issue was largely a moral one and that Augustus’ new title played some role.

The established view is that Augustus hushed up an affair with serious political implications, only pretending that adultery was the reason for the penalty meted out to Julia. Syme (152) used the evidence afforded by prosopographical analysis to support a theory of conspiracy against Augustus by a band of ambitious and thwarted young nobles, headed by Iullus Antonius and Julia. They supposedly intended to set up a council of regency for the guidance of Julia’s sons, Gaius and Lucius Caesar. There are a number of problems. Initially, the idea of a council of regency is difficult to understand in Roman terms, and there is no certainty that Gaius and Lucius would have been amenable to direction. More importantly, Syme is equivocal in his assessment of the persons he has identified as conspirators. At one point they are dangerous, frustrated nobles with connections in high places in the armies, at another they are little more than a literary coterie (153). It is noticeable that the careers of the supposed army connections of the "conspirators" seem not to have suffered subsequently.

153: R. Syme (1974), p.26: "the recorded names do not quite add up to a comprehensive faction"; contra, History in Oxid, p.195: "the five nobiles are a faction, not a society coterie".
which makes one doubt that a serious conspiracy was in motion.

According to Levick (155), Julia was an active political figure who may be identified with a group which met near the statue of Marsyas in the Forum and championed libertas, social as well as political freedom. In this view Julia struck a sour note with the princeps when she urged him to replace Tiberius with a more compliant Iullus Antonius. One wonders whether Julia's activities at the statue of Marsyas had the political flavour which Levick imparts (156). An alternative view is that there was play-acting on the Rostra in imitation of the pantomimi (157). In addition, it is doubtful whether Augustus would have emphasized the Marsyas statue in his explanatory letter to the senate if it had the kind of political significance postulated by Levick (cf. Pliny, HN 21.9).

R.A. Bauman has postulated dramatic legal implications (158). He sees no conspiracy but believes that by taking the p.p title Augustus found himself compelled to treat adultery with his daughter as a violation of his personal maestas. The offenders were hence charged in his domestic consilium according to the provisions of patria potestas and punished. A

legalistic interpretation of Tacitus (Ann.3.24.2-3) - *nomine laesarum religionum ac violatae maiestatis* - leads to the inference that Augustus secured an extension of the treason law, labelled *violata maiestas* (*principis*), to cover offences against private members of his family (159). Precisely because a Tacitean phrase furnishes the new category, however, most commentators think that it is unlikely to be technical or to repeat Augustan terminology. It is felt that *violata maiestas* is simply a literary variant for *maiestas laesa* (or *imminuta*) P.R (160). Furthermore, Brunt (161) feels some doubt about whether Tacitus was well-informed in holding that Augustus caused adultery with his daughter to be treated as treason, though in 17 an unsuccessful attempt was made to bring under the law of *maiestas* adultery by a woman related to Tiberius (Tac. Ann.2.50). Sherwin-White (162) is similarly unsure that Julia was punished for a *maiestas* offence. While one of her lovers may have suffered an abnormal penalty for adultery (death?), Julia was merely relegated, the standard sentence. Indeed, the death of Antonius may have been suicide, as Velleius claims (163). Tacitus perhaps confused the suicide with execution and was thus induced to say that Augustus "exceeded his own laws (Ann.3.24)".

159: *ibid*, p.228.
Ferrill takes the sources at face value, exposes the weaknesses of political explanations, and sees the scandal in terms of adultery and affronted morality (164). The value of this viewpoint is that it restores the sources, but two areas continue to be of concern: i) it is difficult to believe that Augustus was only made aware of Julia's adulterous conduct in 2 BC; and ii) evidence indicates the importance of dynastic considerations in 2 BC.

The latter tends to make Lacey's arguments for dynastic implications attractive, although he thinks Augustus may only have found out about his daughter's lurid past at the domestic enquiry conducted in 2 BC after the Marsyas episode (165). According to Lacey, the scandal was precipitated by ridicule of the dynastic claims Augustus was making for Julia's sons. Such ridicule took the form of casting aspersions on the paternity of Gaius and Lucius because of the behaviour of their mother. Augustus' anger, therefore, was not so much produced by Julia's manner of life as by what people were saying about her children because of her manner of life. Augustus, in his explanatory letter to the senate, mentioned the garlanding of Marsyas' statue more than once (166). This reference to a specific incident, or set of incidents, at the Rostra served to legitimate Gaius and Lucius.

The thought arises that the moral implications of Augustus' new title may have acted as a prompt for the charge

166: Pliny, HN 21.9; Sen.Ben.6.32; Dio 55.10.12.
of adultery which was levelled against Julia. He had fought hard to have his moral legislation passed. Horace said that the man who aspired to the title of *pater urbi*um had to control sexual licence (*Carm.* 3.24.27). Ovid emphasizes that Augustus as *pater patriae* bids wedded women be chaste, whereas Romulus carried off the Sabine women (*Fasti* 2.127ff). When Dio (56.9.3) has Augustus the "father" address Rome's bachelors, the emperor extols family life and urges them to have children. Illicit sexual activity outside this purpose is implicitly condemned. Augustus may have been embarrassed by hostile comment about the inability of the *pater patriae* to enforce the adultery code in his own family. Such comment could have been part of the ridicule of Gaius and Lucius about which Lacey writes. It does seem valid to talk of dynastic considerations in conjunction with moral ones with regard to the removal of Julia. If the climactic year was to strike, Gaius and Lucius would be Augustus' heirs (*cf.* Gellius 15.7.3).

V.

In this section the aim is to examine the place of the p.p title in cult worship of Augustus (*cf.* Chapter 5, section IV). Cult invocations and acclamations are focused upon. Apart from conferral of the p.p title examined above, it is felt that there was no religious ceremony which both symbolized the emperor's position as a father to his people and was regarded as central to that characterization. Weinstock, in his chapter on "The 'Father'", discusses worship of the emperor's Genius,
observance of his birthday, various vows and oaths, and the state of being *sacrosanctus*. None of these necessarily requires the emperor to be acknowledged *pater/parens*, let alone *pater patriae*. Augustus' acceptance of *p.p* seems not to have generated special cult honours. Where *p.p* is evident in cult language it is the underlying ideal, as ever, which is being honoured. The title is employed for its appeal and appropriateness as an honour for a figure of procreative/tutelary power. Alternative epithets could be applied.

A passage from Ovid's *Fasti* (2.617ff) illustrates how *p.p* could be used in cult invocations. The poet deals with observances at the Caristia, which we gather was a sort of family love-feast, attended by none but kinsfolk (*cari*), and characterized by mirth and good fellowship (167). Offerings were made to the Lares at the Caristia, and it was a day especially favoured by Concordia (168). In the evening Ovid exhorts the virtuous (*boni*) to fill their wine-cups and say, *bene_vos_ (sc.Lares)_ bene te, patriae pater_, *optime Caesar*, and at these words pour out the wine (*Fasti* 2.637). Augustus as *p.p* is hailed in the same breath with the Lares. This is reminiscent of Horace's farmer, who in the evening trudges home where he worships the Lares and the numen of Augustus with a


168: Ovid, *Fasti* 2.631-2; cf. the stress on Concord in 2 BC and Augustus' receipt of *p.p* on 5 February, the anniversary of Concordia in Arce (section IV above).
libation from the same cup (Carm. 4.5.29-36). The invocation on this occasion is, *longas o utinam, dux bone, ferias praestes Hesperiae*. It has been thought that Augustus’ status as *pater patriae* was a focal point of the cult of the Numen Augusti in his lifetime (169), but an inspection of the relevant inscriptions does not reveal a unique link between invocation as p.p and the cult observances (170). In one case p.p appears in an unexceptional titulature (171). Furthermore, the Numen Augusti may be worshipped in the absence of a reference to p.p (172), and the title’s mortal quality is stamped once more by the fact that it does not appear in dedications or cult regulations after Augustus’ death (173). Mention of the emperor together with the Lares led Frazer to write that both Ovid and Horace were thinking of the custom of placing an image of Augustus among images of the Lares (174). Such images could have been hailed in terms similar to the above invocations.

A passage from Petronius’ *Satyricon* bears a resemblance to that of Ovid. Well into the dinner with Trimalchio, and just before Encolpius reports his vision beginning to swim, a pastry Priapus is brought out (probably representing only his chief attribute), surrounded with cakes and fruit, which however

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170: cf. EJ 100B.
171: EJ 100A.
172: EJ 105A.
spurt out saffron when touched. The guests interpret the
saffron according to its religious meaning, assume the dish is
sacred, and all cry, *Augusto, patri patriae, feliciter*
(Sat. 60.7). The Priapic phallus becomes an embodiment of the
Augustus, in his role as *pater patriae*.

N.W. Slater believes that the "Augustus" referred to here
could be Nero, not Augustus himself (175). On balance, he
thinks that Nero would be flattered rather than offended by the
passage. Less certain, in Slater's view, is whether he was
meant to see one more implication of the end of the scene.
Despite the saffron, certain guests scramble for the dainties,
Encolpius in particular, *qui nullo satis ample munere outabam
me onerare Gitonis sinum* (Sat. 60.7). Beneath the shadow of this
scene's central image, Slater feels that Encolpius' gifts
become a sublimation of that with which he would most prefer
*onerare Gitonis sinum*. If we apply this desire to the figure of
the emperor here evoked, we have a startlingly different notion
of the emperor's relationship to his people than that usually
embodied in the image of the *pater patriae*.

M. Smith (176) connects this scene with the practice of
pouring a libation to Augustus, decreed for all public and
private banquets by the senate in 30 BC (Dio 51.19.7). Slater
raises two objections: no libation is mentioned by Petronius,
and it is doubtful whether a custom instituted at Rome almost a
century before would still be honoured in the provinces under

175: "Satyricon 60.7: Which Augustus?", LCM 11.3 (March
1986), p. 43.
176: edition of the *Cena Trimalchionis* (Oxford, 1975),
p. 161.
Nero (177). These arguments do seem powerful in support of the idea that Nero is the "Augustus" intended, but even if the passage does not relate to a senatorial decree of 30 BC it could still have value as an indicator of cult practice. The guests' cry, triggered by the drunken belief that the dish was sacred, appears to be a kneejerk response to what was thought to be a ceremony in honour of the emperor. In other words, the guests' cry appears to indicate that it was automatically felt appropriate to honour the emperor as p.p in the circumstances.

The distortions embodied in the Satyricon definitely necessitate caution, but it would seem from the evidence so far that p.p can be appropriate to cult ceremonies honouring the emperor, whether they entail libations or some other form of sacrifice. In fact, it would not surprise to find the emperor invoked as p.p in a variety of cult ceremonies which were concerned to honour him in ideal benefactor terms. The point is that it does not seem to have been a required element. For instance, coins which associate Augustus as p.p with the altar of Roma and Augustus at Lugdunum indicate merely that the p.p honour is compatible with such cult. They do not imply that the title was a vital component of the cult (178).

Livy asserts that Romulus was unanimously hailed at his death as a god, son of a god, king and parens urbis Romanæ. The Roman people then prayed that he would protect his children forever (Livy 1.16.3). This passage has spawned two similar

178: F. Bomer, Ahnenkult und Ahnenglaube, p.70ff; p.79, di indiget, as parentes patriae.
views. Bomer has argued from this description of Romulus that worship of Augustus as p.p was associated with worship of the di_indigetes, who are characterized as parentes_patriae.

Augustus' descent from Aeneas is also emphasized because the latter was called Aeneas Indiges, Iuppiter Indiges, or Indiges pater in cult (179). Ogilvie (180) thinks that parentem...salver_iubent represents the ancient formula used for invoking the dead at the Parentalia. Consequently, he writes that, "Romulus is regarded as physically the father of Rome and as such he is invoked as one of the di_genitales (181)". These two theories require a measure of caution. Romulus is not being invoked as parens alone in Livy's passage, and if there is an echo of the Parentalia formula there is equally an affinity with terms from ruler cult. Bomer and Ogilvie are concerned to associate Rome's founding figures with ancestral deities of the city. The extension to Augustus as pater_patriae is not entirely justified, especially when it is remembered that Augustus seems quite purposefully to have steered away from the title parens_patriae as a contrast with Caesar (cf.Chapter 5, section IV above). A conceptual distinction between these ancestral deities and Augustus as p.p remains possible if one thinks in terms of procreative/tutelary power being the fundamental likeness.

There are good indications that p.p featured in

179: R.M.Ogilvie (1965), p.86 on 1.16.3.
180: "salve parens": cf.Verg.Aen.5.80; Sil.Ital.17.651; CIL 6.6457; Pliny, HN 37.205, salve, parens rerum; R.M.Ogilvie (1965), p.86.
acclamations in a variety of contexts. This broadens our perception of the title's role. Alfoldi was able to show the increasing importance of acclamations as part of the ceremonial surrounding Roman emperors (182). Suetonius notes this development indirectly when he remarks that Augustus' p.p title did not result from a decree or acclamation in the senate, but through Valerius Messala (Aug.59). Emperors were acclaimed by a variety of gatherings, most notably at the theatre and the circus, where they confronted the largest number of citizens on a regular basis, and where the crowd was already attuned to shouting in support of performers and competitors. The value of such activity was quickly appreciated, and the emperors took a hand in encouraging and orchestrating it (183). There were ways to promote unanimity and spontaneity, valued as evidence of divine inspiration (184), which was an old idea, possibly relating to the use of acclamations in religious ceremonies (185). According to Roueche (186), acclamations could be used in worship, to show assent, for the purpose of making a request, or to honour an individual - as, for example, by repeating an epithet. Cato prompted the acclamation of Cicero as p.p at a contio (Chapter 5, section II above.). In 2 BC Augustus was acclaimed at the spectacula and probably at other events throughout the year. The congiarium comes to mind as a likely occasion (Section IV above). Livy could conceive of

182: A.Alfoldi (1934), pp.82-83.
184: C.Roueche (1984), p.188.
186: CIL IV.427, cf.2460.
Camillus being acclaimed at his triumph as *Romulus ac parens patriae, conditorque* (5.49.7). Graffiti from Pompeii includes such acclamations as *Augusto feliciter* (187), which echoes the cry from the *Satyricon* (60.7) except for p.p. A passage of Martial may record an acclamation as p.p for Titus at the opening of the Colosseum in 80 AD (188). Acclamations in the senate were apparently a feature henceforward (cf. Suet. *Aug*. 58).

Such usage of the p.p title tends to relate to the charismatic side of the emperor's image, as was the case with the evidence of the poets. In the *Res Gestae*, the charismatic superman is balanced by the figure of the Republican magistrate. As the Principate develops, this balance shifts and it is apparent that our sources give progressively less attention to the p.p title. The nature of the shift, reasons for it, and its effect upon the p.p title will now be examined.

187: *De Spectaculis* 3.11-12.
CHAPTER 7: THE PATER PATRIAE TITLE UNDER THE JULIO-CLAUDIANS.

The further history and ultimate decline in the significance of the p.p title, and of the often associated image of the corona civica, becomes intelligible at first instance in the perspective of the title representing a "Roman", as distinct from a "Greek", element in the acculturative process. In terms of related political development, the title comes to be viewed as a "Republican" element in the continuing ambivalence between "Republican" and "monarchical" elements in the imperial position. As was argued in Chapter 6, it was the p.p title which uniquely encapsulated this ambivalence in Augustan Rome and allowed Augustus to use it as the climax of his Res Gestae. The evolutionary acculturative process tended to favour the "autocratic" conception heavily from an early stage, but in the constant state of tension and flux between "Republican" and "autocratic" - better perhaps than "monarchic" - conceptions, the "Republican" conception (that may be seen increasingly as an "Augustan" conception) remained a factor to be evoked to advantage on certain occasions, particularly in the senatorial milieu. A major way of evoking this "Republican" conception was through manipulation of the p.p title, particularly by recusatio. As the autocracy became more overt in the next two centuries, and as the ties with Rome and with Roman traditions became less strong, it appears that the p.p title was even more
strongly associated with the "Republican" aspect of the emperor's position and declined commensurately. Another process of importance revolves around simple routinization in the development of ritual. Although the p.p title declined in its particular significance, the father analogy, without any necessary implication of the deference to Roman tradition which is inherent in the p.p title, continued to be one of the images through which the selfless benefactor ideal, an underlying constant in the imperial imagery, was expressed. This transfer in emphasis within the selfless benefactor construct away from the particularly Roman (both as paterfamilias and as Republican magistrate) to the more generally virtuous (covered by the less specific father analogy) - a conceptualization in many ways representing a return to the Hellenistic in line with the further Greek takeover of imperial ideology - is best encapsulated in the development of what might be called an indulgentia ideology. It is this further history of the p.p title and of the father image which provides the primary focus for the final two chapters.

The ambivalence between "Republican" and "autocratic" elements in the emperor's position lies at the heart of arbitrary distinctions between "Principate" and "Dominate". Some writers have implied that a complete and irrevocable resolution of the ambivalence took place in favour of the "autocratic" conception at a distinct period in time which marks the inception of the "Dominate". Numerous attempts have been made to identify this final period of the "Principate".
Even Professor Millar, who certainly does not distinguish "Principate" from "Dominate" in so crude a fashion, highlights the period when the senate ceases to receive provincial embassies (1). It seems preferable to envisage a constant state of tension and flux between "Republicana" and "autocratic" conceptions within an evolutionary acculturative process which does indeed heavily favour the "autocratic" view from a very early stage. This viewpoint better explains the persistence of the p.p title into the later Empire.

In Chapter 7, the aim is to illustrate for the Julio-Claudian emperors the primary focus and associations of the p.p title, ending with a study of Seneca's De Clementia. Three points might be stressed: i) recusatio exists in all cases; ii) the p.p title was never taken by Tiberius; and iii) in comparison to Augustus, acceptance (where it occurs) comes after a much shorter period as the factors governing recusatio decline in strength. In summation, with the exception of Tiberius, there is a decreased emphasis upon evocation of the selfless ideal through recusatio. Tiberius stands completely apart in his refusal to accept the p.p title at any point in his life. His behaviour shows that the process of decline was not simple. In relation to acceptance of the p.p title, there is no sense in which dominatio can be seen replacing principatus on a uniform curve. The situation is more complicated, born of tension between autocratic and deferential attitudes. The emperor as "father", in contrast to the


dominus/tyrannus, remains a function of the selfless benefactor ideal, but the p.p. title seems to become intimately associated with Augustus as founder of the Principate and as a role model for his successors to emulate, particularly in their dealings with the senators. In the senate, the emperor’s behaviour is judged according to the Augustan standard of deference, and the characterization of the emperor as pater patriae seems to have had special significance for the senators. The p.p. title evokes the friction between senatorial libertas and the power of the princeps.

In the De Clementia, the pater patriae title is employed in a slightly different way, which is largely a matter of emphasis. Seneca highlights the emperor’s power in a quite dramatic fashion. As part of his presentation, he states that the emperor receives patria potestas with the p.p. title, though it is tempered by great love which moderates its use. The image which results is similar to that depicted by Cicero (Cael. 105ff) when referring to Caelius’ father as an illustration of the ideal Roman father - a figure of undeniable power mitigated by great love which prevents its abuse. However, in the tension between auctoritas and potestas, Seneca is inclined to give potestas more than the usual emphasis in evidence which relates to the emperor as “father”. Such emphasis suits the political purpose and context of Seneca’s work. It also illustrates the degree of flexibility in the father characterization, which is subjectively determined.
Tiberius accepted only a few of the honours which were offered to him (2). As well as refusing the nomen Augustus, he also refused the praenomen imperator, the cognomen pater patriae, and the placing of the corona civica at his door (3). In spite of this deference, each of these elements was at some stage associated with Tiberius during his reign. The Gytheion inscriptions give his titles as autokrator Tiberios Kaiser Sebastos kai pater tes patridos (showing imperator, Augustus, and pater patriae) (4), and Tiberius was supposed to have tolerated Augustus "when he heard it spoken and read it when written (Dio 57.8.1)". In addition, we are told that he employed Augustus when writing to kings, potentates, and Eastern cities (5). Mattingly cites a coin of dubious antiquity with the obverse legend TI.CAESAR DIVI AVG.F.PATER PATRIAES (6). E.Kornemann conjectured that perhaps the refusal applied only to Rome (7). It is more likely that these titles, when employed by provincials, were either the result of uncertainty about the official titulature, or appeared in adulatory anticipation of subsequent acceptance, despite the refusal.

The Divus Augustus Pater series of coins is relevant here

3: Suet.Tib.26.2:...civicam in vestibulo coronam...
5: Dio 57.8.1; Suet.Tib.26.2; cf.K.Scott, "Tiberius' Refusal of the Title 'Augustus'", CP 27 (1932), pp.43-50.
(8). In Mattingly's view, the representation of Augustus was "certainly taken from the famous statue erected by Tiberius and Livia near the Theatre of Marcellus (9)". Livia had by this time been adopted pursuant to the will of the dead princeps, so it might seem natural for the adopted son and daughter to honour their "father" in this way. On the other hand, we may note the as with two obverse types, one of Tiberius and one of Augustus, radiate, with legend DIVVS AVGVSTVS PATER PATRIAE (10). This legend is admittedly not common (DIVVS AVGVSTVS PATER is the usual form), but it does seem to tell us that the focus of these coins is at least partially upon Augustus in his capacity as pater_patriae (11). He was not simply Pater by virtue of his adoption of Tiberius and Livia or by his death and subsequent deification - in imitation of (say) Mars Pater or Liber Pater. In addition, the emphasis upon Augustus as Pater must have highlighted Tiberius' refusal to be recognised formally as such (12). It would seem that Tiberius wanted it to be known that this status was for Augustus alone. This impression is reinforced by evidence which describes how Tiberius refused divine honours for himself but encouraged them for Divus Augustus in recognition of his outstanding

9: BMCRE I.cxxxiv; cf.Tac.Ann.3.64; Fasti Verrii, April 24 - SIG.DIVO AVGVSTO PATRI AD THEATRVM MAR...IVLIA AVGVSTA ET TI.AVGVSTVS DEDICARVNT (note Tiberius as "Augustus").
11: cf.BMCRE I.cxxxiv.
12: cf.EJ p.46 (Fast.Praen.,17 Jan.).
benefactions and achievements (13).

A cameo (14) shows Tiberius wearing an oak wreath. This association is also made on the coinage, although Tiberius does not actually wear the oak wreath. On an aes of uncertain mintage the obverse shows the bare head of Tiberius with the legend TI CAESAR DIVI AVG F AVGVS[TVS] (note Tiberius as Augustus). The reverse carries the legend PONTIF MAX inside an oak wreath (15). There is no readily discernible connection between these latter two elements, and it may be that the wreath is a carryover of a popular Augustan element which provides a pleasing frame for the accompanying letters.

Other aes coinage bearing Augustus' head, radiate, on the obverse with DIVVS AVGSTVS PATER legend shows the corona civica with SC inside on the reverse (16). One example shows the bare head of Tiberius surrounded by an oak wreath on the reverse (17). The appearance of the oak wreath here, though not a very common element on the coins of this series, may have more to do with its importance for Augustus than for Tiberius. Alternatively, the implication might be that Tiberius is similarly worthy of the honour.

In general there seem to be two discernible factors behind

14: H.B. Walters, Catalogue of the Engraved Gems and Cameos: Greek, Etruscan and Roman in the British Museum, London: Trustees of the British Museum, 1926, no.3589, Fig.71 p.338; cf. the frontispiece of Volume 1 of Suetonius' Lives (Loeb, 1913).
17: RIC I(rev).99, no.70.
Tiberius' deferential attitude. The first is a desire to exalt Augustus rather than himself. He showed an extreme sensitivity to the memory of Augustus on a number of occasions (18). The second factor is his ardent resolve to maintain the image of the Republican magistrate, an attitude which seems to have incorporated a personal dislike of titles, particularly those without a long Roman tradition (19). In this regard he appears to have been more extreme than Augustus. Brunt does not believe that Tiberius allowed the senate more freedom or power than Augustus was prepared to concede. Accordingly, he characterizes Tiberius as a simple follower of Augustus in respect of his relations with the senate (20). However, Tiberius' attempts to revive the full competence of the senate upon his accession must have seemed extraordinary after the experience of Augustus' latter years when the aging princeps seldom attended meetings, and conducted business through a consilium whose decisions were granted authority equal to that of the full senate (21). We are told that Tiberius wished to adopt a civil attitude and conduct himself like a magistrate of olden times, who had regard for the laws and rights of his fellow-citizens (22). He suffered, of course, from the inevitable comparison with Augustus and the fact that he was the first successor to a

19: see R.Seager, Tiberius, passim, who emphasizes Tiberius' genuine Republican sympathy.
position of ambivalence. His personal relations with the senators were marred by his cold and reserved manner, and by a distrust of his diffidence. Senators interpreting Tiberius' reluctance in psychological rather than ritual terms would almost inevitably concur with Tacitus (Ann.1.46.1), who looks upon Beranger's formal accession delay as cunctatio_ficta in the case of Tiberius (23). Nor should it be assumed that all senators would automatically welcome a return to a state of full competence for the senate. Ultimate failure to stimulate a positive response from the senators produced an anger which further increased friction (24).

A significant amount of literary evidence deals with Tiberius' deferential attitude in general and his refusal of the p.p title in particular. Tacitus describes how he rejected the p.p title quite early in his reign, though it had been repeatedly pressed upon him by the people (25). Attestation of a role for the people (populus_Romanus) is both reminiscent of the events of 2 BC and significant in view of the fact that in later times bestowal of p.p seems the prerogative of the senate alone. It need hardly be pointed out that decline in the constitutional role of the Roman people parallels decline in the significance of p.p itself. Intriguingly, Tacitus does not give explicit notice of an offer of p.p by the senate at this time, though it seems probable that the sentiments which prompted the people's offer of p.p were present also among the

24: e.g.Tac. Ann.3.65: "Men fit to be slaves!"  
senators.

Along with his refusal of the p.p title, Tiberius evidently rejected also the senate's proposal that an oath be taken to obey his enactments. It seems that, while both taking himself and requiring others to take the annual oath on the first of January to treat as valid all acta of Augustus, Tiberius deprecated a like honour for himself (26). "All human affairs", he commented, "were uncertain, and the higher he climbed the more slippery his position (27)". Even so, says Tacitus, he was unable to convince men of his civilis_animus for he had resuscitated the lex_maiestatis (28). Since the maiestas trials had not in fact returned by January AD 15, Tacitus appears particularly inclined to emphasize the maiestas trials as being inconsistent with a civilis_animus. These trials mainly affected senators of course. Suetonius, on the other hand, pictures the senate demanding that action be taken against lampoons which were aimed at Tiberius and his family. The Emperor was reluctant to do so, saying: "If you open this loophole, you will find no time for other business (Suet.Tib.28)".

These passages touch upon many of our major concerns. The p.p title and the oath were proposed with reference to the selfless benefactor ideal. Men could bind themselves

27: Tac.Ann.1.72: Nomen patris patriae Tiberius, a populo saepius ingestum repudiavit; neque in acta sua iurari, quamquam censente senatu, permisit, cuncta mortalium incerta, quantoque plus adeptus foret, tanto se magis in lubrico dictitans.
28: ibid: Non tamen ideo faciebat fidem civilis animi; nam legem maiestatis reduxerat...
unreservedly to a powerful figure who would not use his power in his own interest. It need not even have been creatures of the emperor who proposed these honours. The emperor could well wish to emphasize this conception of his position, but opponents might equally wish to stress the ideal in order to regulate the emperor’s arbitrary use of power. Refusal was meant to convince men of his civilis animus in line with the ideal. Nevertheless, in Tacitus’ view, the maiestas trials mitigate against this characterization, presumably because senators suffered, and even though Suetonius’ evidence shows senators demanding the application of penalties associated with the crimen maiestatis. Tacitus appears to make the civilis animus primarily dependent upon the relationship between emperor and senate, and it is the civilis animus which distinguishes the pater from the tyrant.

Part of the speech in which Tiberius refused the p.p title and oath for his acta has been preserved. Suetonius informs us that in 32 AD, after the fall of Sejanus, Tiberius wrote a letter to the senate which is usually taken to illustrate his utter self-disgust and the extremity of his wretchedness (29). Levick has unmasked it as a joke (30), designed to shield the senators from the anger of the princeps while putting them in their (inferior) place (31). Tacitus, trained in the rhetorical tradition of tyrant-slaying, is thought to have missed the joke.

31: cf. jokes and irony in Suet.Tib.52.2; Tac.Ann.3.35.1; 3.35.2.
because of his fascination with the mind of Tiberius and because he had Plato's view of the tyrant's sufferings ready to exploit (32). On the other hand, the presence of literary allusions to comedy need not necessarily be incompatible with a mind in some torment: "the intellectual exercise of forcing emotion into quirkish verbal conceits may help a literary-minded pedant to cope with despair (33)". Ambiguity of tone would serve Tiberius well in the circumstances.

At any rate, Suetonius (Iib.67.2ff) comments that some believed Tiberius was able to foresee the change in his character and circumstances through his knowledge of the future. Consequently, he knew in advance what loathing and ill-repute one day awaited him. This is then identified (ibid) as the reason behind his refusal of the pater patriae title when he became emperor and his refusal to allow the taking of an oath to support his acts. He feared that he might subsequently be found undeserving of such honours and thus be the more shamed (34). Suetonius then quotes from the speech (...ex oratione eius) which Tiberius delivered regarding these two matters. This speech, incidentally, implies that the senate supported the people's offer of p.p with an offer of their own. The Emperor seems to have addressed himself to the oath first, saying: "I shall always be consistent and never change my ways as long as I am in my senses; but for the sake of precedent the

34:...ne mov maiore dedecore impar tantis honoribus inveniretur.
senate should beware of binding itself to support the acts of any man, since he might through some mischance suffer a change". Then, in relation to the p.p title: "If you ever come to feel any doubt of my character or of my heartfelt devotion to you (and before that happens, I pray that my last day may save me from this altered opinion of me), the fatherly title will give me no additional honour, but will be a reproach to you, either for your hasty action in conferring this cognomen upon me, or for your inconsistency in changing your estimate of my character (35)".

The Emperor's attitude to these two honours is consistent with his pose as a Republican magistrate who is the servant of the senate. Tiberius, who would rather die than have his sincerity doubted, affects a concern that he might be found undeserving of the honour of the p.p title at some point in the future. This would then negate the honour, even if the doubt resulted not from his own inconsistency but from that of his subjects. Perpetual refusal is necessary so that the subjects will never have cause to regret their haste. This is palpably an extreme psychological interpretation, which fits the emphasis upon Augustus as pater after death. Augustus had shown that recusatio of p.p did not have to be perpetual to be of symbolic value. The honour plainly has symbolic and psychological dimensions: the rite by which the autocrat

35: Suet.Tib.67.4: Si quando autem, inquit, de moribus meis devotoque vobis animo dubitaueritis - quod prius quam eveniat, opto ut me supremus dies huic mutatae vestrae de me opinioni eripiat - nihil honoris adiciet mihi patria appellatio, vobis autem exprobrabit aut temeritatem delati mihi eius cognominis aut inconstantiam contrarii de me iudicii.
humbles himself in recognition of important sensibilities is couched in terms of heartfelt devotion and unrestrained reciprocal affection. The selflessness of the ideal benefactor and dependant cannot be maintained in reality. Tiberius has adopted an extreme psychological viewpoint in justification of his extreme pose of deference to Augustus and to Republican sensibilities.

For Tiberius, the p.p title is a matter of innate disposition. He connects it with his character (mores) and devotion to his people. He refers to it as the "paternal" title (patricia appellatio), and describes it as an honos/honor and a cognomen. Furthermore, to anyone who might seek to constrain him to a preconceived notion of consistent behaviour through awarding the title, Tiberius warns that it is they themselves who are more likely to be inconsistent in changing their estimate of his character. The meeting between the ideal and the reality governs the strictures of the scenario.

Dio's account of Tiberius' refusal of the p.p title soon after he came to power (36) comes in the context of illustrating the close co-operation with the senate which Dio believes he propagated before the death of Germanicus (Dio 57.7.2f). Dio too is inclined to make the p.p title a function of the emperor's relationship with the senate.

At some early point in his reign as well, Tiberius was greatly offended by a proposal in the senate that "son of Livia" should be included in his titulature along with "son of

Augustus (Suet.Tib.50.2)". Subsequently he would not allow Livia to be named parens patriae, nor to receive any conspicuous public honour. In addition, he often warned her not to meddle with affairs of importance and unbecoming a woman (ibid.50.3). Such honours for Livia could easily be construed in a sense detrimental to her son, though there is nothing incongruous in the evocation of Augustus’ memory or in the framing of Livia’s power in procreative/tutelary terms. She was of course a woman, a fact which makes all the more serious Tiberius’ claim that she sought an equal share in his rule (Suet.Tib.50.2). With regard to the parens patriae title, there is no necessary implication that Livia as parens is merely a reflection of Augustus’ p.p title.

On another occasion, Tacitus relates how Tiberius subsidized the price of corn in favour of the plebs [Tac.Ann.2.87 (19 AD)], a scenario in which the image of the emperor as provider of grain for his people assumes a symbolic importance that is in conformity with the ideal benefactor model. Yet Tiberius would not on this account accept the vocabulum parens patriae - parens perhaps for its connotations of sustenance in the circumstances (?). Furthermore, he administered a severe reprimand to those who had termed his occupations "divine" (divinae) and had called him dominus (Tac.Ann.2.87). According to Suetonius (Tib.27), he preferred that his deeds be termed laboriosae, a comment on the burden of his office which is reminiscent of Antigonus Gonatas’ statement
about kingship being a noble servitude (37). Tiberius, of course, is not implying that he holds a kingly position.

He so loathed flattery (adulatio) that he would not allow himself to be addressed as dominus (38). Yet he himself addressed the senators as domini (Suet.Tib.29) in a fashion designed to evoke the subordination of the Republican magistrate. Augustus also shrank from the title of dominus, even if used by his children or grandchildren (39). It seems that dominus was anathema to Augustus and Tiberius for its implication of slavery and the suppression of libertas (40), and Dio is careful to point out that Tiberius did not want to be called dominus by freemen (Dio 57.8.1). Tiberius remarked: "I am master of my slaves, general of the soldiers, and prince of the rest (Dio 57.8.2)". His concern was for the characterization of his relationships with various interest groups, in deference to their different status and the implication of subjection. This applied even if a member of one such group showed a willingness to waive this concern with its attendant sensibilities (as, for example, if a free man should address the emperor as dominus). It is more a matter of style than that the emperor in fact has a varying degree of power in relation to these groups. This appears to be the point behind Velleius' assertion that Tiberius wanted to be potius aequalem civem quam eminentem principem (Vell.2.124.2). Tacitus' conclusion (Ann.2.87) is that a speaker had to tread a narrow

38: Suet.Tib.27; Tac.Ann.2.87.2.
and slippery path under an emperor who feared libertas and hated adulatio. The terms are striking given Tacitus' hostility. The tyrant basked in adulatio and suppressed the libertas of his subjects, as was also the case between a master and slave. Despite Tiberius' hatred of adulatio, Tacitus makes the implicit claim that he suppressed the libertas of his subjects in the manner of a tyrant (41). The fine line between the father figure and the tyrant is encapsulated in this characterization and was evidently a major source of insecurity in practice. Libertas, originally the freedom of a citizen under the Republican regime, developed during the Principate into the freedom associated with life under a benign autocrat. It became primarily concerned with freedom of speech and thought under a just ruler (42). Senators knew that the father was a dormant tyrant, and the tyrant a hated father.

According to Dio (58.12.8, 31 BC), Tiberius was again offered the p.p title after the suppression of Sejanus. He duly refused the honour, along with birthday games. Suetonius' account (43) does not make explicit reference to an offer of p.p at this time, though it does refer back to the earlier refusal of oath and p.p. Dio further relates how, with Sejanus' removal, a statue of Libertas was erected in the Forum (Dio 58.12.4), commemorating the recovery of libertas after the removal of the tyrant. The subsequent offer of the p.p title to Tiberius in Dio's account provides another nice contrast.

41: cf. Ann.6.6.2, where the accusation of tyranny is made explicit.
43: see Tib.67, discussed above.
between the paternal autocrat and the tyrant. Tiberius gave notice anew that no one should introduce motions to confer such honours upon him (58.12.8).

After Tiberius, the Julio-Claudian emperors refused the p.p title at their accession but relented after subsequent urging (44). The extreme recusatio and Republicanism of Tiberius was incompatible with the developing autocracy, although the Augustan model of deference, involving initial refusal of p.p in particular, was binding. A couple of points need to be made. In the first place, it seems clear that the emperors were often prepared for "spontaneous" offers of the p.p title, especially when acceptance resulted. Their suggestion or at least some form of prior assent is suspected, even if it involved simply the absence of positive opposition to a mooted proposal. This need not have been a hard-and-fast rule in the beginning, but as the autocracy develops it appears increasingly to have been the case. The selfless ideal in general was carefully stage-managed: appearances in the senate and before the Roman people at games and congiaria etc. were opportunities for presentation of the imperial image. The emperor and his advisers were fully conscious of this fact.

Secondly, it is assumed here that the senate henceforward adopted the primary role, and that it offered the p.p title along with the clutch of imperial powers and titles on the accession of each emperor. This means that (by a remarkable absurdity) later emperors were actually imitating Gaius rather

44: Gaius: Dio 59.3.2; Claudius: Dio 60.3.2; Nero: Suet. Nero 8.
than Augustus in the *recusatio* of p.p.

Hammond is mistaken in claiming that Gaius wholly refused the p.p title during his lifetime (45) and that it appears in his formula only after his death (46). Dio says clearly that Gaius "took in one day all the honours which Augustus had with difficulty been induced to accept...during the long extent of his reign...Indeed, (Gaius) postponed none of them except the title of 'Father', and even that he acquired after no long time (59.3.2)". The contrast with (and indeed the single similarity to) Augustus is important. Others were measured against him. In Gaius' limited *recusatio* and ultimate acceptance of p.p we see an attitude more in conformity with the political and social realities. A certain deference to the Republican past is demanded, and is delivered via limited *recusatio* and a singular highlighting of the p.p title among all the other honours and prerogatives of Augustus (47). The selfless benefactor model remains fundamental, though the deference to Republican sensitivities is not now as acute. These are certainly not negligible, but their decline explains commensurate decline in the importance of *recusatio* and p.p. That the p.p title (theoretically capable of evoking the ideal in a broad sense) should decline in these circumstances is indicative of the extent to which it has become identified with traditional sensitivities, perhaps mainly because of its role in situations

that highlight these sensitivities — as in the senate. In the
Res_Gestae, Augustus’ autocracy is underplayed in line with his
concern for Republican form (e.g. RG 34.3, where it is more a
matter of auctoritas than potestas). Hence the selflessness of
the ideal is primarily expressed through deference for
tradition. Gaius is much more at home with autocracy than
Augustus or Tiberius. The image of the Republican magistrate is
considerably overshadowed. The autocracy of the princeps can
even be accepted as an incontrovertible fact and be aligned
with the selfless ideal via the image of the arbiter who uses
his power with compassion. More will be said on this image in
the section on Seneca’s De_Clementia below.

In January 1978, during excavations conducted by the
French School at Rome, H.Brose found two important fragments
which contain minutes of the activities of the Arval Brethren
in the year 38 AD (48). One fragment shows that the Arval
sacrificed on 21 September in recognition of Gaius’ receipt of
the p.p title on that day. The balance of probabilities
suggests that the event commemorated took place in 37 rather
than 38 (49). For a start, the fragment found by Broise
contains the phrase *patris_patriae_nomen_recepisset* (see
below), the tense alluding more naturally to 37 than 38.

Dio’s statement (59.3.2) that Gaius accepted the p.p title
after a short time, and Mattingly’s view of the numismatic


the date.
evidence, also leads one to favour 37 (50). Mattingly supposed on the basis of the correlation between TR POT (rather than TR POT ITER or II) and P P on coin legends that Gaius, who was acclaimed Emperor on 16 March 37, had received the p.p title "early in 38 (51)". The coin types in question combine an obverse head of the Emperor, laureate and surrounded by titulature, with the reverse legend S P Q R P P OB C S in an oak wreath (52). This combination occurs on ages coinage as well as on gold and silver, with slight variations in the form of the reverse legend. Because of the appearance of TR POT on the first P P coins, the date has been accepted as "AD 37-38", which fits a September 37 date. Although this coin evidence is not as conclusive as it seems, since no coin of Gaius has TR POT II and only one type has TR POT ITER (53), the accumulation of evidence favours 21 September 37 as the date of Gaius' acceptance of p.p. These coins attest once more the link between the corona_civica and the p.p title in the imperial ideology. Moreover, they juxtapose an obverse portrait, in the manner of a Hellenistic king, and a reverse which may be conceived in terms of honours not incompatible with Republican sentiments (RG 34.2, 35.1). Both the obverse and reverse are images of authority and both are images of the emperor; in

51: BMCRE I.cxlv.  
53: RIC I (rev).109, no.20. TR POT III and TR POT IIII are in evidence.
combination they give an idea of the way in which contemporaries perceived the state (54).

Acceptance of p.p in September 37 fits rather nicely with the political development of Gaius' reign. Just prior to this date there had been a number of displays of modesty which could readily be aligned with the p.p title. For instance, out of respect for the consuls already in office, Gaius only assumed his first consulship on 1 July, although the senate had already offered it to him earlier. In addition,

"he had already emptied the prisons of those accused of treason under his predecessor; he had destroyed, so he said, the records of the trials of Agrippina and his brothers without reading them, thus ridding anyone possibly implicated of the fear of reprisals; he had paid no attention to the denunciation made to him of a conspiracy; he had permitted the circulation of the historical works forbidden under Tiberius; he had forbidden the erection of statues to him; and he had invited people not to put themselves out to pay homage to him in the street. In short, here we have the whole series of laudable actions which the ancient anecdotists were pleased to collect in preparation for the time when Gaius...reached the unforeseen point of breakdown and transformation, after which there would be nothing but perversity and folly (55)."

Gaius' receipt of the p.p title came in the midst of a number of celebrations. On 31 August, there was the emperor's

own birthday (he had been born on 31 August AD 12 at Antium). 21 September was not in itself a day of special religious significance, but 17 September (56) was a festival day because it was the day on which Divus Augustus had been consecrated by senatorial decree (57). Moreover, 23 September was marked by great celebrations for the birthday of Divus Augustus (58). Scheid and Broise (59) plausibly conjecture that Gaius was trying to enrich the significance of his receipt of p.p by associating it with these festivals. Roman festivals which are separated by a day are in general intimately connected, and the Roman knights at least were accustomed to celebrating Augustus' birthday for two successive days, September 22 and 23 (Suet. Aug. 57.1).

Lines 57-58 of Broise's Fragment B read as follows:...OVID EO DIE C.CAESAR AVGSTYS GERMANICVS CONS[ensi] / SENATVS DELATVM SIBI PATRIS PATRIAE NOMEN RECEPISSET (60). At the end of line 57, Scheid and Broise were guided by the thoughts of P.Grenade (61) in favouring the restoration cons[ensi] senatus instead of cons[ulto] senatus. The wording of the fragment, it should be noted, seems to suggest that already the senatus was the operative agency alone in this matter. Grenade highlighted the stress on harmony, unanimity and consensus which was evident both at the time of Gaius' accession and as a

56: CIL 1.1(2).244 - Fasti Amitern.
58: Drusilla seems also to have been consecrated on this day in 38 (QCD(2), p.365).
60: ibid, p.225.
conspicuous feature of the contemporary political rhetoric (doubtless to be reproduced in these Arval fragments) (62). Emphasis upon unanimity and consensus is, of course, understandable in a context which evokes the ideal response to the selfless benefactor. Hence the restoration seems quite plausible. Gaius was acclaimed Emperor on 16 March 37, the day after Tiberius' death. Two meetings of the senate followed on 18 and 28 March in consequence of which Gaius was recognized as princeps. Grenade, in a view which is perhaps unnecessarily neat, feels that the first meeting showed consenus senatus and the second consenus universorum (63). The notion of consensus certainly figures prominently on Gaius' coinage and in Suetonius' account of his accession (64). It was also important when Augustus received the p.p title (65). The example of Augustus was evidently of great importance. DIVVS AVG PATER PATRIAE is honoured on the reverse of gold and silver coins throughout Gaius' reign (66). The context, symbolism and the ideas surrounding the title seem now to have evoked the first princeps.

Claudius followed Gaius' lead in first of all refusing the title and then in accepting it after a relatively short interval, apparently in January AD 42 (Dio 60.3.2). A fragment

62: ibid, pp.221-260 (Le vote "per consensum") and pp.261-289 (L'avenement per consensum universorum), and especially the study of Caligula's accession (pp.271-289).
from the Arval Acta, which also mentions the consecration of Livia, shows the approximate date on which Claudius accepted the p.p title, 6-12 January (67). Henzen assigned the acceptance of p.p to AD 42 (68). Mattingly believes that Claudius accepted the p.p title in January 42 (69), from which time it appears on aed coinage (70). It does not appear on gold and silver until 46, when it appears in a reverse legend (71), and only in the obverse title on gold and silver coins in 50-51 (72). From this evidence, Mattingly deduces that "at the end of his first five and then again at the end of his first ten years Claudius consented to extend his use of the honour (73)". The revised Roman Imperial Coinage I, drawing attention to the fact that P P first appears with COS II in the reverse legend on aed coins, also dates Claudius' earliest P P coins from 5 January 42 (74). As was the case with Tiberius earlier, the offer of p.p at this time might perhaps be connected with the oath-swearing ceremonies of the New Year. Claudius made the senators swear to the acta of Augustus and he himself took the oath, but with respect to his own acta he permitted nothing of the sort on the part of any of them (Dio 60.10.1).

Smallwood dates the relevant Arval fragment "between 43

67: Dio 60.5.2 gives no specific date for Livia's consecration.
69: BMCRE I/cli.
70: BMCRE I/1xxii, cli.
71: BMCRE I/cli; RIC I(rev).123.
72: BMCRE I/lxix; RIC I(rev).121.
73: BMCRE I/cli.
74: RIC I(rev).126. For fixed meetings of the senate on the Kalends and the Ides of each month as dictated by the Lex Julii de senatu habendo of 9 BC, see R.Talbert, Senate (1984), s.v.
and 48 (75)". Consequently, Jones and Milns, who think that Claudius could have emphasized Gaius’ lack of deference to the senate, put his acceptance of p.p in 43—"almost exactly two years after his accession (76)". This date seems based upon a misreading of Smallwood.

Coins of Claudius carry the legend EX S C OB CIVES SERVATOS inside the oak wreath (77). The obverse usually carries a portrait of Claudius surrounded by the imperial titulature. Other issues, dated from January 42 by Mattingly (78), show the reverse legends S P Q R P P OB C S (gold and silver) (79) and EX S C P P OB CIVES SERVATOS inside the oak wreath (aes) (80), the arrangement familiar from Caligula’s coins. We may note too that P P appears at the end of Claudius’ titulature from a comparatively early date, as it did previously on a number of Gaius’ coins. This appears to indicate some attempt to resolve uncertainty about where to place p.p, which is evidently a less momentous element now. The imperial titulature as a whole seems to have meaning in that it evokes continuity with the Republican past; the p.p title, which in any case is commonly taken after the other titles and prerogatives, may have been put at the end in recognition of its distinctive character as an honorific appraisal of

75: E.M. Smallwood (1967), no. 13; cf. no. 12, where p.p is restored in a fragment of 43.
77: BMCRE I. clvi, 181; RIC I (rev). 122 (gold), 128 (aes).
78: BMCRE I. clii.
79: BMCRE I. cliv, 170ff; cf. 198; RIC I (rev). 133f.
autocratic style which takes into account deference for Republican sensibilities.

An episode under Claudius represents a new development in the use of father imagery (Tac. Ann. 11.23ff). As censor in 47/8, Claudius instituted a number of reforms which affected the composition of the senate. The admission of the Gauls was prominent among them. Senatorial families of long standing were admitted to the ranks of the patricians. When faced with the problem of removing senators of flagrantly scandalous character, Claudius adopted a lenient method in preference to one in the spirit of old-world severity. It depended on some members voluntarily renouncing their rank: he would then publish the names of the expelled and the excused together with no mark to distinguish between them. The leniency, so one supposes, was towards those who did not denounce their rank but might be thought to have done so. On account of these reforms (ob_ea), apparently not just for his leniency alone, the consul Vipstanus proposed that Claudius should be called pater senatus, saying: "The cognomen pater patriae he would have to share with others: new services (nova merita) to the state ought to be honoured by uncommon phrases". But Claudius personally checked the consul for carrying flattery to excess (Tac. Ann. 11.25).

There was a lot of opposition in the senate to Claudius' reforms, and the Emperor apparently felt it inappropriate to accept the father honour in such circumstances. Yet there may have been more to it than flattery or even cynical irony; the
senate perhaps hoped to regulate Claudius' future behaviour in this regard by stressing the ideal. The regulatory aspect is difficult to estimate, but it should not be overlooked.

Tacitus makes the proposal of the *pater senatus* title (partly) a product of Claudius' leniency, as opposed to severity. The gentle use of power is once more at issue. Vipstanus describes the *p.p* title as a *cognomen* (also an honor and a *vocabulum*) and, like *pater senatus*, it is awarded for *merita* (benefits, services) to the *res publica*. *Res publica*, in this instance, is implicitly associated with *senatus*, another indication that our (senatorial) sources for the Julio-Claudians assessed imperial government largely in terms of the emperor's relationship with the senate. When Vipstanus describes the *p.p* title as *promiscum*, it may be that he sees, in *pater senatus*, a title distinctive for the senate, explicitly free of association with other groups of the *patricia* (equites, plebs); alternatively, he may mean that *pater senatus* would be distinctive for Claudius, free of association with the *p.p* titles held by his predecessors (the sense adopted by the Loeb translator). Either way, as our sources see it, the father analogy is now of special significance to the senators.

Nero likewise accepted all the honours that were heaped upon him at his accession except one, the *p.p* title, and that because of his youth (81). This factor did not deter Gaius, though he was older than Nero, and it is somewhat ambiguous. Is

81: Suet. *Nero* 8: *ex immensis, quibus cumulabatur, honoribus tantum patris patriae nomine recusato propter aetatem.*
it that Nero was younger than Augustus or Gaius, or younger than the stereotypical father? It is quite possible too that *propter aetatem* is merely a gloss by Suetonius, especially since Nero was hardly much older when he took p.p. Nero apparently intended to take the title only when he had earned it through his own *merita* (82). He had accepted p.p by the date of publication of the De Clementia, late 55 or early 56 (83). K.R. Bradley is warranted in feeling that the proposal for Nero to be awarded this title at so young an age suggests that it had now become a stock feature of the imperial apparatus— but, it should be noted, only with *re cusatio* (84). Neronian coins combine the oak wreath with the legend EX S C (gold and silver) (85). P P does not appear inside the wreath as it did under Gaius and Claudius, but it may appear as part of the titulature around the wreath (86). In 60–61, the popular *corona civica* reverse type (gold and silver) was replaced by "standing figure" types representing Ceres, Roma, and Virtus (87). Nero never omits p.p on his *aes*, although it is often absent from the titulature on gold and silver (88).

82: Suet. Nero 10.2; cf. BMCRE I.clxxi.
83: Clem.1.14.2; cf.1.9.1; cf RIC I(rev).151, nos.8, 9.
86: BMCRE I.201ff; RIC I(rev).151.
88: BMCRE I.lxxxii.
Seneca's *De Clementia*.

In the *De Clementia*, although Seneca highlights moderation and a deferential attitude, he does not attempt to downplay the extent of the emperor's power or the dramatic deeds of which he is capable. Thus Nero appears as a mixture of great power and love. The basic image would not have been unfamiliar to Romans. It is similar to that depicted by Cicero (*Cael.105ff*) when referring to Caelius' father as an illustration of the ideal Roman father - a figure of undeniable, dramatic power mitigated by great love which prevents its abuse, a mixture of the old severity and the new tenderness. However, the ideal ruler of the *De Clementia* is more a figure of *potestas* than is usually the case when reference is made to the *pater patriae*. Such an image suits the political purpose and context of Seneca's work.

One consequence of Seneca's depiction is that the image of the *princeps* as *iudex* comes to the fore. In accordance with the selfless ideal, the compassionate exercise of power is emphasized. *Clementia*, well known in Roman politics since the time of Caesar, is the virtue which is focused upon. Most strikingly, the Principate is presented baldly as a monarchy (89). The power of the ruler is not played down. He is quite clearly a figure of *potestas* as well as *auctoritas*, and is not

unduly worried about Republican niceties. As *pater patriae* he is said to have been endowed with *patricia potestas* (Clem. 1.14.2). This statement, compatible with the political reality of the developed principate, stands in stark contrast to the understated autocracy of the *Res Gestae*. However, it should not be taken that the p.p title now carries a grant of legal power. Seneca appears to be using *patricia potestas* as an analogy for the dramatic imperial power he depicts; it represents a rationalization of the autocracy in terms that evoke the moral constraints against arbitrary exercise of unlimited *potestas* by the *paterfamilias*. This begs the question about the relationship between the emperor and the law, a relationship which was problematic in spite of a manifest concern for legal form and procedure (90). The fact that this fundamental relationship was problematic is illustrative of the ambivalence inherent in the Roman monarchy, an ambivalence that in turn shows the strength of the ideal terms in which the emperor was perceived. Instead of attempting to pin the emperor down with legal hedges, and risking a violent backlash, the society seeks in a regulatory manner to emphasize the powers and virtues of the ruler in line with the selfless ideal. Seneca’s *De Beneficiis* embodies the notion that the emperor *omnia habet* (Ben. 6.7), but this is mitigated by the image of the fatherly emperor who operates as a selfless benefactor.

The *De Clementia* and *De Beneficiis* belong to the period of Seneca’s influence with Nero. The former is dated to late 55 or

56 by the reference to Nero's age at Clem.1.9.1. The latter, addressed to Aebutius Liberalis, was written after the death of Claudius, with 56 as a terminus post quem for Book II (91).
T.Adam sees the De Clementia as an attempt to formulate an ethical basis for the Principate (92). According to this view, Seneca's method was to gather Hellenistic "Royal Mirror" literature, whose influence is clearly suggested in the opening sentence (93), and apply it to the Roman monarchy. The use of ideas was eclectic. A variety of themes were lifted from the Greek sources: for example, monarchy as a noble servitude, the monarch as representative of the gods, and the universal benevolence of God mediated to mankind through the ruler's philanthropia or, in Aristotelian terms, his epieikeia (94). It is not clear whether Adam thinks Seneca was motivated by philosophic or by more practical political concerns (95).

The view that highly theoretical political ideologies were pervasive at Rome has been forcefully questioned. As M.Griffin points out, the De Clementia stands as the only theoretical work on the Principate that we have (96). Nor is it easy to see Seneca as a great humanist in a decadent environment, extolling the moral worth of each individual regardless of rank or class through his advocacy of a new concept, humanitas (97). This is

93: ut quodam modo speculī vice fungerer...
the same man who rose to be the Emperor’s tutor and subsequently amassed a fortune, bleeding provincials dry in the process (98). He wrote in a work of philosophy that the principle thing in life is to escape the bondage to self, and to cease looking for a personal reward for your services (Nat. Quaest. III, Pref. 16-17.); but he was quite unable to put this into practice. Perhaps the details of Seneca’s life do not necessarily preclude his exposition of a theoretical position not in accord with his practice, but it remains more probable that the De Clementia was motivated by practical politics.

A spirit of civilitas permeated the administration during Nero’s early years and facilitated senatorial approval of the young Emperor. The co-operative atmosphere seems largely attributable to Seneca (99), and the De Clementia was his most important statement in relation to it. The work appears to have been intended to commit Nero, after the assassination of Britannicus, to a public policy of clementia (100). There is also a strong message for Nero’s subjects, especially the upper classes. They are left in no doubt about the realities of power on the one hand, but are reassured on the other (101). Opposition to Nero would be futile. He is the arbiter of life and death for everyone (Clem. 1.1.2). It is especially striking that the work does not, as did Nero’s accession speech to the senate, make reference to a role for the senate. In the

101: ibid, p. 138ff.
accession speech, Nero followed Claudius in naming Augustus as his model (102). Monarchy is justified in the De_Clementia not only philosophically but also as a practical necessity; without it the pax_Romana will collapse (Clem.1.1.2). The princeps as iudex was suggested by the contemporary conditions of imperial and senatorial cognitio (103). Thus, the conception of clementia has juristic and political aspects (104). It is a negative conception, suitable for a man with absolute power immersed in Roman politics: "psychologically, the absence of anger; practically, the absence of arbitrariness and immoderation introduced by anger into punishment (105)".

The political purpose of the De_Clementia is thrown into relief when its optimistic tone is compared with Seneca's later ideas about the Principate in other philosophical works. He wrote in an extremely pessimistic vein between his retirement in 62 and death in 65 (106). A consideration of his attitudes to the heroes of the late Republic and to the Julio-Claudians suggests to Griffin that Seneca came to lament the change from Republic to Principate, the latter being regarded as a "necessary evil (107)". Seneca feared the potential for tyranny inherent in the system, but was not prepared to carry his fears to the point of activism against the Principate itself. His writings reflect not only development in philosophical thought but also political context.

102: M.Griffin, Seneca (1976), p.130.
104: ibid, p.151ff.
105: ibid, p.168.
107: M.Griffin, Seneca (1976), Appendix.
Many of the ideas in the *De Clementia* had been known at Rome long before. They recur because the same general ideal is at issue. The basic distinction is between the fatherly *princeps* and the tyrant. Claudius is probably to be identified strongly with the latter. He was depicted in the *Apocolocyntosis* as a figure of cruelty and wrath (108), and the emphasis upon a return to legality contrasts with the harsh arbitrariness of Claudius' reign. It is primarily the laws which mark off *principatus* from *dominatio* (109). Notable is the fact that, apart from one reference to Alexander, all the numerous examples in Book I are drawn from Roman tradition, a fact which compensates to some degree for the absence of deference to Republican sensitivities in the blatant acknowledgement of imperial autocracy — even the word *rex*, in the sense of the Greek good king (*basileus*), is employed in association with *princeps*! However, the concentration on the *princeps* as *iudex*, and on the attendant virtue of *clementia*, represents a narrowing of the focus of Hellenistic works, in which the monarch is concerned broadly with the well-being of the state. This reflects the purpose of the work, dealing with insecurity among the elite after the death of Britannicus.

Although the *De Clementia* is incomplete, its aim and structure is fortunately outlined at 1.3.1. The first part deals with the practical exercise of *clementia*, the remission of punishment which the ruler as *iudex* has power to grant. In the fragmentary Book II the aim is to define the nature and

aspect of mercy (clementia) in itself: this is to be more strictly philosophical, and the illustrations it employs will not be confined to national sources. The third and final book will be concerned with psychological questions, how mercy is learnt and developed.

In Book I, the iudex, while paying attention to the laws, is seen to operate above them, supra leges, exercising his will even contra legem, and when his will is benevolent it is clementia. Adam (110) gives the unimportant Neopythagorean writers rather too much credit for this image (111). The ruler’s clemency emerges as an expression of his greatness of soul, his magnanimitas. He should temper absolutism with clemency of his own free will. As in Hellenistic theory, Seneca in this part describes the ruler as father or protector of his subjects, concerned for the common well-being, the salus publica. He guarantees libertas by assuring the security of the state and its members. In comparison to Hellenistic works, however, the father analogy receives more emphasis. Specifically, it is the image of the Roman paterfamilias which is evoked, a dramatic image for Roman citizens who are being warned not to buck the system. The Emperor, like the paterfamilias, is a figure of unlimited potestas balanced by moral duty, although his sphere of operations is much larger. In Book I, clementia is pictured as the virtue particularly applicable to such a ruler.

Nero is the arbiter of life and death for the nations; each man's lot in life rests in his hand (Clem.1.1.2). Such a formulation is not incompatible with the image of the paterfamilias who holds the lives and property of his dependants in his hand. Like Zeus or Jupiter, Nero's very nod would see thousands of swords drawn, and whole nations receive libertas from him (Clem.1.1.2). The image of the sword recurs at intervals (e.g. Clem.1.1.3, 1.9.1, 1.11.3, 1.25.3) as an indicator not so much of the source of power as of its ultimate extent, the right to kill (112). He has undertaken a mighty burden (ingens onus: Clem.1.1.6), but manages to keep severitas hidden and clementia ever ready at hand (Clem.1.1.4).

Rightly so, since by sparing another he spares himself (Clem.1.1.4; cf.1.5.1). For his protection of the res publica the Roman people hold him dear (Clem.1.1.5). Given that the false quickly lapses back into its own nature, it is clear that his goodness (bonitas) is innate (naturalis), not assumed for the sake of appearance (Clem.1.1.6). The people do not see dissimulation as a problem with Nero.

Seneca now explains why clementia is especially appropriate in a ruler. In view of the potency of his power, and his concern (cura) for the safety (salus) of everyone, no man is better graced by clementia than a rex or a princeps (Clem.1.3.3; cf.1.19.1). Not only does clementia find more to save with him, it also exhibits itself amid ampler opportunities (Clem.1.5.2). Subjects will lay their bodies

beneath the feet of such a man if his path to safety (salus) must be paved with slaughtered men (Clem.1.3.3). Augustus was finally made to see that he had accomplished nothing by severitas (Clem.1.9.6). Clementia worked perfectly in reconciling Cinna to him after Cinna had plotted to kill Augustus like a parricide (cf. Clem.1.9.11). Augustus was a bonus princeps, who well deserved the nomen of parens, for no other reason than because he did not avenge with cruelty even the personal insults which usually sting a princeps more than wrongs (Clem.1.10.3). The difference between tyrants and kings is that tyrants are cruel to serve their pleasure, kings only for a reason and by necessity (Clem.1.11.4). Kings only kill when induced to do so for the good of the state (publica utilitas). Tyrants take delight in cruelty (saevitia) (Clem.1.12.1). It is clementia that makes the distinction between a king and a tyrant as great as it is...one uses his arms to fortify goodwill, the other to curb great hatred by great fear (Clem.1.12.3). A soldier under a king who is peaceable and gentle is willing to undergo any hardship as protector (custos) of the parens (Clem.1.13.1). The population are eager to rear up sons under such a man, and the childlessness once imposed by public ills is now relaxed (Clem.1.13.5). His duty (officium) is that of good parents who are wont to reprove their children sometimes gently, sometimes with threats, and at times even by stripes. Only when the case is hopeless does a father in his senses resort to extreme measures (Clem.1.14.1; cf.1.16.3).
The quite pointed equation between a fatherly king and a tyrant in relation to their power to kill subjects (cf. *Clem.* 1.21.2), and their differentiation by an attitude of mind and sense of duty that give rise to *clementia/crudelitas*, is accommodated by the image of the Roman *pater familias* in a way that would be impossible in a Greek treatise. Hellenistic kingship literature does not emphasize the power to execute subjects, and it is perhaps implied that the good king would have no need to do so. The Roman father is (potentially) more dangerous than his Greek counterpart, and this fact gives the father analogy a poignancy in the *De Clementia* which it lacks in comparable Greek works, in spite of the fact that it remains a positive analogy for the just ruler. A greater propensity for fluidity is apparent. A Roman father may even kill for the sake of the state and remain a father in the benign, loving sense. Yet "the public interest" is not something which is objectively determined, a fact which Seneca omits as it is unlikely to differ from the self-interest of the father in question. Seneca is not saying that there is something which Nero cannot, or even should not, do. He is more concerned with the intangible attitude of mind which mitigates capricious exercise of unlimited power.

In elucidating the duty of the ruler, Seneca focuses upon the *p.p* title. The duty of a *pater* is like that of a *princeps*, who is called *pater patriae* not in empty flattery (*vana adulatio*). Other cognomina, such as *Magnus*, *Felix* and *Augustus*, have been granted merely by way of honour, but the *pater*
patriae is entrusted with patria potestas, the power of the paterfamilias who is most forbearing (temperantissima) in his care for the interests of his children and subordinates his own interests to theirs (Clem.1.14.2). Weidauer believes that Seneca in this passage deliberately rejects the original meaning of the title as an honour to the founder or conservator of the state in favour of the "later" senses that prevailed when it had become a part of the normal titles of the princeps, i.e. the analogue with the paterfamilias (juristic sense), and the inspiration to a relationship of love and respect between rulers and subjects (parenthetic sense) (113). However, these senses had always been present; it appears instead that Seneca has chosen to highlight potestas over auctoritas in a way that is not the norm. The analogue with the paterfamilias operating juristically could have been envisaged as a nuance in 2 BC. It is not emphasized in the Res Gestae because potestas connotations were not in conformity with Augustus' presentation. In the De Clementia, on the other hand, Seneca has focused upon reality rather than forms (114). He is not dismissing any of the senses in which "father" might be understood; he highlights patria potestas because it is consistent with the tone of his work and the image of the emperor that it propagates. Cicero had compared Caesar's jurisdiction to that of a father exercising patria potestas (Lig.29-31, 33.). We might expect potestas connotations to

114: M.Griffin,Seneca (1976), p.147.
appear more readily as *reatusatio* and Republican sensibilities decline. In general, however, the p.p title retains its link with "Roman" and "Republican" sensibilities in the evolutionary cultural and political process. Clem.1.14.2 is not a passage from which to draw legal implications for the p.p title (115). Compare, for instance, Seneca's later assertion that it is more just (*iustior*) for Nero to view free men not as slaves but as being in his *tutela* (Clem.1.18.1). The mention of *patria potestas* in Clem.1.14.2 is immediately offset by the accepted fact of its temperate use. The point is to emphasize the selfless exercise of unlimited power by comparison with the most readily recognizable model from Roman society, the *paterfamilias*.

The father analogy is developed in succeeding sections (cf.Clem.1.15.2) and the theme remains the same. A father would be slow to sever his own flesh and blood (Clem.1.14.3). Importantly, Augustus is characterized as a strong supporter of the theme. For example, the *auctoritas* of Augustus manages in the end to rescue Tricho, despite the fact that Tricho had violated the very point at issue by flogging his son to death (Clem.1.15.1). Then Seneca cites Augustus' behaviour on the *consilium* of Tarius as an example of a *bonus princeps* with whom you may compare a *bonus pater* (Clem.1.15.3). During the proceedings, Augustus was careful to prove that his *severitas*
was disinterested (Clem.1.15.6), and in the end he favoured banishment from the city and from his father's sight rather than the sack, serpents or prison (Clem.1.15.7; contrast Claudius at Clem.1.23.1). Nero has the opportunity to surpass the clemency and security of Augustus.

This is the spirit of clementia that graces the princeps; wherever he goes he should make everything more peaceable (mansuetiora omnia) (Clem.1.16.1). Through clementia a king will be assured of the safety that comes with the love (amor) of his countrymen (Clem.1.19.6). He lives a life which all men hope may last, and for which all voice their prayers (vota) when there is none to watch them; men's fears, rather than hopes, are excited if his health (valetudo) gives way a little; no one holds anything so sacred that he would not gladly give it in exchange for the safety (salus) of the princeps (Clem.1.19.7). The terms are intimately associated with the imperial cult. A man of such bonitas (Clem.1.19.8), who bears himself in a godlike manner, who is beneficent and generous and uses his power for good, is he not second only to the gods? This should be Nero's aim: to be considered the greatest man, only if at the same time he is considered the best in virtue (Clem.1.19.9). His pre-eminence, therefore, should be based upon the qualities of our selfless benefactor, the "best man" of Greek political treatises. Such a princeps experiences the true happiness of giving safety (salus) to many, of calling them back to life from the verge of death, and of earning the civic crown (corona civica) by showing clementia (Clem.1.26.5).
To save life by crowds and universally is a godlike use of power (divina potentia) (Clem. 1.26.5).

Augustus explained his corona civica as a reward for handing back the res publica (RG 34.2); here, with the changed focus, it is associated with the ruler as iudex, and, whereas Augustus was simultaneously awarded a golden shield upon which four virtues were commemorated, Nero's civic crown commemorates clementia alone. Pliny the Elder, who laments that it should be deemed meritorious not to kill fellow-citizens, likewise makes the corona civica a product of clementia (NH 16.7.). In the Octavia, the killing of hostes by a leader is an inferior virtue to the saving of citizens by the pater patriae (Seneca(?), Octavia 5.442ff.). The implication is that the latter is achieved by refraining from killing citizens. It appears best to conclude from this evidence that the corona civica and the p.p title are applicable to the selfless ideal in its broad sense. Moreover, there is no single virtue or canon of virtues to be associated with the ideal. However, a hostile assessment, or one which is concerned with the reality of relations between the emperor and his senatorial peers, is apt to highlight clementia in recognition of the fundamental fear of execution. This fear would have been present from the start. Therefore, the difference in interpretation of the corona civica and p.p title by Augustus and Seneca is a product of their contrasting presentations of the imperial office in line with the date, purpose and tone of their works.
Adam associates the abstract *clementia* of Book II with a quality higher than law, the abstract *justitia* or universal *Nomos* which the true ruler has to represent. This is a theme traceable to the earliest Stoics and also to Greek literary sources such as Pindar. Adam explains Seneca's shift of emphasis by the suggestion (116) that, in the first book, Seneca was holding up the mirror of the prince to Nero himself in order to encourage him to moderate his absolutism with clemency. In the second book, the mirror reflects Seneca's favoured view of a ruler, as one whose function is to serve justice. Griffin's view (117) is again preferable: the work has a double literary character, a kind of *Peri Basileias* (Book I) combined with a philosophical dialogue defining and analyzing the virtue of *clementia* (Book II). Some contrast between the two books is therefore inevitable. In terminology, for example, *severitas* is opposed to *clementia* in Book I but is linked as a virtue in Book II. Yet there is no fundamental difference in doctrine between the two books. The conflict is between "common usage" and technical philosophical vocabulary (118).

Under Nero, people can rightly look forward to a new golden age (cf. *Clem. 2.1.3*). Men will thrust out covetousness (*cupido*) and will conspire for righteousness (*aequitas*) and goodness (*bonitas*). Piety (*pietas*), uprightness (*integritas*), honour (*fides*) and temperance (*modestia*) will rise again, and vice will give place to an age of happiness and purity.

(Clem.2.1.4). There will be times, however, when Nero will have
to condemn criminals, after great procrastination and with
great reluctance (Clem.2.2.3). Therefore, he must learn to
distinguish clementia from pity (misericordia), a fault, not a
virtue (Clem.2.3.1). Clementia relates to the inclination of
the mind towards leniency in exacting punishment (Clem.2.3.1),
and consists in stopping short of what might have been
deservedly imposed (Clem.2.3.2). Cruelty (crudelitas) is the
inclination of the mind toward the side of harshness (ad
asperiora). This quality clementia repels; with severitas she
is in harmony. Pity regards the plight, not the cause of it;
clementia is combined with reason (Clem.2.5.1). The wise man
will not pity, but will succour, will benefit, and since he is
born to be of help to all and to serve the common good, he will
give to each his share thereof. He will aid all the worthy
(dignus) and will, in the manner of the gods, look graciously
upon the unfortunate (Clem.2.6.3). Clementia has freedom in
decision; it sentences not by the letter of the law, but in
accordance with what is fair (aequus) and good (bonus)
(Clem.2.7.3).

In Book II, Seneca has difficulty with some of the
accepted tenets of the Stoic school (119). For example, his
emphasis upon the place of clementia in jurisdiction seems to
contrast with the Stoic conception of justice, taken over from
Aristotle, as practical wisdom in things to be assigned. In
case of punishment, what was deserved was what was fixed by

Stoic doctrine, therefore, seems to have ruled out the mitigation of penalties. Seneca seems to rely on rationality. **Clementia** leads to a rationally justified remission of penalties; justice may lay down a range of penalties, of which **clementia** will select the most lenient, without violating justice. This facilitates a mitigation of penalties that does not offend the demands of justice but rather fulfills them, something like the Aristotelian theory of **epieikeia**, whose nature is to be a correction of the law where its universality makes it imperfect, a kind of justice going beyond the written law. However, Seneca has not borrowed from Aristotle. His idea of clemency bears an ambiguous relation to the law. He ignores the usual Stoic identification of the just penalty with the statutory penalty. The norm according to which we recognize **clementia** and **severitas** is not law. The answer seems to lie with the Roman procedure of **cognitio**, according to which the judge was free to fix the penalty, even where the case was covered by the existing law (120). The Stoic demand for justice, without its inflexibility, could be met within the framework of **cognitio** by conceiving the penalty to be mitigated as the harshest of a range of penalties that could justly be imposed. **Clementia** is related to the harshest penalties justifiable in the case, viz., not to a fixed norm but to **severitas**. Both are compatible with justice and both are virtues in that they give proper reasons for their different proposals. Arguments which might be used in such procedure are

120: *ibid*, p.161ff.
apposite not to a trial before *judices* but before a father and his *consilium* (Cic.Lig.29-30.), or the *princeps* and the senate.

Seneca was attempting to provide some practical guidance for *cognitio* cases within the framework of Stoicism. He sought to change the image of the *sapiens* as judge from a rigid dispenser of penalties, according to law or desert, to a dispenser of remedies, serene but devoted to the conservation of human life. The practical reality of *cognitio* proceedings was couched in rather metaphysical talk about a "return to innocence (121)". As the emperor stood above the law, following his own sense of right and wrong rather than legal principles, the *clementia* manifested was that appropriate to the selfless benefactor of the state. It encompassed political and private wrongdoing, for which the emperor was responsible as ruler and moral guardian, the figure who could bring back the Golden Age and end vice in favour of virtues through *pax*.

In conclusion, the *De Clementia* is a work of exhortation, admonition and plain flattery. Seneca has no wish to play down the Emperor's absolute power, and at the same time he wishes to place it in the context of the selfless ideal. It is doubtful whether a Hellenistic writer in a similar political situation would have employed the father analogy to the degree that Seneca does. A Greek would not have been able. Yet this usage remains in conformity with the ideal, which is capable of encompassing the fluidity apparent at Rome. The *pater patriae*

of the De Clementia is not like the figure whom Tiberius spoke about. The former is associated with a monarchical emperor acting as lenient judge, the latter is associated with an emperor who is at the same time a Republican magistrate showing deference to the senate in particular. It is the latter conception which adheres in particular to the p.p title and explains its decline, although the father analogy remains broadly applicable to the underlying selfless benefactor ideal.
CHAPTER 8: THE EMPEROR AS "FATHER" FROM THE FLAVIANS TO THE SEVERANS.

The *pater patriae* title continues to relate to the selfless benefactor ideal in its broad sense, viz. with all the connotations of procreative/tutelary power and perfect virtue. However, evidence relating to acceptances of the *p.p* title in this period indicates a decline in the practice of *recusatio* and commensurate decline in the title’s importance as an element of the ideology. This is evidently associated with a more autocratic attitude and decreased emphasis upon the emperor’s *civis animus*, which is linked throughout with *recusatio*. Decline varies according to the attitude of each emperor and prevailing circumstances. It is apparent in Seneca’s *De Clementia*, where the emperor as *pater patriae* is portrayed in terms which stress the autocracy inherent in the Principate. Such development is the product of political change, to a more overt autocracy, of cultural change, to a "Greek" outlook, and of social change, to the point where the governing classes of the Empire are drawn from the provinces. Furthermore, it is primarily a matter of emphasis in the ideology: even under Augustus, the "autocratic" side to the imperial image is plain. Henceforward, the "Republican" side is strongly overshadowed. Accordingly, as in Seneca there may be emphasis upon the loving autocrat instead of the Republican magistrate who is *primus inter pares* with his fellow *cives*. The image of the Republican magistrate was not negligible or
meaningless for the developed Principate; it could be evoked to advantage, and seems to have been so evoked in the senate at the time of conferral of the p.p title, a fact which does much to explain the title's persistence. The *civilis princeps* remained important for a long time as the emperor was transformed into a *kyrios*.

In his discussion of the titles and powers of the emperor, Dio explains that the term 'father' "perhaps gives them a certain authority over us all - the authority which fathers once had over their children; yet it did not signify this at first, but betokened honour, and served as an admonition both to them, that they should love their subjects as they would their children, and to their subjects that they should revere them as they would their fathers (53.18.3)".

This passage, on a superficial reading, implies a grant of *patra potecestas* with the p.p title, and the figure of the old Roman *paterfamilias* is evoked to heighten the sense of subjection (1); but Dio is attempting to rationalize a perceived development in the nature of imperial rule. His general historical picture of the Principate involves an evolution from a milder to a more absolute and indeed oppressive form of autocracy, during the course of which the emperors successively were able to concentrate more and more power into their own hands. This is not to say that Dio was unaware of the reality of the principate of Augustus - for he

1: Note other occasions when Dio uses "father" synonymously with *pater patriae*: 56.9.3; 59.3.2; 60.3.2.
certainly was, and so was his contemporary Herodian (2). The point is that we should not press Dio in a legalistic manner on this passage. The context itself does not warrant it, nor does supplementary evidence from other sources.

Dio’s interpretation of the p.p title reflects the ultimate predominance of the autocratic conception of the imperial office. The title is seen as a Roman cultural element but is related to the power of the emperor rather than to a deferential attitude (protestas as opposed to auctoritas in terms of the usual tension). Dio’s viewpoint rationalizes p.p in line with his perception of the political development of the Principate. It also gives the title meaning for his Greek audience, who could hardly think in terms of a Republican magistrate when thinking of the Roman Emperor. Awareness of an audience steeped in Greek culture is perhaps reflected in the fact that he refers to the title as "father" instead of p.p (3). Dio’s passage represents a benchmark against which to assess development in the significance of p.p, hence the reference to the Severan period in the title of this final chapter, although the father analogy in general – and the p.p title in particular – continues to be applied to the Roman Emperor after this time.

Pliny, by contrast, has much to say about imperial civilitas and a deferential attitude in the Panegyricus, as might be expected given the setting and purpose of his speech.

3: cf. Herodian 2.2.9; 2.4.1.
(4). His speech is more a statement of the senatorial ideal of a good princeps than a catalogue of virtues like a Hellenistic treatise. Recusatio is prominently advertised in connection with p.p. Yet it is apparent that Trajan as pater patriae relates to the selfless benefactor ideal in its broad sense.

Pliny refers to the p.p title as an honor and a titulus, and has it follow logically from Trajan's merita (Pan.21.1). At the same time, in a manner reminiscent of Vipstanus' speech under Claudius, he calls for new titles and honours (Pan.21.1). As traditional sensitivities decline, there is some dissatisfaction with the p.p title as an honorific name. In the past it had been taken by good and bad emperors; and it had been around for a century and a half. Something new and distinctive for Trajan could well seem preferable. In this climate, then, it is important that Trajan seems to have insisted upon the traditional connotations of the p.p title.

The title reflects the pietas of the Roman people which is a measure of their gratitude for the emperor's beneficia (Pan.21.3). Trajan is a figure of benignitas and indulgentia who lives with his subjects as a father with his children. No one has changed their assessment of Trajan since he took the title, and vice versa. His primacy rests on the fact that he is indeed better than his fellow citizens. He has not secured the title under false pretences.

It remains, therefore, to examine evidence for acceptances of the p.p title from the Flavian period and to show decline in

the practice of *recusatio* as the autocratic attitude predominates (Part I below). It is noticeable, however, as the p.p title declines in significance with its particular "Roman" cultural, political and social connotations, that the father analogy in a broader, less specific sense (having nothing at all to do with *recusatio*) may nonetheless be applied to the emperor as ideal benefactor. Its role is best illustrated by a focus upon *indulgentia* terminology, which is reminiscent of Hellenistic evidence and language of the poets in Augustan Rome (II). Works of political philosophy from this period similarly bear strong resemblance to Hellenistic conceptions, and the father analogy is applied to the virtuous ruler much as it was by Hellenistic writers (III). The final section (IV) considers the relationship between the ideology and the imperial position at law. To what extent was the Principate hedged by laws? Did the emperor’s rule have more to do with moral bonds whose right fulfilment was a matter of concern for both ruler and ruled? It would be wrong to deny the importance of the emperor’s position at law, but it would seem nonetheless proper to stress the persistence of attempts to structure the relationship between the emperor and his subjects according to moral bonds subsisting in the ideal sphere. Decline of the ideal scenario itself is related to changes in the social and political norms, to centralization, bureaucratization etc., and to Christian ideas of the Divine Right of Kings and the equality of every man in the sight of God. Even so, the ideal of a selfless benefactor, who might be called "father", was not completely
expunged.

I.

There is no evidence of any kind that two of the transitory emperors of 68/69 (Otho and Vitellius) received the p.p title; the evidence that Galba received it is not strong (5). No literary source notes it for Galba (6), nor do any of his military diplomata (7). The title does appear on the obverse titulature of coins from Lugdunum, but its interpretation is problematic (8). It may be merely a continuation of the elements of Nero's titulature, perhaps in anticipation of Galba receiving the title, and it should be emphasized that no other mints include p.p in his titulature. If the title was in fact awarded to Galba, then C.M.Kraay's speculation about the adoption of Piso on 10 January 69 seems reasonable. Kraay (9) thinks that news of the honour, travelling to Lugdunum, may have been commenmorated on coins of mid and late January before Galba's death on 15 January became known there and before the mint ceased operation in late January. Sutherland is inclined to support this idea with his reference to "a title elsewhere undocumented but perhaps conferred only in January 69 (10)", but Tacitus' failure to

5: For the absence of p.p in 68/69, see ILS III.1, pp.268-269; DE III.373; BMCRE I.ciii and ccvii (Galba), ccxix-ccxx (Otho), ccxxii (Vitellius); RE 2.1 (2) 2037 (no evidence for use of p.p by Otho); cf.M.Hammond, The Antonine Monarchy, p.87.
6: T.Mommsen, Str.2.756.
7: CIL XIV.7-9.
8: RIC I(rev).238-240 (gold, silver and aes).
9: RIC I(rev).221 n.3.
10: RIC I(rev).221.
mention it is not supportive. There seems no warrant for Mattingly’s creative suggestion that it was a posthumous honour awarded to Galba by Vespasian (11). A posthumous award would be unique in the title’s history, and the idea is invalid if the Lugdunum mint ceased operation in January 69. On the whole it seems best to accept that Galba did not receive the p.p title.

One class of coins from 68-69 should be discussed separately. Minted mainly in Spain and Gaul, they bear the portrait of Augustus and employ the p.p title and corona civica prominently. On the obverse of some coins Augustus is designated AVG DIVI F PP or DIVVS AVG.P P (12). In addition, we find the recurrence of the reverse legend S P Q R PP DB C S with the oak wreath (13). If this is more than an arbitrary selection of what looked to the moneyer like Augustan types, we may conclude that both the p.p title and the oak wreath are being especially highlighted as elements important to Augustus.

Galba seems to have been conscious of this association and sought to profit from it in his issues. Whilst it is by no means dominant, the oak wreath does appear regularly as a reverse type on Galba’s coins (14), and there are even examples of the obverse head of Galba wearing an oak wreath (15). It had not appeared since Augustus’ time on an obverse Imperial

11: BMCRE I.cccxv; II.xx. M.Hammond, Antonine Monarchy, p.124 n.190, accepts that the coins are “probably posthumous”; cf. RE 2.IV (7) 782, where these coins are accepted as evidence for the use of p.p by Galba himself.
15: BMCRE I.326ff; RIC I(rev).224-226, 244ff.
portrait, a point which gives some confirmation to the belief that here is a definite effort to invoke the memory of the first Emperor. In addition, a coin of Galba from Spain shows a reverse design which harks back to the honours of 27 BC, "S P Q R in one line, on round shield, surrounded by an oak wreath (16)".

Literary evidence is now relatively sparse as regards the p.p. title, but that which there is supports the view that it had become established practice to refuse the title initially and accept it at some later point. Suetonius (Vesp. 12) tells us that Vespasian, in his unassuming manner, never concealed his former lowly position, and often even paraded it, ac_ne tribuniciam guidem potestatem...[statim nec...]...patris patriciae appellatio nem nisi s ero receptit.). With regard to the tribunician power, the emendation must be wrong as it stands. Vespasian's tribunician power was reckoned from 1 July 69, the day when he was proclaimed emperor by the army. Hence, statim nec (patris), though accepted by Rolfe in the Loeb edn. (1914), provides a difficulty which K.Scott (17) would resolve by emphasizing the underlying point of chapter 12. This point is Vespasian's indifference to the external ornamenta of the imperial office (adequae nihil ornamentorum extrinsecus cupide appetit.). It is, therefore, justifiable to conclude that the last sentence, exactly like all that precedes it, was to the general effect that Vespasian "received not even the

16: BMCRE I.341, no.190; RIC I (rev).234, nos.46, 47.
17: "On Suetonius' Life of Vespasian 12", CP 27 (1932), pp.82-84.
tribunician power < with enthusiasm, or pleasure, or interest >
or the appellation of pater patriae except late”. Scott thinks
that Vespasian, who was elevated to the throne by his troops,
could afford to be indifferent to the tribunician power which
had been so important to previous emperors, especially Augustus
and Tiberius (18). For Scott, the precise word is immaterial,
the general meaning important, and the belief that statim must
be supplied is erroneous. There is good reason to concur, but
it is to be emphasized that Vespasian’s pose of disinterest is
in conformity with recusatio and a deferential attitude in the
face of traditional sensibilities. It is not attributable to
the fact that he was elevated by his troops and consequently
felt himself able to ignore totally such sensibilities.

Vespasian does not show the p.p title on a diploma of 7
March 70, before his return to Rome. Therefore, the suggestion
that its grant should be dated to the senate’s vote of the
tribunician power on 22 December 69 seems wrong (19). This
would have meant acceptance on the day after Primus had entered
Rome while Vespasian himself was still absent (20). Apart from
the conflict with Suetonius’ erro (Vesp.12), our evidence
indicates that it was usual for the emperor to be present in
the senate at the time of conferral. T.V. Buttrey notes the
appearance of p.p on coins with COS II and TR P II which date
before his third consulship beginning 1 January 71. He thus
believes that Vespasian assumed the p.p title around the same

18: ibid, p.83.
19: RE VI (12) 2636.
time as the office of pontifex maximus, just after returning to Rome toward the end of August 70, and before the designation to COS III recorded on the coins which fell probably in October 70 (21). It seems apparent that Suetonius’ sêro is something of an overstatement. The title appears regularly on Vespasian’s aes coinage but seldom on gold and silver.

In the case of Titus, the coinage suggests that p.p was awarded after 1 July 79, since it appears with TR P IX, and before his fifteenth acclamation as imperator later in the year, which Dio specifically attributes to a victory of Agricola in Britain (22). Buttrey favours a date "within ten weeks of his accession as Augustus", which took place on 24 June 79 (23). Hence an August/September 79 date is suggested. There is no sure evidence for the length of recusatio but Buttrey is probably right in thinking that it was relatively short.

It has been assumed (24) that Domitian accepted both pontifex maximus and p.p with trib.pot after the comitia of 14 September 81, the day following Titus’ death (25). However, immediate acceptance is unlikely. There seems to have been a slight delay, for p.p does not appear immediately on Domitian’s gold and silver coinage (26), although it is present on the

22: BMCRE II.lxxii; RE VI (12) 2716; Dio 66.20.3.
26: BMCRE II.299.
first aes issues (27). This conclusion is supported by an inference from the Arval Acta. Buttrey notes that the titles of pontifex maximus and pater patriae seem frequently, if not regularly, to have been taken at different times, and in that order (28). As the Arval Acta do not record Domitian’s inauguration as pontifex maximus by the entry for 30 October 81 (when they break off), it is assumed that Domitian was made pontifex maximus and p.p in early November (29). There must have been only a short interval between the acceptance of each title (if indeed there was one), for they appear together on two coin issues which Buttrey dates respectively to early November and November–December 81 (30). The period of recusatio, therefore, is about a month and a half on this view.

Vespasian mints coins which associate the oak wreath with the legend S P Q R PP DB C S (31), recalling the honours and the style of Augustus. However, Flavian coinage adopts a new attitude to these elements. On the issues of Titus and Domitian the corona civica falls out of favour as a reverse design, and a multiplicity of Virtues appear on the coinage in place of the limited range of Julio-Claudian types (32). There is a more autocratic flavour to the coinage henceforward. It might be significant in this light that the p.p title is assigned

27: BMCRE II.354; cf.RE VI (12) 2551.
29: ibid, p.36.
30: ibid, p.36.
31: BMCRE II.82, 123 n.137 n.198, 202; RIC II.50, cf.70, 101.
unequivocally to the last position of the titulature from late in Domitian's reign. It does not appear in the middle of the Republican offices as happened earlier on occasion (33). Perhaps this represents a resolution of ambivalence so that the title is treated as an ultimate assessment of autocratic style which has less moment than before. After Domitian, p.p continues normally to be last, with the exception that when proconsul begins to appear, this often follows p.p (34).

There is a good chance that Nerva accepted the p.p title immediately upon his accession on 18 September 96 (35). The senate regarded him as its best representative, a mature nobilis, eloquent, peaceful, just, and likely to rule with due deference to its dignified status (36). Recusatio could have seemed unnecessary in these circumstances. If it was not immediate, then Nerva's acceptance of p.p occurred at a very early point in his reign. The available evidence does not allow us to judge whether there was time for one or more quick refusals for the sake of form prior to his receipt of the p.p title. His coinage shows p.p from the beginning (37). If acceptance was not in fact immediate, Mattingly makes the reasonable speculation that Nerva's assumption of p.p in 96 might be connected with legislative activity of that year,

34: The place of p.p in the formulae of inscriptions from Vespasian through Nerva can be seen from ILS index III, vol. III.1, pp. 289–294.
35: M. Hammond, AntQnine Monarchy, p. 124 n. 191; and note Pliny, Pan. 21. 1.
37: BMCRE III. xxvi, xxxiv.
including such measures as the abolition of treason charges (38).

A military diploma shows the p.p title for Trajan by 14 August 99 (39). Pliny's assertion that Trajan initially refused the title (Pan.21.1.), together with the unlikelihood that he received it before his return to Rome in early 99 (40), suggests a date for acceptance in early to mid 99. This date seems to fit the coin evidence without too much trouble and is not contradicted by anything in the Panegyricus.

Some writers have used the coin evidence to support a theory that Trajan received p.p while absent in Germany. The idea is without solid foundation. In the first place, acceptance of p.p by Trajan while absent from Rome would be contrary to verified precedent, which sees the Emperor present in the senate. Secondly, p.p is absent from the first issues of gold and silver (41), although it appears with COS II on Trajan's earliest aes coinage (42). This association could have been made at any time between Nerva's death on 25 January 98 (43) and the beginning of Trajan's third consulship on 1 January 100. It is sheer guesswork that leads Mattingly and Hammond to favour a date around the middle of 98 AD (44). The same applies to P.L.Strack's idea that the title was first

38: BMCRE III.xxxii.
41: BMCRE III.31-34.
42: BMCRE III.147ff.
attributed to Trajan without his consent, then withdrawn, and later accepted after a short interval (45). This thesis rests on stylistic grounds, on the feeling that some at least of the aes coins which show p.p predate the first gold and silver issues which do not carry p.p. Yet Mattingly (46) noted that the coin types without p.p have the heavier weight of Nerva's coins, whilst those with p.p are lighter and apparently reflect Trajan's hand. There is no indication as to when the change in weight may have come about, but perhaps the heavier coins were minted while Trajan was in Germany and the lighter coins minted from the time of his return to Rome. In other words, the coins with p.p might date from early in 99 when Trajan returned to Rome. One is not necessarily drawn to 98.

Betty Radice, the Loeb translator, believes that Trajan already had the p.p title before the consular elections of 98 (47). However, Pliny's reference to Trajan as pater patriae here may just refer to the situation in 100 (when the Panegyricus was delivered); there is no need for the tense to be necessarily a past one.

Trajan's "modest" refusal of the p.p title is emphasized by Pliny, along with the fact that he only relented in the face of persistent pressure over a "long" period (Pan.21.1.). Furthermore, he seems to have insisted on refusing the form pater patriae at a time when other titles were being formulated and offered (Pan.21.1.). Trajan resurrected recusatio to some

45: cited in BMCRE III.1vii.
46: BMCRE III.1viiif, lxxv.
47: see her note to Pan.57.5: Tantone Papiriis etiam et Quintiis moderator Augustus et Caesar et pater patriae?
extent as a means of evoking the ideal, even allowing for the fact that his period of refusal does not match that of Augustus or Tiberius. "Others", Pliny explains, "accepted that nomen from the start, along with Imperator and Caesar, on the first day of their principate, but you waved it away until even in your own grudging estimate of your services (beneficia) you had to admit it was your due (Paneg.21.2)". The reference is probably to Nerva, framed as a throwaway plural for maximum effect.

According to the Historia Augusta (Had.6.3-4), Hadrian was offered the p.p. title on a number of occasions but rejected it:

*cum triumphant ei senatus, qui Traiano debitus erat, detulisset, recusavit ipse atque imaginem Traiani currur triumphali vexit, ut optimus imperator ne post mortem guidem triumphi amitteret dignitatem, patris patriae nomen delatum sibi statim et iterum postea distulit, quod hoc nomen Augustus sero meruisset. He certainly did not take the title early. His first coins from Rome show p.p., but the issue was premature and unauthorized (48). The title does not recur on the coins until 128 (49), its first appearance on a military diploma being 18 February 129 (50). There are a number of guesses about the exact date of Hadrian's acceptance of p.p. Mattingly thinks he took it early in 128 (51), just prior to his departure for Africa, where he spent about four months in the spring and early summer. Strack

48: BMCRE III.xxvi, cxxiv, 236-238 (gold and silver), 397-399 (aes).
49: BMCRE III.298ff (gold and silver), 445 (aes).
51: BMCRE III.cxiv, cxxxix.
suggested that the conclusion of the *edictum perpetuum* by Salvius Julianus may have supplied an occasion (52).

J.E. Sandys, who cites no evidence, is adamant that Hadrian took the title in 128 on the birthday of Rome, 21 April, the day of the Parilia, which was now important also in conjunction with his great Temple of Venus and Rome (53). All these ideas are plausible; there is no reason to choose one over another. Yet 128 is surely the year, even though some coins minted at Rome after 128 omit p.p (54). Inscriptions showing it before 128 only reveal that it was long overdue (55). A date in early 128 before his departure for Africa might commemorate the tenth anniversary of Hadrian’s return to Rome for the first time as Emperor, or indeed the tenth anniversary of his first refusal of p.p in the senate if one can conclude from H.Aug.Had.6.4 that a refusal occurred in the senate just after his return. A tenth anniversary commemoration might have been suggested by the recent ending of Hadrian’s *decennium* on 11 August 127.

It is of interest that Trajan’s triumph (cf.H.Aug.Had.6.3) was commemorated by coins bearing on the obverse the head of Trajan with the legend DIVO TRAIANO PARTH(ICO) AUG(USTO) PATRI and on the reverse a four-horse chariot driven by the Emperor who holds a laurel-branch and a sceptre, with the legend

52: cited in BMCRE III.cxxxix.
54: BMCRE III.clvii n.3.
55: RE I(1) 500 cites inscriptions with p.p before 128; DE III.617-618 accepts the date 128 from the coinage.
TRIUMPHUS PARTHICUS (56). The reference to Trajan as pater stresses the adoptive relationship with Hadrian, but it could also highlight Hadrian's refusal of the p.p title in a manner reminiscent of Tiberius and his Divus Augustus Pater coinage (Chapter 7 above).

Why did Hadrian reject p.p and then take it in 128? One reason, given by the Emperor himself when rejecting the title on at least one occasion, was that Augustus had not earned it until late in life (H.Aug.Had.6.4). The example of Augustus was thus still important, and indeed he was probably always the yardstick, not only for his outstanding merita in general but as the one who initiated the deferential attitude towards the senate. His title was earned after a long career. The coins issued in commemoration of Trajan's triumph are also relevant, for they may indicate a reluctance on Hadrian's part to associate himself with his adoptive father as p.p. Yet if the models of Augustus and Trajan describe the ideal to which he aspires, it is still not quite clear why his period of recusatio was far longer than that of his immediate predecessors. Perhaps a notorious incident which occurred in 118 played a part: four consular senators died in circumstances compromising to Hadrian (57). Elements in the senate were understandably hostile in consequence. Hadrian may have been prompted to refuse the p.p title for so long because of this hostility. This conjecture is possibly supported by an

56: see Cohen II(2), p.78, no.585.
Alexandrian coin of Hadrian's reign which shows clasped hands in conjunction with the legend PATER PATRIDOS (58). The clasping of right hands signifies concordia, although its exact interpretation here is problematic. It might refer to the relationship between Hadrian and the senate on the occasion of the p.p title's conferral. Alternatively, it could refer to the concordia presided over by the pater patriae. There is no certainty. Another contemporary coin, of the adventus type, shows Hadrian as imperator in arms, or on a prancing horse. Mattingly ventures the guess that it might represent Hadrian's solemn entry into Rome on the occasion of his acceptance of the p.p title (59). It is more likely that the Emperor would be attired in a toga (60) for his appearance in the senate to accept an honour symbolizing harmony with that body in particular.

Coinage of Sabina roughly coincides with the acceptance of p.p by Hadrian, although a few coins without p.p are quoted for her. The prominent legend SABINA AVGUSTA HADRIANI AVG.P.P appears to support Mattingly's idea that the coinage celebrating SABINA AUGUSTA goes with the special honour paid to her husband in 128 (61). However, W.Eck (62) questions the established idea that Sabina took the title Augusta when

58: BMCRE III.cxl.
59: BMCRE III.cxxxix.
60: cf.BMCRE III.cxliii.
61: BMCRE III.cxlix.
Hadrian took p.p (63). An exhaustive study of the epigraphical evidence reveals instances of "Augusta" from before 128, and fails to find a necessary connection with p.p. Eck believes that the late antique writers have misinterpreted a passage from the Panegyricus which need not imply that the taking of "Augusta" depended upon the Emperor's acceptance of p.p (64).

Antoninus, as regent, held every mark of office, the praenomen "Imperator", tribunician power, consulsipship, office of pontifex maximus, leaving only "Augustus" and pater patriae to Hadrian (65). A period not greater than seven months elapsed between his accession on 10 July 138 and his acceptance of the p.p title, which appears on a military diploma dated 13 February 139 (66). From the coins, this acceptance appears to have taken place early in 139, on or after 1 January, since it is coupled with COS II (67). Some association with the new year oath-taking ceremonies is likely, as with Tiberius and Claudius earlier.

The Historia Augusta records that Antoninus rendered the


64: Pan.84.6: Obtulerat illis senatus cognomen Augustarum, quod certatim deprecatae sunt, quam diu adpellationem patris patriae tu recusasses, seu quod plus esse in eo iudicabant, si uxor et soror tua quam si Augustae dicerentur.

65: BMCRE III,clxxxvi.


67: BMCRE IV.xxiv, xli; cf.RE II(4), 2499 and 2501. DE I.506 dates it to 138; cf.ILS 2182, which Mattingly is inclined to see as an aberration due to the fact that "exact correctness in such matters was not easy to obtain even in official circles (BMCRE IV.xli)".
senate the same respect that he had wished another emperor to render him when he was a private man. In return the senate offered him the p.p title, which he at first refused, but later accepted with an elaborate expression of thanks (H.Aug.Pius 6.5-6). Thus the p.p title once more recognizes the civilitas of the emperor. In contrast to Hadrian, Antoninus reverted to a relatively early acceptance. His good relationship with the senate was a factor, although the ritual dimension underlies any psychological considerations. What is fundamental is the ideal scenario and attempts to evoke the moral bonds inherent in the ideal. The senate offered p.p to emperors good, bad or indifferent; the emperors made the decision whether to accept or reject it largely according to personal preference. Our senatorial sources emphasize civilitas, but procreative/tutelary associations are far from irrelevant. For instance, issues of 139, on which p.p is added to the imperial titulature, show symbols of Annona, the goddess of supply (68).

Maintenance of the essential food supply, especially of Rome and Italy, was a fundamental principle of the administration of Antoninus.

The p.p title is absent on diplomas of Marcus Aurelius and Lucius Verus into 166 (69), but present in 167 (70). It has been restored in an inscription of Marcus dated to 166 (71). Mattingly mentions one epigraphical occurrence in 163 (72).

68: BMCRE IV.liii: modius and corn ears.
69: CIL XVI.118-122.
71: ILS 2303.
72: BMCRE IV.xxiv.
which has been regarded as erroneous (73). Receipt of the title
in 166 accords with the evidence of the Historia Augusta that
Marcus was offered the title while Verus was absent at the
Parthian War but deferred taking it until his brother's return
(H.Aug. Marc. 9.1-3). After Verus had returned victorious from
Syria in 166, the p.p nomen was decreed to both because Marcus,
in the absence of Verus, had conducted himself most moderately
(moderatissimé) towards senators and ordinary men. Furthermore,
the civic crown was offered to both; and Verus demanded that
Marcus triumph with him, and also that Marcus' sons be given
the name "Caesar" (H.Aug. Marc. 12.7-8). The ceremony at which
Commodus was named "Caesar" took place on 12 October 166 (74).
Presumably this was the date for the conferral of p.p too.

The coins do not record the p.p title for Verus, and not
for Marcus before 176 (75). One can only surmise that the title
had lost much of its earlier appeal and that it was not
considered important enough for advertisement on the coins of
166 and after. Special circumstances saw value attached to it.
In 175, rumours of Marcus' death precipitated the revolt of
Avidius Cassius. Marcus suspended his northern operations and
set out in alarm for Syria, though Avidius was soon murdered.
Upon his return to Rome in 176 he celebrated a great triumph
and began to show p.p on his coins. This development appears
related to the unsettled times. Marcus seems to have felt the
need to advertise p.p for its inference of loyalty and

73: RE III(6) 1839-1840.
75: BMCRE IV.xxiv.
Marcus' behaviour towards senators and citizens was the crucial factor in deciding his fitness for the p.p title (H.Aug.Marc.12.7). It seems clearly to be an instrument of domestic politics and unconnected with Verus' military exploits. The Historia Augusta gives a good resume of Marcus' paternal behaviour in the sentences leading up to that which mentions the bestowal of the p.p title upon both emperors:

"Toward the people he acted just as one acts in a free state. He was at all times exceedingly reasonable both in restraining men from evil and in urging them to good, generous in rewarding and quick to forgive, thus making bad men good, and good men very good, and he even bore with unruffled temper the insolence of not a few...The fiscus never influenced his judgment in law-suits involving money. Finally, if he was firm, he was also reasonable (76)". The important part played by the emperor's public appearances in evoking the paternal conception is highlighted: for instance, when sitting in judgment, participating in senatorial business, listening to petitions from citizens, and performing acts of liberality.

The fact of there being co-emperors presented a novel situation. This may partly explain why the p.p title was not taken early in the joint reign. It was an honour that had

76: Marc.12.1-6: Cum populo autem non aliter egit quam est actum sub civitate libera. fuitque per omnia moderantissimus in hominibus deterrendis a malo, invitandis ad bona, remunerandis copia, indulgentia liberandis fecitque ex malis bonos, ex bonis optimos, moderate etiam cavillationes nonnullorum ferens...fisco in causis compendii nunquam iudicans favit. sane, quamvis esset constans, erat etiam verecundus.
previously been bestowed upon an autocrat. It may have been difficult to apply it to the situation of Marcus and Verus. The senate was, however, apparently willing to bestow the title upon Marcus alone in Verus’ absence (to judge from H.Aug.Marc.9.3). He was the senior emperor of course, but he refused the honour for himself alone. Despite these considerations, there should have been no conceptual difficulty in viewing the emperors as separate procreative/tutelary figures. Thus, two patres patriae are not incongruous per se.

Commodus used p.p regularly from his association with Marcus in 177, and there is no indication of recusatio (77). In 177, German tribes again vexed Pannonia and Marcus was once more called northward. Before going, however, he raised his son Commodus (Caesar in 166, imperator in 176) to full collegiality as Augustus, consul, and holder of tribunicia potestas and proconsular imperium. Commodus also married the high-born Bruttia Crispina and received the p.p title. So Commodus’ title came at a time of consolidation when Marcus was concerned with the problem of loyalty before his departure for the north. Commodus’ age did not prohibit his receipt of the title, and there is no evidence for the convention of modest refusal prior to his acceptance. Marcus’ interest in evoking the ideal for its loyalty connotations seems paramount.

The experience of Claudius is recalled by coins of 186-187

77: BMCRE IV.xxiv, cxxix, cxlii; ILS III.1.284 (only from 181); RE II(4), 2468; Roxan (1978), p.90 no.69.
which record Commodus’ acclamation as pater senatus (78), a form which admits the Emperor’s ascendancy over the senate in a way the p.p title does not do. Its acceptance by Commodus would seem to be in line with a more autocratic attitude and, perhaps, increasing senatorial insecurity.

According to the Historia Augusta, Pertinax, of all the emperors, was the first to receive the p.p nomen on the day when he was called "Augustus (79)". That he held the title seems certain, for it appears regularly on his inscriptions (80), though it does not appear on his coins (81). This would seem to be a further indicator of the title’s decline in significance. Immediate acceptance of p.p by Pertinax rests totally upon the value of the source - and Pliny’s assertion (Pan.21.2.) that emperors had adopted p.p on the first day of their principates (which prima facie denies the claim of Pertinax to be first) does not deny that Pertinax took the title immediately. The circumstances, as with Nerva earlier, make this quite possible.

Hammond, who believes in the immediate acceptance of p.p by Pertinax, points out that he was an older man at his accession, that he was present in Rome and was the senate’s choice for emperor (82). Hence it could be natural for him to take the title at once. There was, however, senatorial

79: H.Aug.Pert.5.5; cf.Herodian 2.2.9; 2.3.3.
80: RE Suppl.III.899; ILS III.1.655.
81: BMCRE V.xxxiv.
opposition to Pertinax on the day of his accession, led by the consul Falco (H.Aug.Pert.5.1ff). To push the ideal through in the face of manifest opposition could only have been detrimental to the honour.

Didius Julianus, according to the Historie Augusta, followed Pertinax's lead in accepting the p.p nomen on the day of his accession when he also accepted the nomen "Augustus" for himself and "Augusta" for his wife and daughter (H.Aug.Didius 4.5). Neither inscriptions nor coins show it, but both are scarce for his reign (83).

Similarly, p.p is absent from the numismatic and epigraphic record for Clodius Albinus and Pescennius Niger (84). Neither man was in the conventional position to receive p.p from the senate, and neither apparently felt he had the right to assume p.p on his own authority.

Hammond's interpretation of the absence of p.p from coins of this period is that its "increasing insignificance and the accretion of other titles may have led to its elimination to save space (85)". Perhaps it was no longer important enough to merit a place on the first issues. It had, of course, been advertised on coins of Marcus Aurelius after 176, which would seem to imply that the question of insignificance or irrelevance should be related to the circumstances, though the general point stands.

For Septimius, p.p does not yet occur on a diploma of 1

83: RE V (9) 412; DE IV.1.177; BMCRE V.xxxiv.
85: Antonine Monarchy, p.80.
February 194 (86) but it cannot have been taken too much later at all, for it begins on the coinage with IMP II or III (87), which suggests a date in that very month (February 194), according to the dating for IMP II and III accepted by A.S.Hoey (88). This links the title with Septimius’ defeat of Pescennius Niger and his subsequent decision to execute only one of Niger’s partisans in the senate. Since he was acclaimed on 13 April 193 and returned to Rome on 9 June 193 (89), it would seem that Septimius reverted to a relatively long period of recusatio. However, a momentous development occurred because Septimius was absent from Rome in 194. Thus, the traditional ceremony in the senate, with all its symbolism, could not be conducted. The title’s appearance in an inscription of 193 from Carthage has been interpreted as a pre-emptive mistake (90).

Caracalla and Geta only show p.p on their coinage from 211, the year of Septimius’ death, not from the time of their earliest association in power with him (as was the case with Commodus) (91). Septimius died in February, but the return of Caracalla and Geta to Rome was postponed until late in the year. Like their father before them, Caracalla and Geta appear to have been awarded p.p while absent from Rome, soon after their father’s death. Caracalla’s coins of 211 show p.p from the beginning (with TR POT XIXIII); Geta has a dated issue of

86: CIL XVI.134.
87: BMCRE V.xxxiv, lxxxvii, xcixii.
90: CIL VIII.1170 = ILS 413; M.Hammond, Antonine Monarchy, p.125 n.195).
91: see BMCRE V.clxxxvii-clxxxxviii.
211 (TR POT III COS III) which slightly precedes the appearance of p.p on his coins (92). Inscriptional evidence tends to support the coinage. For instance, the earliest appearance of p.p on an extant military diploma of Caracalla dates to 30 August 212 (93).

Julia Domna is commonly assigned the titles mater castrorum et senatus et patriae (94). Mater castrorum was awarded in 195. On the basis of one inscription (95), Benario attempted to date the mater senatus et patriae title to the period between 209-211, i.e. just before the death of Septimius (96). However, it remains most probable that Julia Domna was honoured as mater senatus et patriae after 211, as is usually thought, for Benario chose to date Caracalla's p.p title (without discussion) to 205 (97).

Dio gives evidence that Macrinus and Elagabalus assumed titles which had not been voted to them (98), but it is probable that each was voted p.p upon accession, notwithstanding their respective absences from Rome or the fact that it does not appear on their first coin issues (99).

Recusatio is found no longer. Inscriptions of Macrinus show p.p

92: RIC IV.1, pp.85, 90.
93: M.Roxan (1978), p.94 no.74; cf.RE II (4) 2438, and DE II.1.107-108, where a premature appearance in 200 is noted (CIL VIII.6037). For Geta, RE 2.11 (4) 1568 does not mention p.p, and DE III.529 dates its use after Septimius' death.
94: see BMCRE V.xxxiv.
95: CIL VI.3401 = XIV.2255 = ILS 2398.
97: ibid, p.70.
98: Dio 79.16.2; 79.17.1; 80.2.2; 80.8.1.
99: BMCRE V.xxxiv.
from the beginning (100), and coinage from Antioch also shows it (101). Elagabalus’ inscriptions seem to show p.p from the beginning (102), and COS and PP were added to the coins soon after his first issue (103). A diploma of 7 January 222 (104) shows p.p for Elagabalus but not for Alexander, who is called nobilissimus Caesar.

Alexander did not assume p.p until he became sole emperor, at which time he received p.p along with all the other titles and offices (105). According to Snyder’s reconstruction of the Feriale Duranum (106), Alexander was called Augustus et pater patriae et pontifex maximus on 14 March 222, the day after Elagabalus’ death. From this date Alexander employed p.p regularly (107).

The Historia Augusta indicates that Maximus and Balbinus likewise received p.p on accession along with the other offices and titles (H.Aug.Max.et_Balb.8.1). Like Commodus, Balbinus and Pupienus took the title pater_senatus too (108).

T.D. Barnes (109), examined the names and titles of the emperors between 284 and 337 from the headings of six imperial

100: see RE XVIII (35) 542; cf. ILS III.1, pp.291-292.
101: contrast BMCRE V.ccxxxvi and ccxxx.
103: BMC RE V.ccxxx.
104: CIL XVI.140; Roxan (1978), p.96 no.75.
106: YCS 7 (1940), p.69ff.
107: RE II (4) 2527; DE I.397; ILS III.1 p.294. Diplomas: Roxan (1978), p.98 no.77 (7 January 224); CIL XVI.142 (7 January 225).
edicts or letters and two military diplomas, some of which are preserved only in a very fragmentary state. These documents were selected because they "emanate from the senior emperor, and may be regarded as authoritative statements of the emperors' titles in a way in which inscriptions and papyri of a less official nature cannot (110)". It was found that the full official name of an "Augustus" includes a series of titles which normally do not change at either regular or irregular intervals: Imperator_Caesar before the proper name, pius_felix invictus_Augustus and pontifex_maximus after, and pater_patriae proconsul at the very end. A "Caesar", by contrast, lacks the praenomen_imperatoris and the honorific epithets. He is neither pontifex_maximus nor pater_patriae nor proconsul; usually he is simply nobilissimus_Caesar, though other epithets may be added, e.g. nobilissimus_ac_beatiissimus_Caesar, nobilissimus_et fortissimus_Caesar, nobilissimus_et_invictus_Caesar. After their abdication in 305, Diocletian and Maximian became seniores_Augusti and fathers_of_the_emperors_and_Caesars (111).

The p.p title continued to be borne by emperors so long as the republican offices were used, that is, until the second half of the fourth century. The last mention of p.p in ILS (112) is the Tiber bridge inscription (113) of late 369, in which Valentinian, Valens, and Gratian all bear the full

110: ibid, p.17.
111: ILS 645 (seniores Aug.); ILS 646 (seniores Augg., patres impp.et Caess.).
113: CIL VI.1175 = ILS 771.
Republican titles, including p.p. It is not featured in RIC IX (Valentinian I to Theodosius I), but appears in RIC VII and VIII (covering the period from Constantine to Jovian). An inscription of Justinian from the Anio bridge on the Via Salaria (114), dated to 565, shows Justiniano p.p Aug., which Dessau expands as perpetuo."

Septimius Severus appears to have been the last to use the refusal ritual, but also the first to accept p.p while absent from Rome. Yet the reigns of Nerva and Marcus stand out too: Nerva for his (quite probable) immediate acceptance upon accession, and Marcus for his failure to advertise the title for himself until 176 and for his work to have it bestowed upon Commodus in 177. There is an tension by this time between significance/insignificance which is a matter of circumstances and of the emperor’s personal attitude to the increasingly open autocracy. The process of cultural, political and social change eventually overwhelms traditional sensitivities, or at least their evocation through recusatio. After Septimius, p.p appears to have been subsumed in the formulaic titulature.

II.

Examination of the refusal ritual in association with the p.p title shows that it was not a simple matter of linear decline in traditional sensibilities, for there are a number of peaks and troughs in the picture, and the Republican offices continue to be advertised until the late 4th Century AD. The

114: CIL VI.1194 = ILS 832.
attitude of each emperor to his position was an important factor in determining refusals of p.p, which were a way of dealing with sensitivity surrounding an emperor's elevation above Roman citizens, in particular above the senators. It is noteworthy in this regard that the title pater_senatus was also refused.

Yet an emperor could be called pater/parens in contexts which recognise and honour his benefactor role in general terms. Studies of the "unofficial" titulature provide ample evidence of this (115). Tiberius, for instance, who refused the p.p title every time it was offered, was addressed as parens noster by Valerius Maximus (116). Gaius was given such names as pius, castrorum_filius and pater_exercituum (Suet.Cal.22.1). The last of these is similar to the title parens_legionum, conferred upon Cn.Calpurnius Piso during Tiberius' reign (117). Pliny refers to a senatorial decree in which Claudius was honoured as parens_publicus (118). He was similarly honoured in the Arval Acta (119), as was Nero later (120). There is ample evidence for application of the father analogy to Domitian (121). Pliny regularly applies the epithet parens to Nerva and

116: Val.Max.5.5.3; 9.11.4; cf.Vell.2.100.1 (custos urbis) 2.120.1 (perpetuus patronus Romani imperii).
117: Tac.Ann.2.25.4; 3.13.2.
118: Pliny, Ep.8.6.8; 8.6.10.
120: Smallwood (1967), 16, 17 (princeps parens publicus).
121: e.g.Martial 7.7.5 (te summi mundi rector et parens orbis); 9.6.1 (parens orbis); 9.35.10 (Aetherius pater); Stat.Silv.4.1.17 (magne parens mundi); 4.2.14-15 (regnator terrarum orbisque subacti magne parens).
Trajan (122). Trajan is also called *princeps paresque_noster* in the Arval Acta, notwithstanding the p.p title which appears later (123). A reference to Antoninus Pius in the Arval Acta likewise places p.p alongside the more general *parsens* (124). As noted in the introduction to this chapter, Dio and Herodian both refer to the p.p title with the more general epithet "father" (125), an indicator of decline in the particular "Roman" connotations of p.p. Marcus Aurelius was honoured as a father (H.Aug.Marc.Ant.18.1), and so were a long line of later emperors (126). Like honours were available for imperial women (127).

These examples reflect the ambivalence of the Roman monarchy, for there is no necessary link with traditional sensitivities about prominent individuals dominating the *patria/res publica*, although moral bonds associated with the ideal scenario are called into play. The father analogy here is neither as central nor as repeatedly emphasized as it was

122: Nerva: Pliny, *Pan.* 6.1 (parsens generis humani); 10.6 (publicus parsens). Trajan: Pliny, *Pan.* 2.3; 21.4; 94.4 (parsens); 28.3; 67.1; 37.1 (parsens publicus); 39.6 (communis omnium parsens); 4.2; 29.2; 53.1; 87.3 (parsens noster).


125: Dio 53.18.3; 56.9.3; 59.3.2; 60.3.2; Herodian 2.2.8; 2.4.1; 2.6.2.


during the period from Cicero to Augustus when the p.p. title had its greatest prominence. Its role is best illustrated by a focus upon *indulgentia* terminology, which is reminiscent of Hellenistic evidence and language of the Augustan poets.

Ambivalence remains a feature of the imperial office while ever, for example, the Republican titles are used, deference is paid to the senate, Rome remains the emperor's principal place of residence, Roman citizens are entitled to special privileges, and emperors view the provinces in secondary terms (128). However, great changes were taking place. As J.R.Fears has pointed out, the image of the divinely-sent saviour-emperor is more apparent from the second century (129). Coins of Trajan, which stress the hierarchical relationship, show the emperor dwarfed by Jupiter with the legend CONSERVATORI PATRIS PATRIAE (130). Writers of the second century and later are not generally as conscious of friction between "Roman" sensibilities and "Greek" elements. Many of them have provincial backgrounds, as indeed do a considerable number of the emperors. The emperor is more openly a *basileus*, and the imperial court is increasingly permeated by individuals and ideas from a Greek milieu. Hence, a more universal outlook is adopted. Our sources emphasize benefits and virtue. These

underlie the Imperial Cult and are the basis for ultimate deification (131). In a distinctly autocratic development, the emperor's "Virtues" receive greater emphasis from the time of the Flavians (132). These reflect upon both his power and his disposition because, as the Stoics thought, a virtuous disposition necessarily issued in virtuous activity (133). The selflessness of the ideal is more a matter of the emperor's virtue in general than his deference to Republican tradition in particular (134).

"Indulgence" terminology came to prominence in these circumstances (135). The father analogy is a feature of such language, especially the epithet pares, which tends to convey the ideas of sustenance and love rather than authority. Pliny associates the pater patriae with indulgentia (Pan.21.4) and uses the father analogy quite liberally to emphasize the emperor's ideal benefactor role. Trajan's civilitas is repeatedly advertised; he is said to be a citizen and a parent rather than a tyrant and master (dominus) (Pan.2.3). The form pares_poster appears in relation to the prohibition of private

expressions of thanks (Pan.4.2). In Pan.6.1, Nerva is referred to as *imperator et parens generis humani*. Nerva’s adoption of Trajan made him Trajan’s father just as he was the father of all Romans (Pan.7.4) – presumably the meaning is that Trajan was able to enjoy on a personal level such benefits as were enjoyed by the state as a whole. His adoption of Trajan was Nerva’s highest claim to the *nomen publicus parens* (Pan.10.6). Trajan, the *parens publicus*, reorganized the corn distributions to children (Pan.26.3). In connection with the remission of the inheritance tax Trajan is *communis omium parens* (Pan.39.5). Pliny maintains that the *pater patriae* puts the affection of citizens above that of persons held in bondage to other men (Pan.42.3). Trajan’s moral superiority earns the epithet *parens poster* (Pan.53.1), and the manner in which he delivers his words as much as what he says marks him as the *parens publicus* (Pan.67.1). As *parens publicus*, Trajan does not use force and respects *libertas* (Pan.87.1), and is on familiar terms with senators (Pan.87.3). Jupiter, in electing Trajan, was giving a son to Nerva, a *parens* to Rome and a priest to himself (136). The Arval Acta for 25 March 101 echo Pliny: Trajan is named *princeps parensque poster* after the *cognomen Germanicus* and before *pontifex maximus*, notwithstanding the *pater patriae* which appears later on (137). Claudius and Nero had been

136: *Pan.* 94.4; cf. coins of Trajan which honour Jupiter as *conservator patris patriae*; *BMCRE* III.493; 513; 533; 534.
137: Henzen, *AFA* cxl-cxliii.
similarly named by the Arvalia (138).

As a character virtue, indulgentia was applied irregularly to the masters of Rome from the time of Caesar in contexts that might likewise be covered by imperial liberalitas or clementia (139). By the time of Domitian, indulgentia could refer to the emperor’s general benevolent disposition or to a particular favour granted by him. In his capacity as a figure of indulgentia, he might be called "father" (140). "Indulgence" terminology requires conditions in which liberalitas does not have pejorative connotations, as was the case in the late Republic when it was associated with ambitus/largitio and the behaviour of a selfish superior (141). Cicero, echoed later by Pliny, saw liberalitas as valuable when aimed at the common good rather than individual self-interest (142). Attitudes to imperial liberalitas in the first century AD varied with differing assessments of the emperors (143). Language varied accordingly.

A focus upon Domitian is instructive, for he is much maligned in our sources, especially for his supposed insistence upon being addressed as dominus et deus. According to Suetonius (Domit.13.1-2; cf.4.5), Domitian "delighted to hear the people in the amphitheatre shout on his feast day: 'Good fortune

138: Henzen, AFA lvii; cf.Berlenger (1935), p.79f; Sauter, Der romische Kaiserkult bei Martial und Statius (1934), pp.28-31 for the application of the title parens to other emperors in non-official sources.
140: e.g.Stat.Silv.1.2.174-180: parens.
142: ibid, pp.73-75.
143: ibid, p.83.
attend our dominus and domina!'...With no less arrogance he began as follows in issuing a circular letter in the name of his procurators, 'Our dominus et deus bids that this be done'. And so the custom arose of henceforth addressing him in no other way even in writing or in conversation (144)". Pliny seems to be highlighting the contrast with Domitian when he says: "Times are different, and our speeches must show this; from the very nature of our thanks both the recipient and the occasion must be made clear to all. Nowhere should we flatter (Trajan) as a deus and a numen; we are talking of a fellow-citizen, not a tyrant, one who is our pares not our dominus (145)". If it is indeed true that Domitian felt no inhibition in demanding forms of address which embodied the clear notions of servitude and worship for the citizens, then his style would have contrasted sharply with that of his predecessors, even with the general decline in recusatio. It should be made clear that emperors from Augustus onwards were being addressed in these terms. Augustus and Tiberius were addressed as dominus in Rome, to their mutual displeasure. As a sign of his loyalty, Pliny habitually addresses Trajan as domine in Book 10 of his letters, despite what was said in the Panegyricus (e.g.2.3). Provinceals commonly referred to the emperor as kyrios. Yet it was one thing to acquiesce reluctantly in such practice or to overlook it in the face of subjects who persistently showed a willingness to waive

144: see also Dio 67.4.7, 67.13.4.
145: Pan.2.3; cf.also Pan.33.4, 52.7; Dio Chrys.Or.40.12, 45.1, 50.9.
sensibilities regarding status and tradition. The official line
of opposition to such terms could be broadcast periodically in
symbolic settings or made known implicitly via the imperial
titulature. It was quite another thing to take pleasure in such
forms of address, or even to demand them. The *pater patriae*
would not do so. Once more it is a matter of subjective
inferences made about the emperor's attitude in line with the
selfless ideal. Domitian's attitude in reality need have
differed little from that of his predecessors. He has been
dammed by hostile assessments of his inner psychological
feelings. There is, in fact, some evidence to support the
contention that Domitian's style probably differed little from
that of his predecessors.

Statius uses the father analogy quite regularly (146).
L. Thompson (147) draws attention to a passage in the *Kalendae
Decembres* in which Statius writes (*Silvae* 1.6.81-84):
"Countless voices are raised to heaven, acclaiming the
Emperor's festival; with loving enthusiasm they salute their
domini. This (liberty) alone did Caesar forbid them (i.e. to
salute him as domini)." The "Kalends of December" is an
account of an entertainment given by Domitian to the people
during the Saturnalia. Suetonius (*Domit*.4) mentions also

146: *Stat. Silv*. 1.2.178 (parens Latius); 1.4.95 (Latiae pater
inclitus urbis); 3.4.48 (pater inclitus orbis); 4.1.17 (magne
parens mundi); 4.2.14-15 (regnator terrarum, orbis subacti magnus
parens...spes hominum cura deorum); 4.3.108 (Romanus parens);
4.3.139 (dux hominum et parens deorum - referring to the Flavian
gens); 4.8.20 (Ausoniae pater augustissimus urbis); 5.1.167
(pater); cf. K. Scott, "Statius' Adulation of Domitian", *AJP* 54
(1933), p.249.
147: "Domitianus Dominus: A Gloss on Statius, Silvae
1.6.84", *AJP* 105 (1984), pp.469-475.
chiariot races, sham fights, naval battles in the amphitheatre, combats of gladiators, beasts, and various distributions of money and food to the people. The occasions provide opportunities for recognizing imperial power. A salutation as pater patriae would have been appropriate, as Martial possibly records for Titus at the opening of the Colosseum in 80 AD (De Spectaculis 3.11-12). Dominus, evidently, remained inappropriate.

K. Scott reconciled the discrepancy between the Statius passage and those of Suetonius and Pliny with the explanation that the longer Domitian reigned the more tyrannical he became. Scott supposed that the emperor first used the title dominus in edicts issued in the name of his procurators about 86. This indicated a complete change of policy; he no longer pretends to be princeps; he has gone over to absolutism and made this clear by using the phrase dominus et deus in his edicts (148). As Thompson (149) points out, however, the sources do not support Scott's thesis. Statius, whom Domitian commissioned to write several poems, does not use the dominus et deus terminology. In a poem celebrating Domitian's 17th consulship in 95 AD (one year before his death), Statius refers to the emperor as Caesar, Germanicus, parens, Augustus, dux, but never as either dominus or deus (Silv. 4. 1). In the same year, in a poem celebrating the opening of the Via Domitiana, Domitian is

149: p.470ff.
similarly entitled Caesar, dux, maximus arbiter, parens (150). Toward the end of this poem (Sili. 4.3.128-129) the Sybil says: hic est deus, hunc iubet beatis pro se Jupiter imperare terris. At the beginning of the Achilleid, published in 95-96 AD, Statius addresses Domitian simply as vates and dux (Achil.1.14-19).

Like Statius, Quintilian does not use the dominus et deus formula, and his evidence does not support the suggestion of a shift from princeps to domine in the latter years of Domitian's reign. Allusions to the emperor's divinity are present, but these must be put in the wider context of ambivalence, analogy and the characterization of power (151). The emperor may be seen as a god in terms of exaggerated social distance or with reference to his achievements, which may be perceived as equalling or even surpassing those of the gods. This is not necessarily to imply that he is of the same nature as the gods or that he reaches their status. Nor do Domitianic inscriptions, coins, or medallions support Scott's thesis (152).

Martial's evidence is crucial. According to Scott, he provides "unmistakable" evidence for the shift to an undisguised domine because he uses both dominus and deus as titles for Domitian in the fifth book of epigrams, published about 89 AD, whereas before this time and after Domitian's

150: Sili. 4.3. On the building of the road, see Dio 67.14.1.
151: cf. Quint. Inst. Or. 4 pr. 2, 3 and 5.
152: cf. P. Viscusi, Studies on Domitian, Ann Arbor (1973), 94.
death he speaks disapprovingly of such terms (153). Implicit in Scott's remarks is the assumption that Martial uses the dominate terminology in the latter years of Domitian's reign because of official pressure from the the emperor himself.

Thompson's interpretation of Martial's evidence (154) starts from the contention that "power is a two-way process; the motive force for the attachment between the ruler and the gods does not come from the ruler alone (155)". Martial, as a potential beneficiary, approaches power from below and uses extravagant titles such as dominus and deus to illustrate the depth of his devotion to Domitian. The point in this instance is the extreme level of devotion felt by the subject. It is not the ruler's lack of sensitivity to the status of his subjects or a hostile assessment of the degree of subjection imposed by the ruler. A passage from the seventh epigram (156) is worthy of note here: "See, at once someone of the malicious crowd is ready to say in sour tones: 'What do you set above the many structures erected by our dominus et deus?' I set Nero's warm baths above the bath of — a sodomite". Martial is concerned with the malicious crowd who are calling Domitian dominus et deus, not with Domitian himself. As Thompson concludes: "The danger lies not with imperial policy but with popular opportunism among those seeking benefits from Domitian. From a climate of quick accusations made by people approaching power

156: Epig.7.34, c.92 AD.
from below, we cannot assume imperial repression and tyrannical madness (157)". All this accords with contributions which have been made to a revised view of Domitian's reign (158). There is in fact no evidence contemporary with Domitian to support the post-Domitianic claims that he required titles appropriate to a tyrant or that he shifted from principate to dominate. The titles used by Statius and Quintilian are strikingly similar to those in Pliny's Panegyricus and in Book 10 of his Letters. Therefore, Statius' comment on Domitian's reticence to be called dominus is probably an accurate reflection of Domitian's style throughout his reign.

Martial's repudiation of Domitian as dominus in the early reign of Trajan (Epig.10.72) probably reflects the poet's continued opportunism, for in the rhetoric and propaganda of that period praise of Trajan involved condemnation of Domitian. In the Panegyricus, Pliny says: "All that I say and have said, Conscript Fathers, about previous emperors is intended to show how our pares is amending and reforming the basis of the principatus which had become debased by a long period of corruption. Indeed, eulogy is best expressed through comparison, and, moreover, the first duty (officium) of grateful (pius) subjects towards a perfect emperor (optimus imperator) is to attack those who are least like him: for no one can properly appreciate a good prince who does not sufficiently hate a bad one (53.1-2)...With all the more assurance, Conscript Fathers, can we therefore reveal our

157: p.473.
158: see B.Jones (1979), pp.1-6 for refs.
griefs and joys, happy in our present fortune and sighing over our sufferings of the past, for both are equally our duty under a good prince (53.6)". Domitian’s evil tyranny displays the libertas which exists under Trajan, just as Trajan’s humanness requires Domitian’s exaggerated divinity. Similarly, Trajan’s principatus requires of Domitian a dominatio, for Domitian is Trajan’s foil (159).

Trajan’s reign produced a multitude of references to imperial indulgentia in a variety of sources (160). It appears, for instance, in the two big alimenta dedications, and Veyne has surmised that the wording comes from the text of the Lex Alimentorum (161). Liberalitas also appears in the alimentary inscriptions (162). Pliny often uses indulgentia with reference to imperial favours and friendliness. The sphere of promotions, honours and nominations yields many examples (163). Imperial indulgence also governs grants of Roman citizenship, and relations between the emperor and the cities of the empire (164). The emperor’s indulgence may be expressed in terms of material generosity or merely in terms of permission to carry out a project (165). The people of Ostia framed their debt to Hadrian in these terms: colonia Ostia conservata et aucta omni indulgentia et liberalitate eius (166). As this inscription

159: cf. Thompson, op. cit.  
161: ibid, p.250.  
164: ibid, pp.254ff.  
165: ibid, pp.255-256.  
166: CIL VI.972 = XIV.95, AD 133.
illustrates, indulgentia is not used exclusively: liberalitas, munificentia, pietas, clementia, lenitas, and providentia are all recorded in "indulgence" contexts (167). Such usage parallels the multiplication of imperial Virtues on the coinage (168). Indulgentia did not have the attributes of a technical term; its use was neither obligatory nor restricted to particular contexts (169). It appears with a range of qualities which in total portray a distinctly autocratic figure of outstanding virtue - the kind of figure likely to look favourably upon a request for a beneficium. A quotation from the jurist L. Iavolenus Priscus shows that we are dealing with an abstract, general and non-technical term: Beneficium imperatoris, quod a divina scilicet eius indulgentia proficiscitur, quam plenissime interpretari debemus (Dig. 1.4.3). Later, detached from the emperor, indulgentia designates concrete and technical acts in legal writings (170). The Theodosian Code applies the term to two concrete juristic institutions: remission of debts or taxes, and abolition of sentences (171). Indulgentia in these two narrow technical senses coexisted with the more general meaning (172). For Iavolenus, indulgentia is a personal quality of the emperor, perhaps a general disposition; the beneficia are its manifest corollary (173).

171: XI. 28; IX. 38 respectively.
173: ibid, p. 252.
We are left to discover why such indulgence terminology should appear so prominently at the turn of the first and second centuries AD. **Indulgentia** is first and foremost the natural affection and emotion which a parent feels towards a child (174). Parental **indulgentia** is the counterpart of filial **pietas**. As sons feel **pietas** for fathers, so do fathers feel **indulgentia** for sons (175). Therefore, **indulgentia** is appropriate to anyone in **loco parentis** (176). Its meaning overlaps with that of other attributes because paternal emotions and attitudes are not easily distinguished. Cotton finds considerable overlap with **liberalitas** (munificentia) on the one hand, and **clementia** (mansuetudo) on the other (177). On the whole, however, **liberalitas** seems to be associated more with material generosity: **congiarium**, **donativum**, **remissio** of taxes and debts to the treasury, gifts to private people, building activity, aid after catastrophes, games and **alimentatio** (178). **Indulgentia**, while it may indeed be associated with material benefits, appears to transcend the sphere of material generosity, especially when its meaning overlaps with that of **clementia**, in the sense of remission or mitigation of penalties (179).

In the words of H. Cotton:

"The association of **indulgentia** with the person of the

177: ibid, p.262.
emperor may have been bound up with an attempt to emphasize a particular aspect of the imperial regime, namely the imperial paternalism. There is nothing novel of course in the attempt to liken the ruler to a father. At an early stage the term pater patriae was inserted into the official nomenclature, although, true to its Republican origins, it signified that the Princeps was the servator or conservator of his fellow citizens, and was associated with the corona civica (180)."

The nature of our evidence should be taken into account. Augustus is obviously more inclined to draw a picture of a Republican magistrate who looks after the interests of his fellow citizens. "Indulgence" terminology is applicable to benefactor relationships where inequality is taken for granted. The imperial image is more that of an unchallenged Hellenistic basileus whose exercise of power is controlled by the many positive virtues which he possesses (181). As the autocracy becomes accepted as a fact, and as the needs and sensibilities of those who supply force changes, so does the ideal come to be reoriented. This development in the father image is not absolute, but the autocratic conception is clearly dominant by the turn of the first and second centuries AD and facilitates the predominance of indulgence terminology.

The point should be made that the use of pares in indulgence terminology tends to conflict with descriptions of the pater patriae as civilis princeps, the fellow-citizen,

181: cf.A.Garzetti (1974), s.v."paternalism".
fellow-senator, friend-amicus. Pliny features an ambivalent combination of the two in the *Panegyricus*. This ambivalence, it is true, is present in the *Res Gestae*, but the emphasis has now changed. The indulgentia-pietas bond is clearly a bond between unequals (182), and the more that it is stressed the more a beneficiary is stamped as an inferior. Therefore, *amicitia* in its Republican sense is extinguished because the only real return that can be offered is dutiful respect and obedience (183). The resilience of the *pater patriae* as *civis principis* in this environment is a powerful indication that the symbolic Republican ideal retained value in spite of continuing, rapid decline in its relevance to the political and social realities.

III.

Political writing after Seneca does "little more than play over the now familiar tunes of Hellenistic monarchy (184)". The ideal ruler is a figure of perfect virtue. He stands for goodness, law and concord against forces producing vice, lawlessness and discord. This ideal was applied to the Roman emperor as it had been to Hellenistic monarchs in consequence of the evolutionary changes associated with the Principate. In line with Hellenistic tradition, Philo wrote that the best man for the office of ruler would look after his subjects like a father (185). Augustus thought so too, but there is a marked

185: *De Virtutibus* 57 - Cohn (Teubner) V p.234.
contrast between the *Res Gestae* and the works discussed below. The father analogy is used in these works much as it was by Hellenistic political writers. It is nowhere as central to the characterization of the ruler as in the *Res Gestae*. Nor is it repeatedly emphasized, as by Cicero. The selfless benefactor ideal remains fundamental throughout. It is only with the rise of certain ideas inspired by Christianity that the ideal comes to be challenged as the basis for acceptance of monarchy.

Some twenty years younger than Seneca was C. Musonius Rufus, an eminent Roman and a teacher of Stoicism. Epictetus and Dio Chrysostom were both influenced by him. Fragments of Musonius talk about the *philosophos* as being the only true "kingly man" (*basilikos aner*) (186). In addition, he writes that everyone has a duty to their fellow-men as well as to their families. Their "fellow men" includes all men, not citizens only. "The world is the common fatherland of all men, as Socrates claimed (187)". This concern for the social good goes back to Panaetius, and can be found in Epictetus (188). It is an idea which recurs in works which acknowledge the Roman Empire as a universal entity.

Musonius (189) thought it "necessary that a king should be good and without fault in word and deed, if he must be a living law, as the ancients taught, creating lawfulness and concord, banishing lawlessness and discord, and being an imitator of

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187: IX Hense.
189: cf. Chapter 4, Section IV.
Zeus and father of his subjects as Zeus is (190)". The reference to the good king as "a living law" is reminiscent of the neo-Pythagorean writers, but the other ideas of this passage are commonplace.

Dio Chrysostom of Prusa, writing early in the reign of Trajan, accepted the Roman Empire as a reflection of the Cosmos. For Dio there is a single power that keeps the whole universe in equilibrium. This power is thought of in personal terms as a god, whose place and function in the Cosmos are likened to those of a captain on a ship, a driver in a chariot, a leader in a dance, the law in the state, the commander in a camp. Various names are given to this god: Fate and Necessity sometimes, but mostly the more personal and traditional Zeus, the One Supreme God. Dio (I.9) picks out those epithets of the traditional Zeus which link him with human society, and so mark him out as the divine model for an earthly ruler - Father of gods and men comes first, then Protector of cities, of friends and kindred, of suppliants and strangers and refugees. There is strong emphasis upon philanthropia, which entails the duty to count all of mankind, including slaves, as belonging to the same society.

The good ruler exercises "a lawful management of men and care for (pronoia) mankind in accordance with law (III.43)". His share of toil is greater than that of his subjects; like the captain of the ship who must also care for the safety of his passengers; like a general, who must care for the welfare

190: Stob. IV.7, p.283 Hense; cf. Dio Chrys. 3.82; Pliny, Pan. 80.3.
of his army. He is the soul of the state, which is the body. He must direct his subjects as a husband directs and cares for his wife (III.63-72). He is like a physician to the sick (IV.25), and a good father (I.38, 40). He must be a good shepherd, not the butcher of his flock (IV.44; cf.I.13, 17, 28, 84; III.40), and a skilled charioteer directing the course which the state should take (IV.25).

In another oration (XXXVI), Dio states that the government of the Cosmos is royal and paternal; Zeus is father of gods and men, of all creatures that are endowed with Reason. It is this uniting of gods and men under the rubric of logos that provides a foundation for society on earth and for justice in society, the only solid and indestructible basis. The Cosmos must therefore be the model politeia which is the object of the search of the philosophers; and its basis is the kingship of the very best.

Plutarch accepted the Roman Empire and became a Roman citizen, but the Greek city-state was still for him the only proper social unit. It is not surprising, therefore, that when he comes to write about political matters, he thinks in terms of the Greek cities within the Empire and does not concentrate upon the Roman monarchy as such. There is, however, considerable relevant material about the ideal ruler in Plutarch's biographies and moral treatises. These works locate him in the tradition of Hellenistic political philosophy. He was more concerned with the moral quality of rulers than the
system of government according to which they ruled (191). He portrays the "signs of the soul" in notable men, like a portrait painter who selects certain features only of his subject to convey the essential impression (192).

Virtue (aretē) and justice (dikaiosyne) are especially highlighted (193). History is seen as a kind of mirror by which a man may adorn his life in accordance with virtue (Timoleon 1.1). Elsewhere, Plutarch argues that the principle function of the king is the administration of justice which is sent from Zeus, viz. the divine Logos which flows from God into the ruler who is to dispense it as the vicegerent of Zeus on earth (Demetrius 42.5). The exercise of this divine justice through virtue ensures a true kingship (basileia) and not a tyranny (monarchia). Plutarch laments the apparent preference of Hellenistic kings for a reputation derived from violence and might, rather than from virtue: "The gods seem to be loved, honoured and revered on account of their justice. But many men ardently desire immortality, of which man's nature has no share, and power, which for the most part rests with fortune. Virtue, which is the only divine excellence to which we may aspire, they rate lowest, even though justice renders divine a life spent in power and great fortune and authority, but

injustice renders such a life bestial (Aristides 6)."

In the "Political Precepts", when treating the topic of excessive honours from the people, Plutarch writes: "He, accordingly, is best who desires none of these things but avoids and refuses them...Therefore, the fairest and surest means of preserving honour is moderation (194)." The refusal ritual adopted by the Roman emperors could be in Plutarch's mind here, although the example of Agesilaus was also available (195).

The Roman Oration of Aelius Aristides is a panegyric of the Roman Empire as a universal power. It is quite clearly written from the viewpoint of Greeks in receipt of benefits, such as peace, freedom, common laws and a common fatherland. Rome is seen as the centre of the empire, the single citadel of the world. The Emperor, "the all-seeing god who lives in the city", is vigilant in his care for the provinces (196).

Two major themes have been isolated in the Roman Oration. The most prominent is that of peace, established and maintained by the emperor throughout the world. The second is that of the true freedom of the inhabitants of the Roman Empire, for the Romans govern free men, not slaves, as did other ancient empires. Aristides wants to assure the Romans that police action is not necessary against inter-city rivalry in the Greek

194: Mor. 820 C, E, F; cf. Mor. 543 D-E.
east (197). Part of his technique is to refer to the Roman Empire with the vague and elusive term *koinos*. The key to understanding this term probably rests with the distinction that is made between "the rulers" and "the ruled". This distinction is a matter of class and citizenship. From the point of view of the upper classes the Roman Empire was indeed a *koinē arche*, since men of high rank could pass easily from the leadership of their *polis* into imperial service. The respectable, wealthy, well-educated people form the ruling class. They are Roman citizens and may be either Roman or Greek, since no such division is drawn.

C.P. Jones has convincingly defended the manuscript ascription of another speech to Aristides. He further holds that the speech ("On Kingship") was addressed to Antoninus Pius (198). After the conventional preface, the speech falls roughly into two parts. The first recounts the emperor's career from just before his accession through the first years of his reign (5-15); the speech then proceeds by a catalogue of his virtues, "monetary justice" (16), justice (17-19), philhellenism (20), humanity (21-26), superiority to vice (27-29), military virtues, with praise of the present peace (30-37); there is a brief concluding prayer (38) and an address to the emperor's son (39). When dealing with Pius' humanity, Aristides says that, "He exceeds all emperors in gentleness and goodness, so

that tributes like ‘father’ and ‘shepherd of his people’ and all that poets have uttered in praise of rulers is too little (22)”. Pausanias similarly closed his panegyric of Pius: “This emperor the Romans called Pious... but in my opinion he should be awarded the title of the elder Cyrus and be called 'Father of Men' (199)”.

Marcus Aurelius' Meditations should not be seen as a moral treatise. His aim instead was to strengthen and console himself (200), and he is inclined to stress his citizenship of the world (201). "As Antoninus, my city and fatherland is Rome; as a man, the world (6.44)".

Marcus is conscious of the temptation to "caesarify" himself (Med.6.30), to yield to the arrogance of power and condemn himself to loneliness and alienation; so he arms himself with humility, sets the warmth of his heart free, keeps strong his sense of duty towards his subjects, proclaims true sociability towards his fellow-men by exalting the social virtues of justice and friendship (202), and tries to see society in the cosmic perspective and subdue himself to God as the ultimate and highest authority, in order to remain humane and true to the teaching of his school (203).

Herodian saw Marcus Aurelius as his ideal, the basileus as

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199: Paus.8.43.5-6.
202: cf. Med.3.4; 4.25; 4.37; 5.34; 8.39; esp.11.10.
203: cf. Med.2.17; 9.29; 9.41; 5.9 etc.
opposed to the tyrant (204). He believed that the good emperor should be well-born (2.10.3) and a philosopher (5.5.7), as well as a father to his people (1.1.6). He should have the traditional virtues (1.4.8; 2.4.1; 5.6).

The debate of Agrippa and Maecenas in Dio (52.2-40) has been seen as a response of the senatorial aristocracy to the problems of the Severan age (205). Agrippa defends democracy and Maecenas monarchy. The key to Maecenas’ speech is its senatorial standpoint, the senate wanting a share of power, and rivalry with the equestrian class, which was becoming, in Dio’s time, more influential than the senatorial class. Agrippa points out the disadvantages of tyranny and Maecenas argues that the "best men" (15.1) should co-operate in government. The emperor ought to consult with the best men of the state about legislation, war, and the selection of officials. The speech, therefore, is directed, not against the monarchy as such, but against rulers who deprived the senate of its power. Dio was looking for a new settlement of the power of the consilium and for a reduction of the powers of the praefectus praetorio. The Agrippa-Maecenas debate reflects the attitudes and preoccupations of the senators, who in the Severan period were looking for the union of principatus and libertas against the background of 1) a struggle between the senatorial and

204: 1.1.4; 1.2-4; 6.1.2; 6.17; S.A.Stertz, "Marcus Aurelius as Ideal Emperor in Late Antique Greek Thought", CW 70 (1977), pp.433-439 (at p.436).
equestrian classes, and ii) the transformation of the *princeps* into a *kyrige*.

The speech ends with a long and varied exhortation on moderation and the setting of a good example for subjects. The good ruler, known for his virtue and *civilitas*, will be honoured as a father by his people: "If you of your own accord do all that which you would wish another to do if he became your ruler, you will err in nothing and succeed in everything, and in consequence you will find your life most happy and free from danger. For how can men help regarding you with affection as father and saviour, when they see that you are orderly and upright in your life, successful in war though inclined to peace; when you refrain from insolence and greed; when you meet them on a footing of equality, do not grow rich yourself while levy ing tribute on them, do not live in luxury yourself while imposing hardships upon them, are not licentious yourself while reproving licentiousness in them; when, instead of all this, your life is in every way and manner precisely like theirs? (52.39.2-4)".

After the Severan period, it would seem that the selfless benefactor ideal remained substantially intact for a long time. In Panegyrical works composed after this period, the father analogy is applied to a virtuous prince who deports himself as a citizen, is modest and concerned for the good of the state
IV.

Given conditions in which "indulgence" terminology predominates, the question of the legal basis of the Principate arises. Does the emperor operate according to a conglery of legal powers or does he possess an overriding control that is founded upon the kind of moral bonds dealt with in this study? This is a question which has vexed generations of scholars, especially in regard to the Principate of Augustus (208). A detailed treatment will not be attempted here, but it will be argued that ambivalence is the key and that analogies used by ancient writers should not form the basis for conclusions about legal relationships. It should also be emphasized that a concern for law and justice is entirely compatible with the selfless benefactor ideal (209). In other words, emphasis upon law and justice should not be taken immediately as an indication of the primacy of legal procedure in understanding the basis of the Principate. The good ruler is a figure of justice because of his subjection to right reason or to the law. The tyrant ignores the legal rights of citizens.


209: cf.Chap.4, sections III, IV; Chap.5, sect.III; Chap.7, De Clementia; Chap.8, sect.III above.
This is not an attempt to downgrade the importance of law. Brunt has drawn attention to the legislative steps which marked the accession of an Emperor, and he is adamant that it was Roman law which made the Emperor absolute (210). The Emperor was the representative of the Roman people in legal theory. His power derived from their vote. At the very least the lex de imperio Vespasiani indicates a concern for legal form. The question is whether this lex should be looked upon as the source of the emperor's power, or as an enactment which attempts to cover (but not limit) the vast breadth of that power in deference to traditional sensibilities. In other words, did the discretionary clause of the lex come into being for the specific purpose of enabling a particular emperor to operate in spheres outside those laid down in the accompanying clauses, or (as seems likely) did it arise because there existed the perception that an emperor was (or emperors were) already operating outside them?

In his vast paper on imperial insignia and costume, Alfoldi spoke of the two aspects of the Principate: on the one hand the picture of the constitutional princeps, juristically formulated, on the other the picture of monarchical absolutism, "not factual and rational but subjective and pictorial, bringing to expression not reason but feeling, an emotion designed to link ruler and ruled in the closest of bonds (211)". This observation has led scholars to ask whether the

Principate was in fact one or the other, viz. was it an organ derived from Republican magistracies or a monarchy on the moral plane?

Beranger favoured the latter interpretation, arguing against juristic meanings for words such as auctoritas, and phrases such as cura rerum publicarum (212). He also argued against the "nameless" or "pure" imperium, a product of the search for some overriding power, which was originally invented to cover the "discretionary clause" of the lex de imperio Vespasiani, and to find constitutional authority for jurisdiction within the pomerium, appointment of the praefectus urbi, command of the praetorian and urban cohorts, and so on. The precise legal basis for such powers and prerogatives has been hotly debated, so even if Beranger’s conclusion that the Principate was a moral monarchy is thought too extreme, it is not wrong to stress the consistent efforts that were made to structure relationships between the Emperor and his subjects according to moral bonds associated with the ideal scenario emphasized in this study. Ambivalence appears to be the key, and this requires that both aspects of the Principate be given credit.

All power is ultimately based upon force. It seems that both law and ideology operate subsequently to legitimate and justify a position which rests upon the control of force. At law every emperor’s position rested upon investiture by the senate (213). Yet this was a formality; the reality was a

matter of military force or blood succession. All usurpers after Vitellius dated their reigns from the day of their recognition by the troops, not from the day of the senate’s investiture (214). The Emperor’s power to inflict death, confiscation or exile, whatever its legal justification, if any, was from the beginning an integral part of his role. Millar sees it as “an inheritance...from the summary hearings, punishments and confiscations of the civil war period (215)”. The Roman Emperor’s relationship to the law was equivocal, a fact which too many have failed to accept. It may be understood from the viewpoint of the ideology, which stresses the ideal figure whose exercise of unlimited power is governed by his outstanding virtue rather than by legal rules. Subjects attempt to mitigate the arbitrary exercise of unlimited power by emphasizing the selfless ideal. It is no surprise that scholars have attempted to understand the emperor’s legal position by reference to patria potestas and the position of the paterfamilias. They assume a precise legal basis for unlimited power. This makes too much of analogy. Bauman (216), for instance, finds the suggestion of a technical transfer of power behind Strabo’s comment (6.4.2) that power was turned over to Augustus as to a father. E.M. Staerman (217) sees the emperor’s control of state property and funds in terms of the father’s control of the economic resources of the family.

According to Staerman, "Die Republik war eine grosse familia, die familia eine kleine Republik, wie Seneca und Plinius meinten (218)". Analogy should not be used like this. As far as can be ascertained, no clear legislative steps mark the emperor's assumption of control of the state treasury in addition to his private patrimonium (219). Ambivalence between res publica and res privata was fundamental to the ideology (220). It caused much trouble in majestas trials but was vital to acceptance of the autocracy. According to Macrobius, Augustus complained that he had two troublesome daughters, the res publica and Julia (221).

Elite provincials, working in a Greek intellectual environment, had no trouble envisaging the princeps as an unlimited ruler. His power and prominence in the state, well illustrated by the p.p title, were such that he could be conceived of equally with the idea of Rome itself (222). The second century elite in general appear interested in a man of procreative/tutelary power who has the virtuous disposition which predisposes him to exercise his power in a moderate manner. He is a just man who gives heed to the existing laws and can be compared with the gods for his virtue and power. These are the qualities which warrant the father analogy. As the Imperial office became more absolute and less "Roman", a

218: Staerman n.60; Sen. Res. 3.2; Ira 2.11, 3.16; Clem. 1.18; Plin. Ep. 3.8, 8.16, 9.36.
221:Sat. 2.5.4; Malcovati (3), frg. ixiii.
222: Ovid, Trist. 4.4.13-15; Herodian 1.6.5; Dig. 48.22.18.
process which accelerated with the crises of the later Empire, the father analogy assumed a conventional, though regular, posture that contrasts sharply with its importance in the late Republic and early Principate. Even in the senate, which was the guardian of *mos maiorum, recusatio* and p.p are of limited value, although they do retain a place. The sensibilities of Tacitus are especially sharp. Others of his class were not opposed to the Principate or to "Greek" elements per se.

Senatorial historians of the second century and later overlook the gluttony of Antoninus Pius, and Trajan's fondness for boys, while Tacitus condemned such vices in the Julio-Claudians. The matters which Trajan referred to the senate appear minor, but Tiberius is condemned when he tables matters of importance. There was apparently some concern over the senate's loss of "Romanness". It was decreed that senators of Tacitus' time had to invest at least a third of their fortunes in Italian land (223).

Decline in the ideal scenario itself is difficult to pin down. Late Imperial panegyrics continue to contrast the virtuous good king, who is like a father to his people, with the tyrant. The ideal of a selfless benefactor, who might be called "father", was never completely expunged. However, it was affected by changes in the social and political norms, by centralization, bureaucratization, the rise of impersonal government machinery and so on. Christian ideas about the

223: B. Baldwin, "'Power corrupts - and absolute power is even nicer': Some thoughts on recent reassessments of the Roman emperors", *Liverpool Classical Monthly* 9.7 (July 1984), pp.102-105.
Divine Right of Kings and the equality of every man in the sight of God also played a part. The Christian idea of the Divine Right of Kings was a particularly disruptive element. Christian political philosophy sanctioned what Brunt calls "the Divine Right of Kings to rule wrong" (224). In other words, if the king were sanctioned by God, he must be obeyed come what may. By contrast, Graeco-Roman thought demanded that the good king exhibit his virtue, as dictated by the selfless benefactor ideal. The good king would be favoured by the gods on account of his virtue. Self-interest was to be subordinate to the common good. Conflict arose between Christian thought and the ideal as promulgated by the Greeks and Romans because of its divine associations. The imperial cult eventually had to go (225). God is the supreme benefactor, and he is unapproachable. If he ordains a man king, that man may even rule like a tyrant by Divine Right.

Rulers had to satisfy the material interests of those who supplied force and had an interest in the ideological agenda. Social, political and economic guarantees of a tangible nature were always basic. These were rationalized in terms of a mutually-acceptable ideological framework. Rulers could be perceived in procreative/tutelary terms even in Christian kingdoms. The reputed healing power of French monarchs seems compatible with the broad ideal. Moreover, Elizabeth I of England and Victor Emmanuel II of Italy are styled 

patriae and pater patriae on their respective tombs in Westminster Abbey and the Pantheon. The classical echo alone is a reason for this usage, but each monarch might be affectionately seen as founding figures, as indeed might political figures of other times. On the other hand, for these figures there are no "Roman" (as against "Greek") and "Republican" (as against "autocratic") connotations, such as produced the floruit of the father analogy at Rome, and the genesis of the p.p.p title, during the late Republic and early Empire.
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