

STATIUS' ALTAR OF MERCY

A. W. Verrall (*The Altar of Mercy, Literary Essays Classical and Modern*, Cambridge, 1913) considers rightly that the scene at *Thebaid* 12. 481 ff. is 'the cardinal point of the whole poem'. I hope to show that Statius has portrayed the goddess *Clementia* as a force which functions in a way very different from that which his readers would expect from their experience of the usage of the word *clementia* and that his new portrayal is closely related to a theme of the poem. I shall suggest that his redefinition of the concept was inspired by the political situation in which he found himself. The Altar of Mercy focuses Statius' thoughts on the position of man in the universe and of the individual in society, and coming as it does after eleven books of disaster offers some comfort to man in his suffering. Statius is concerned in the *Thebaid* with man as a tragic victim, and the Altar of Mercy affords him comfort precisely in that area in which he most seeks it.

Statius' presentation of the concept of *clementia* is unique in the Roman tradition up to the end of the first century A.D. A detailed study of poets and prose writers¹ reveals the consistency of what might be called the traditional view of *clementia*: the presupposition necessary for the word *clementia* to be used is that a fixed standard of behaviour which relates two individuals or groups has been breached by one of the partners; the other is then in a position to show *clementia* in respect of the punishment he exacts for that breach. That this remission of punishment for an offence is the situation in which *clementia* is normally used is clearly shown by what survives of Seneca's treatise *De Clementia*.² In the introduction (1. 1) and throughout the treatise the basic assumption for the bestowal of *clementia* is the presence of *peccata* and *errores* (1. 7. 1) and the verb which describes its bestowal is *ignoscere* (1. 2. 2). The anecdotes at 1. 9-15 are all concerned with punishing offences, and although Seneca sometimes digresses to deal with the state under good leadership, assuming more in the leader than *clementia* as he presents it (e.g. 1. 19), he always returns to the idea of crime and punishment (e.g. 1. 20. 1). Seneca's definitions of *clementia* leave one in no doubt as to its everyday usage (2. 3. 1):

clementia est temperantia animi in potestate ulciscendi vel lenitas superioris adversus inferiorem in constituendis poenis . . . itaque dici potest et inclinatio animi ad lenitatem in poena exigenda . . . hoc omnes intellegunt clementiam esse, quae se flectit citra id, quod merito constitui posset.

Finally at 2. 4. 2 Seneca refuses to discuss *crudelitas* exercised for its own sake:

sed quia nec ultionem sequitur (non enim laesa est) nec peccato alicui irascitur (nullum enim antecessit crimen), extra finitionem nostram cadit.

The most common situations in the Latin writers in which *clementia* can be

¹ This study involved the consideration of all the examples of *clementia*, *inclementia*, *clemens*, *inclemens*, *clementer*, and *inclementer* in Virgil, Lucan, Valerius Flaccus, Silius, Ovid, Horace, Propertius, Lucretius, Catullus, Cicero, Caesar, Tacitus, and Seneca's Tragedies, and of a selection of examples in

Plautus, Manilius, Martial, Juvenal, Sallust, Nepos, Livy, Suetonius, Curtius, Pliny, Velleius, Valerius Maximus, Florus, and Seneca's prose writings.

² That this was the range of usage of *clementia* has been assumed by S. Weinstock in his recent study *Divus Iulius* (pp. 233-43).

shown are the legal and the military. In the first case a man is punished for a breach of the law; *clementia* may be exercised by judge or jury with the result that they punish the defendant less harshly than it is within their legal right to do. In the second case the pardoning by the victor of a man who has supported the losing side in a military or simply a political struggle and has so caused offence constitutes *clementia*. Examples of such cases, along with closely related usages, are very common indeed in Cicero and other Republican, Augustan, and Julio-Claudian prose writers;¹ one man (or group) is in a position of superior power over another who has caused him offence, and *clementia* is shown when he refrains from exacting the penalty which he has either the legal right or the power to exact. There is a difficulty here: no account is taken of whether *clementia* is shown by legal right or simply by superior military power; it can be bestowed equally well in either circumstance; to advertise one's willingness to bestow *clementia* was to call attention therefore to the fact that one did have the power to bestow it; Cato refused to benefit from the *clementia* *Caesaris* because to do so would have implied recognition of what he considered was an illegal regime.²

This situation is recognized and fully exploited by Tacitus. For him *clementia* has become a symbol of monarchic power (Charlesworth, *op. cit.* in n. 2 below, and especially R. Syme, *op. cit.* p. 341 n. 2), and he is persistently ironic about the *clementia* of the emperors. The *Annals* are full of examples of the emperor showing *clementia* to people who have offended him in some way, whom he suspects of treason, or whom he considers are members of an opposition party. Some examples will show Tacitus' biting irony: Tiberius' *clementia* towards Archelaus who had not visited him in retirement at Rhodes but had entertained Gaius Caesar (*Ann.* 2. 42); Tiberius' *clementia* towards a friend of

¹ For judicial usages cf. Cicero, *Verr.* 5. 74; *Cluent.* 202; *Tul.* 50; *Part. Or.* 11; for Caesar's *clementia* in the context of the Civil War cf. Cicero, *Ph.* 2. 116; *Lig.* 6; 10; 15; 19; 29; 30; *Mar.* 1; 12; 18; *Deiot.* 38; 40; 43; Caesar, *B.Af.* 86; 88; 92; Velleius Paterculus 2. 55; 2. 57; for other military situations cf. Caesar, *B.G.* 2. 14; 2. 31; 8. 3; 8. 21; Livy 3. 2. 5; 26. 14. 2; 28. 25. 13; 33. 12. 7; 36. 12. 6; 36. 27. 6; 37. 6. 6; 43. 1. 2; 45. 4. 7; 45. 8. 5; *clementia* is a rare word in the poets but cf. Ovid, *Met.* 8. 57; *Tr.* 2. 125; 3. 5. 39; 4. 4. 53; 4. 8. 39; 4. 9. 3; 5. 4. 19; *E.P.* 1. 2. 61; 2. 2. 121; 3. 6. 7; Propertius 2. 18. 47; Seneca, *Oct.* 442; 835.

² Cf. M. P. Charlesworth, 'The Virtues of the Roman Emperor', *P.B.A.* xxiii (1937), 112 f.; and, for the assumption by Caesar of what was traditionally a virtue of the Roman state, Weinstock, *op. cit.*, pp. 236-40.—At *Epistulae ad Caesarem senem de re publica*, 6. 5, ascribed to Sallust, the writer seems to be responding to a need which he felt existed in the contemporary political situation. He attempts to redefine Caesar's *clementia* in order to make his own moral point: *vera clementia*, according to Sallust, is *consuluisse ne merito cives patria expellerentur, retinuisse ab*

stultitia et falsis voluptatibus, pacem et concordiam stabilivisse. *Clementia* is still a quality shown by a superior to an inferior, but there is no initial offence committed. It is possible that Sallust, if indeed he is the author, a writer concerned with political behaviour and writing at a time when the political and moral foundations of Rome were being shaken and citizen was fighting citizen, realized that this powerfully emotive word was inadequate because of its confinement to fixed relationships of pardon and offence. The attempt to expand the range of usage of *clementia* would be appropriate to the turmoil and insecurity of the twenty-year period of civil disturbance prior to the settlement of 27 B.C. Sallust reflects a feeling of frustration at the inadequacy of traditional value words when applied to the changed political conditions; he expresses the need not for pardon for men convicted of criminal or political offences but for a benevolent and morally based leadership, a need which it may reasonably be assumed was felt again after the chaotic conditions of the year A.D. 69. In this usage Statius' adaptation of the concept is foreshadowed.

Sejanus whose offence consisted in being the friend of a man who fell from favour (*Ann.* 5. 6), and towards a man who wanted to leave Rome because things were so bad but who was stopped as he was trying to leave Italy (*Ann.* 6. 14):

mansit tamen incolumis oblivione magis quam clementia.¹

Claudius shows *clementia* in allowing a defendant to choose the manner of his own death (*Ann.* 11. 3); Nero's *clementia* (*Ann.* 14. 48) is banishment rather than execution for writing defamatory verses.

Two important observations can be made about the usage of Tacitus. First he uses *clementia* only in the traditional way, for the pardoning of an offence, making no attempt to expand its range of usage. Secondly, this master of irony and innuendo uses *clementia* to great effect in his characterization of the Julio-Claudian emperors; furthermore he represents it as a basically imperial prerogative, and it is a short step from here to its use as a propaganda word in anti-imperial sources, a word symbolizing the despotism of the emperors. It seems probable that during the Julio-Claudian principate there were people at Rome, Stoics and Republicans perhaps, for whom *clementia* was a symbol of the imperial tyranny and that Tacitus' ironic usage is a reflection of this: the emperor's *clementia* is so often exercised in respect of trivial offences which would not require pardon were they not directed against a despotic tyrant,² and often the *clementia* itself is of a trivial nature and results in only an insignificant moderation of the sentence.

Suetonius also often mentions the emperor's *clementia* but he does not aim, as Tacitus does, at being systematically ironic. He devotes a whole chapter (75) to Julius Caesar's *clementia*: the sparing of enemy soldiers and the pardoning of Pompeian exiles. The *clementia* of Augustus too consists in the pardoning of political opponents: chapter 51, in which the author claims to give examples of Augustus' *clementia*, is in fact just a list of men of the opposite faction (*diversarum partium*) and of people who insulted the *Princeps*. Tiberius shows *clementia*, in an ironic passage in chapter 53, in his decision to exile Agrippina rather than have her strangled, and the crime for which Vitellius might have shown *clementia* was that of a man who asked for the money which Vitellius owed him. Domitian's *clementia* is outlined in chapter 9 and is traditional judicial *clementia*; his abandonment of this *clementia* is shown by a list of men whom he executed for trivial crimes (chapter 11). To demonstrate that Vespasian was *civilis* and *clemens* (chapter 12) Suetonius lists in chapters 14-15 the trivial offences which this particular emperor did not punish. Thus Suetonius laid great emphasis on the *clementia* of the emperors, and by concentrating on pardon not for serious offences but for personal insults and trivialities he presents the emperors, apart from Vespasian, as malevolent tyrants.

Tacitus and Suetonius use *clementia* in the traditional way, pardon by a superior for an offence against him by an inferior, but the offence, committed as it is against the emperor personally rather than against the Roman people (by breaking its laws or opposing it in war), can only be pardoned by the

¹ Note also Tiberius' opportunity of showing *clementia* at trials: *Ann.* 3. 22; 3. 68; 4. 31, where he pardoned someone for writing defamatory verses. Tiberius' *incle-*

mentia is the exact opposite of his judicial *clementia* (*Ann.* 4. 42).

² Cf. R. Syme, *Tacitus*, 413 ff. and Appendix 66.

emperor personally. Cicero's appeals to the *clementia Caesaris* in the late speeches had set a dangerous precedent, for the implication was that he recognized Caesar, not the *populus Romanus*, as a force capable of dispensing *clementia*. This situation, which inevitably grew worse with the increasing centralization which resulted from the emperor's direct control of the government and with the Senate's refusal to take judicial decisions on charges of *laesa maiestas* without turning to the emperor for guidance (amply documented by Tacitus), is reflected in the necessity which Seneca felt to address to Nero the treatise *De Clementia*.

The evidence for the deification of the concept of *clementia* is confined to the Caesarian and imperial periods. Appian, Plutarch, and Cassius Dio all tell of an altar set up to the *Clementia Caesaris* (ἐπιείκεια),¹ and coins of Sepultus Macer have a picture of a temple and the words CLEMENTIA CAESARIS. An Ara Clementiae was voted to Tiberius by the Senate, as a show of sycophancy, according to Tacitus (*Ann.* 4. 74); this is very closely related to Tacitus' usage of imperial *clementia*, and the author clearly intends to criticize the Senate. Dio tells us (59. 16. 10) that the Senate, accused by Caligula of *laesa maiestas* towards Tiberius, voted a yearly sacrifice to the former's φιλανθρωπία (*clementia* towards people accused of *laesa maiestas* is common in Tacitus and Suetonius). Augustus was able to boast of his *clementia* in the *Res Gestae*² where he mentions the shield dedicated to him bearing the inscription: *virtutis clementiaeque et iustitiae et pietatis causa*, and Vitellius has *Clementia* on one of his coins (apparently referring to his treatment of Otho's family), and a series of coins bearing *Clementia* was issued under Tiberius.³ Thus deified *Clementia* appears to have been confined to the pardon-and-offence range of usage and was the quality of a monarchic leader.

Examination of the Roman tradition also shows that *clemens* and *clementer* (as well as their opposites and the Virgilian coinage *inclementia*) frequently functioned in the same way as *clementia*⁴ but could also be used over a wider range to embrace situations not concerned with pardon for an offence, where only the idea of kindness or gentleness was present: this is especially so in the poets. None of the poets, however, organizes these words into any sort of orderly system, and *clementia* remained for them something which might or might not be bestowed by the offended party, a potential victimizing agent.

We may say, then, that there are three aspects of the usage of *clementia* emerging from the Roman tradition which are of the utmost importance for the understanding of the way in which Statius revolutionized the concept: first the almost exclusive limitation of the noun to situations involving offence and pardon; secondly the fact that the adjective and the adverb were often

¹ Appian, *B.C.* 2. 106; Plutarch, *Caesar* 57. 3; Cassius Dio 44. 6. 4.

² *Res Gestae Divi Augusti*, 34. Cf. Charlesworth, *op. cit.* p. 340 n. 2.

³ For the *clementia* of Tiberius cf. R. S. Rogers, *Studies in the reign of Tiberius*, pp. 39–55 and works there cited. Like Rogers, I cannot accept Charlesworth's view, based partly on his unawareness of the *Clementia* coin issue under Tiberius, that emperors themselves were self-conscious about using *clementia*, though surely there were people who, like Tacitus, were fully aware of the

unfavourable light in which imperial *clementia* could be seen.

⁴ For judicial usages cf. Cicero, *Cat.* 1. 4; 4. 12; *Verr.* 4. 86; 5. 19; Caesar, *B.C.* 3. 20; Livy 1. 26. 8; for Caesar's *clementia* in the context of the Civil War cf. Cicero, *Mar.* 9; *Deiot.* 34; Velleius Paterculus 2. 56; for other military situations cf. Livy 27. 15. 2; 26. 32. 8; 37. 6. 5; for usages in the poets dependent on a situation involving offence (or supposed offence) and pardon cf. Valerius Flaccus 7. 416; Horace, *Carm.* 3. 11. 46.

used in a looser sense to mean simply 'kind' or 'gentle'; thirdly that *clementia* could be a loaded word when used of a Roman emperor, since it raised the question of whether the emperor had the right to bestow *clementia* upon the citizens and emphasized the arbitrary, despotic nature of his position.

Of those verse and prose writers who might have influenced Statius' usage none had employed *clementia* for any particular effect, although Tacitus was very soon to show the political potential which the word could have; Statius' definition was doubtless made possible by the broader elements in the tradition of *clemens* and *clementer*. Statius' epic is very largely concerned with man as tragic victim; this is apparent throughout the *Thebaid*, and it is only in Book 12 that man is given something to which he can turn in his helplessness, the *Ara Clementiae*. That this is the purpose of the altar is made quite clear from the passage at 12. 481 ff. The whole of this passage is of great importance for the over-all interpretation of the *Thebaid*, as Verrall realized: for example, in the contrast that is made between this goddess and the traditional Olympian deities, emphasized in the first part of the passage, and in the light that is thrown on Statius' conception of the characteristic qualities of man: *trepidus, miser, egenus*.¹ For the present purpose, however, our chief concern is with the groups of people who go to the *Ara Clementiae* for comfort and assistance (495-6):

semper habet trepidos, semper locus horret egenis
coetibus, ignotae tantum felicibus arae.

This would seem to indicate that the goddess's primary concern is not with pardoning offences. At 504-11 Statius is more specific:

unde procul starent iraeque minaeque
regnaque, et a iustis fortuna recederet aris.
iam tunc innumerae norant altaria gentes:
huc victi bellis patriaque a sede fugati,
regnorumque inopes scelerumque errore nocentes
conveniunt pacemque rogant; mox hospita sedes
vicit et Oedipodae Furias et funus Olynthi
textit et a misero matrem submovit Oreste.

Six groups of people, (i) and (ii) by implication (504-5), are mentioned here: (i) those threatened by monarchs (taking *iraeque minaeque* / *regnaque* as a hendiadys); (ii) those who have suffered because of fortune; (iii) those defeated in war; (iv) those exiled; (v) kings driven from their realms; (vi) those who through *error* have committed *scelera*. Examples of all these situations occur in the *Thebaid* and in each case man, or the rational part of man, has no control over what happens: (i) Oedipus threatened by Creon (11. 655 ff. and especially 11. 684: *inclementia regum*); (ii) Polyneices, exiled by the lot; (iii) the Argives because of Jupiter and *fatum*; (iv) Polyneices (as ii); (v) Polyneices. All these events were clearly determined by something beyond the power of the people concerned, and as for (vi) the same is true since whenever a *scelus* is committed in the *Thebaid* the responsibility of the human agent is played down.²

¹ Cf. R. Rieks, *Homo, Humanus, Humanitas*, Munich, 1967, pp. 202-25.

² I hope at a future date to show how Statius views human responsibility for

scelera in connection with the poet's general view of man and the hostile environment in which he places him. It can be said now that Statius is not interested in man as a criminal

The assistance of the goddess *Clementia* is not precluded by the presence of an initial offence since the list of victims includes those who have committed *scelera* (even if unintentionally). An offence, however, is not a necessary prerequisite for the bestowal of *clementia* as it was in the Roman tradition; rather the feature which all the situations have in common is that man is suffering at the hands of a power he cannot control, and indeed the whole emphasis of the passage 504-11 is on result (human suffering) rather than on a possible cause (human guilt). Everyone who comes to the Ara Clementiae is a tragic victim; Statian man is a plaything of all kinds of superior powers, Fate, Olympians, Furies, and his own emotions, and only now in the last book does Statius provide him with a superior responsible power to which he can turn. Material assistance must come from Athens, presented as agent of the goddess's will. The Athenians themselves are elsewhere presented as having *clementia* (12. 175-6): the Argive women contemplate going to Athens

... Actaeae si quid clementia gentis adnuat ...

It is the concept of *clementia* embodied in Athens that Statius puts forward as some sort of answer to the problem of man as he presents it. Man does not require a god to pardon him since the question of guilt and moral responsibility is not raised in the poem, but he does require pity and assistance in his role as the suffering victim of powers beyond his comprehension.

The role of the Ara Clementiae is reflected, consciously I believe, in the *clementia* of the Nile (3. 527). Whereas in the traditional usage the agent of *clementia* was the person or institution against which the offence had been committed the position of the goddess *Clementia* is that of a disinterested third party. This position is reproduced in the Nile passage: the swans, victims of the north wind—against which they have committed no offence; their buffeting is a fact of life about which they can do nothing—can find peace in the *clementia* of the Nile. The parallelism is ensured by the recollection of this passage in the simile which concludes the description of the arrival of the Argive women at the Ara Clementiae (12. 515-8):

ceu patrio super alta grues Aquilone fugatae
cum videre Pharon; tunc aethera latius implent,
tunc hilari clangore sonant; iuvat orbe sereno
contempsisse nives et frigora solvere Nilo.

The other usage of *clementia* in the *Thebaid* at 11. 606 does not seem to fit so clearly into the pattern. Oedipus considered that his sons had committed an offence against him, but, as the Ara Clementiae and *clementia Nili* passages have shown, the only presupposition necessary for the bestowal of *clementia* in Statius is the presence of suffering victims. This applies equally well to the Oedipus passage (11. 605-7):

tarda meam, pietas, longo post tempore mentem
percutis? estne sub hoc hominis clementia corde?
vincis io miserum, vincis, Natura, parentem.

Oedipus now feels pity for the suffering of his sons and his feelings are termed *pietas* and *clementia*, feelings which *Natura* demands in a *parens*. On the basis agent but as an instrument which, when in the power of a superhuman force, is prone to commit harmful actions, i.e. *scelera*.

of the conclusions drawn from the Ara Clementiae passage, therefore, the presence of the initial offence by the brothers is merely incidental to the use of *clementia* here. Furthermore the balance of emphasis in the passage 11. 606–26 is heavily weighted towards the suffering of Eteocles and Polyneices at the hands of a supernatural agent and away from any offence which may have been committed by the brothers against their father.¹

Stattius' *clementia* therefore differs sharply from the traditional usage. Elsewhere it depended upon a mutual relationship in which one party committed an offence against a superior party (or against a party to whom legal appeal to a superior party was available) and in which that superior party could either punish or show *clementia* to the former. In Statius such a relationship does not occur; the goddess Clementia and the river Nile as agents of *clementia* are not the same entities as the victimizing forces but are independent, so whereas in the Roman tradition only two parties were involved, the inferior (offending) and the superior (victimizing or showing *clementia*), in Statius three parties are involved, the inferior (not offending), the superior (victimizing) and another superior (showing *clementia*).² In the case of Oedipus' *clementia* the situation is not so clear-cut, but Statius is explicit as to the fact that it is not Oedipus but a supernatural force that is the victimizing agent (see below n. 1). Although Oedipus' relationship with the brothers is not that of a disinterested party, and so his role as a bestower of *clementia* is not exactly parallel with that of the goddess or the Nile, nevertheless his *clementia*, as has been shown, can be fitted into the Statian pattern. Moreover Oedipus' *pietas* and *clementia* correspond to a return of logic, an escape from the influence of the *furor* under which he cursed his sons. When he feels *clementia* he has become an example of this new humanity (rather than the puppet of *furor* that he was when he cursed his sons) and thus he can be regarded as a different entity, as a third party.³

On one occasion in the *Silvae* Statius uses *clementia* in the same way (3. 4. 73–7):

nondum pulchra ducis clementia coeperat artus
intactos servare mares; nunc frangere sexum
atque hominem mutare nefas, gavisaeque solos
quos genuit natura videt, nec lege sinistra
ferre timent famulae natorum pondera matres.

The slave-boys and their mothers have committed no conscious *scelus*; their very position *vis-à-vis* the *lex sinistra* automatically ensured their suffering and so they are parallel with the victims who come to the Ara Clementiae. Domitian

¹ The offence of the brothers is played down throughout the poem and seems to have been left deliberately vague (cf. Vessey, 'Exitiale genus; Some Notes on Statius, *Thebaid* 1', *Latomus* xxx [1971], 377). This usage of *clementia* approximates to the Statian plan, inasmuch as Oedipus is not regarded as the victimizing force which causes the brothers' suffering (619–21): *furor illa et movit Erinyes / et pater et genetrix et regna oculique cadentes, / nil ego*; though he can by no means be regarded as an entirely disinterested party.

² Statius does have a precedent for the

bestowal of *clementia* by an unoffended third party: at *E.P.* 4. 1. 25 Ovid refers to the *clementia*, that is to say the kindness and generosity, of Sextus Pompeius. This is, however, an isolated example amidst a large number of traditional usages. Moreover Ovid in his abject state may well be using the word to imply that kindness involves forgiveness for his *error* and he may be paying a compliment to Sextus Pompeius by using this emotive word.

³ Schetter (*Untersuchungen zur epischen Kunst des Statius*, Wiesbaden, 1960) recognized the change in Oedipus at this point.

then appears and takes steps to put an end to their suffering by altering the legal *status quo*. Here again the emphasis of the passage is on human suffering from an impersonal source. Of course it is possible to relate this example to the traditional usage by regarding Domitian's actions as a remission of hypothetical punishment but the connection is extremely tenuous in this case, first because traditionally a positive *scelus* had to be committed (which is not the case here where the slaves are simply victims of social custom—their birth is *fortuna*) and secondly because Domitian who shows the *clementia* is not an offended party. This usage in the *Silvae* is parallel with the Ara Clementiae passage, with Domitian playing the role of the goddess, and so what is expressed as an ideal in the *Thebaid* (naturally so since in the epic Statius is concerned with theories of man) is translated in the *Silvae* into Roman reality.¹

Like *clementia*, *inclementia* in Statius has nothing to do with forgiveness. The word was coined by Virgil who uses it twice (*Geo.* 3. 68, *Aen.* 2. 602), on each occasion in the sense of 'absence of pity' with reference to death and the gods. Virgil, however, is clearly not interested in using the *clementia* idea to illustrate a theme since he avoids the word *clementia* altogether. *Inclementia* is used by Statius in the same way as by Virgil to mean 'the absence of pity' of a superhuman power for mankind, and as such it becomes the exact opposite of Statius' usage of *clementia* and fits into his organized pattern.² *Thebaid* 1. 648–50 demonstrates the sense in which it is used by Statius:

'quodsi monstra effera magnis
cara adeo superis iacturaque vilior orbi
mors hominum et saevo tanta inclementia caelo est'.

Inclementia is the failure to help man faced with death in a situation he cannot understand, and it is a characteristic of the Olympian gods throughout the epic. Their selfish behaviour constitutes *inclementia* inasmuch as (a) it fails to take account of human needs and (b) it results in humans suffering by subjecting them to powers they cannot fight, viz. the gods themselves.

On the four occasions on which *inclementia* is used by Statius it is shown by (i) the Olympian gods (*Th.* 1. 650), (ii) the sea (*Th.* 5. 173), (iii) monarchs (*Th.* 11. 684), (iv) *fatum* (*Silv.* 1. 4. 50), all powers over which man has no control and at the hands of which he suffers. Thus Statius uses *inclementia* to characterize the victimizing forces for protection against which man goes to the Ara Clementiae. The poet is concerned throughout the *Thebaid* with the victimization of man by certain forces, and his usage of *clementia* and *inclementia* emphasizes the careful organization with which he expresses his views. The two words are not parallel but are the opposite sides of the same coin: the forces of *clementia* provide assistance for the victims of the forces of *inclementia*; the people who go to the Ara Clementiae are explicitly victims of *fatum*, gods, and monarchs, and these are the very forces to which Statius ascribes *inclementia*.³ For the noun and its opposite to correspond each must be judged

¹ Note that it is slaves in particular who benefit. The *Thebaid* contains some interesting views on violence, oppression, and human rights.

² A comparison with Silius' usage of *inclemens* (8. 438) is illuminating. He uses it of one man's attitude to the enemy in a war situation as the tradition of offence and

pardon demanded. Tacitus too (*Ann.* 4. 42) assimilates Virgilian *inclementia* to the Roman tradition.

³ The sea is a perpetual image of the forces of *furor* in the *Thebaid* and is always hostile to man (cf. also the characteristic usage of *inclementia* at *Ach.* 1. 73).

in accordance with the same criterion; accordingly since on no occasion on which *inclementia* is used does the situation involve the failure to pardon an offence, weight is given to the argument for the irrelevance of such a situation in the use of *clementia*.

The 'meteorological' usage of *clemens* is very carefully employed by Statius and accords with the pattern that has been established. At *Silv.* 2. 2. 26-7 and *Th.* 5. 468-9 the wind is presented as something which is normally hostile to man. In the *Silvae* passage it is *insanus* and only becomes *clementior* as a result of divine intervention, and in the *Thebaid* passage it is only because the wind is *clementior* than usual that the Argonauts are able to sail. The wind, of course, belongs to that group of forces whose nature it is to show *inclementia*; therefore the comparative form is used which simply shows that the wind is being less *inclemens* than usual. The use of the comparative indicates a habitual *inclementia* whereas *clemens* would have implied a habitual *clementia* and so could not have been used by Statius¹ of a victimizing force such as the wind.²

A definite pattern has emerged: *clementia*, in contrast to almost all previous usage, is a relationship in which only one side plays an active part: the victim does nothing: he is just the victim of an oppressor. Thus, *clementia* neither commends the pardoning of an offence, nor is it shown by the victimizing force, but provides the independent assistance of a third party to the victims of the forces which rule men's lives (the Olympians, the powers of nature, monarchs, and *fatum*), the forces of *inclementia*; it is the bestowal of sympathy upon and the provision of assistance for all men who are the victims of forces beyond their control. This is a development of the broad usage of *clemens* meaning 'kind', 'gentle', but Statius has used it to express his concept of man in a way in which no other writer had done, in accordance with the most pressing needs of man as presented in the *Thebaid*. The primary illustration of this pattern is the role of the Ara Clementiae with the accompanying usage of the *clementia* of the Athenians at *Th.* 12. 175-6. The Nile stands as the altar's counterpart in imagery and the example from the *Silvae* (3. 4. 73) shows the idea translated into practical Roman reality. The purpose of the Oedipus passage (*Th.* 11. 606) may be to link this new concept of *clementia* with *pietas* and to oppose the two to *furor*, according to the demand of *natura*; that is, to present *clementia* as an aspect of true humanity.³

Statius therefore has succeeded in redefining *clementia* to make it approximate to *misericordia*.⁴ The actual altar in Athens was the 'Ελέου βωμός (ἔλεος is rendered in Latin by *misericordia*)⁵ and clearly it is the idea of *misericordia*

¹ As it was by Catullus (64. 272).

² At *Th.* 7. 80 the comparative is used to the same effect with *aura* to relate symbolically the two gods Mercury and Mars. Mars is thereby shown to be habitually *inclemens* whereas Mercury is less so. In fact Mercury does not play a hostile role in the *Thebaid*.

³ Cf. Seneca, *Clem.* 1. 5. 2, 1. 25. 1-2.

⁴ For a definition of *misericordia* cf. Seneca (*Clem.* 2. 5. 4): *misericordia est aegritudo animi ob alienarum miseriarum speciem aut tristitia ex alienis malis contracta, quae accidere immerentibus credit*. Statius has added to this the idea of practical assistance (Seneca says that the *sapiens* will assist the victim rather

than feeling *misericordia*, of which he disapproves). The point of *misericordia* is that it is bestowed on those who have suffered undeservedly (cf. Seneca, *Clem.* 2. 5. 1: *misericordia non causam sed fortunam spectat*) and this is the most significant feature of Statius' *clementia*.

⁵ *Panegyrici* 9. 7. 1 (Mynors): *inde est quod Atheniensis humanitas aram Misericordiae instituit*; cf. Apuleius, *Met.* 11. 153; Quint. 5. 11. 38. For the 'Ελέου βωμός cf. Pausanias, 1. 17. 1; Ἀθηναίους δὲ ἐν τῇ ἀγορᾷ καὶ ἄλλα εἶσιν οὐκ ἐς ἅπαντας ἐπίσημα καὶ 'Ελέου βωμός. Cf. also Weinstock, *Divus Iulius*, p. 242, note 4.

that Statius wishes to represent by *clementia*. The carefully organized pattern in which Statius uses the *clementia* group of words shows that he was not just using a metrically convenient substitute; to fill the gap left by the metrical intractability of *misericordia* Statius decided to redefine a morally and politically important word, and by completely changing its traditional application he focuses attention on the real theme of the poem; for his deliberate dissociation of *clementia* from the realm of crime and punishment underlines the poet's lack of concern for the question of human guilt and directs attention towards the problem of oppression and suffering with which, I believe, the *Thebaid* is primarily concerned. Thus the word which Statius uses for his Altar of Pity and the change he makes in its range of application has central importance for the meaning of the poem.

I hope it has been shown that in one aspect at least the *Thebaid* is not an escapist mythological tale but rather a comment on man's position in the universe. There was, however, one further factor which undoubtedly influenced Statius' decision to use the *clementia* group of words as a central concept in his theme, and this was the word's political potency. I propose in conclusion to show that the *Thebaid* is not just a general view of humanity but also a pertinent document of contemporary politics.

As has been shown, *clementia* was a word that could be used disparagingly of the Julio-Claudian emperors as a symbol of absolute monarchy, the power of life and death over one's subjects, the unique dictatorial right of all punishment and pardon. Statius sets out to reinstate *clementia* by radically changing its implication. Obviously it can retain its old sense with regard to Rome's enemies as there is nothing wrong politically with the emperor's exercising dictatorial authority in the name of the Roman people upon them as at *Silv.* 3. 3. 169, the only instance of traditional *clementia* in Statius' extant works. The other usage in the *Silvae*, however, is of Domitian dispensing *clementia* of the new sort. This is the link between the idealism of the *Thebaid* and contemporary imperial policy. This new *clementia* (not the pardon for an offence of a trivial nature bestowed by a despot, the '*clementia*' which Tacitus illustrated and Seneca advised, but pity and assistance for men oppressed by powers about which they can do nothing) is what Statius would like the emperor to show, and it is directly contrasted with the customary *inclementia regum*. Statius has redefined *clementia* in terms of wide-reaching human sympathy for the helpless and oppressed, in order to make it once again a respectable, indeed an admirable quality to be shown by a Roman emperor. He has changed the applicability of the concept of *clementia* from arbitrary tyranny (illustrated in the *Thebaid* by *inclementia*) to benevolent dictatorship by making it a symbol of imperial protection and help,¹ a symbol of the true humanity of a disinterested power with the ability to enforce its will (for Theseus is as capable of putting the principles of *Clementia* into practice as a Roman emperor would have been).

An emperor who shows *clementia* will thus redress all wrong and intervene

¹ This view of *clementia* coincides to some extent with the later concept of *providentia* (cf. Charlesworth, op. cit., pp. 117 ff.). Note also Pliny, *Panegyricus*, 80. 3 ff.; further Claudian, *Cons. Stil.* 2. 6 ff., where the poet assigns to *clementia* what was normally

assigned to Amor, the ordering of chaos. The passage shows the very strong influence which Statius had upon Claudian who not only took over word sequences but whole concepts.

on behalf of all ordinary men who are unable to help themselves, oppressed, perhaps, by a wealthy adversary or by imperial bureaucracy. Statius' representation of the plight of ordinary men in the *Thebaid* reflects the frustration which men under the empire might feel at their inability to control their own destinies. Not only had the administration of the principate ended the direct governmental participation of the Roman people (and of the Senate with regard to policy shaping), but the increasing centralization of the administration, the vastness of the bureaucracy required to administer such a cumbersome mass must have led to individual Romans feeling their own insignificance. Statius, moreover, remembered only too well the events of 69, and it is not hard to picture in man as Statius portrays him in the *Thebaid* the plight of ordinary citizens in the chaos of that dreadful year, the helplessness of both soldiers and civilians as pawns in the competition for empire.

Thus Statius' *Thebaid* is far-sighted and humane; in the *Ara Clementiae* Statius offers Domitian a clear policy for empire appropriate to what he felt was the most immediate need of the Roman people, a need illustrated in full measure by the preceding eleven books of the *Thebaid*.

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