

RES GESTAE 34.1 AND THE SETTLEMENT OF 27 B.C.

In consulatu sexto et septimo, postquam bella civilia exstinxeram, per consensum universorum potitus rerum omnium, rem publicam ex mea potestate in senatus populiue Romani arbitrium transtuli. quo pro merito meo senatus consulto Augustus appellatus sum et laureis postes aedium mearum vestiti publice coronaque civica super ianuam meam fixa est et clupeus aureus in curia Iulia positus, quem mihi senatum populumque Romanum dare virtutis clementiaeque et iustitiae et pietatis caussa testatum est per eius clupe i inscriptionem. post id tempus auctoritate omnibus praestiti, potestatis autem nihilo amplius habui quam ceteri qui mihi quoque in magistratu conlegae fuerunt.

In my sixth and seventh consulships, after I had extinguished the civil wars, having by universal consent obtained control of everything, I transferred the state from my power to the authority of the senate and people of Rome. For which service of mine I was named 'Augustus' by a decree of the senate, and the doorposts of my house were adorned with laurels at public expense, and a civic crown was placed over my door, and a golden shield was placed in the Senate House, which according to its inscription was given to me by the senate and the people of Rome because of my courage, my clemency, my justice and my piety. After this time I surpassed all others in prestige, but I had no more power than the other men who were my colleagues in any magistracy. (Augustus, *Res Gestae* 34)

Augustus' account of the events of 28 and 27 B.C. is maddeningly vague.¹ In part the problem is simply that his individual phrases are ambiguous, but a more fundamental difficulty is the very nature of the *Res Gestae* itself. The idea of publishing such a self-satisfied account of one's own doings is so alien to our modern sensibilities that we tend to read the *Res Gestae* as though Augustus were capable of saying almost anything. We have concluded too easily, therefore, that at R.G. 34.1 Augustus is telling an outrageous lie, or at least an outrageous half-truth. After saying that he ended the civil wars, and acquired supreme power, Augustus claims to have handed over the state to the senate and the people of Rome. On the traditional reading this last claim is seriously misleading; Augustus may have handed over the state, but he fails to mention that the senate handed it back.

This paper will argue that Augustus' claim is a much more reasonable one. The transfer of the state so important in R.G. 34 is normally understood to be the event which forms the dramatic climax to Dio's detailed account, the speech in which Augustus offered, disingenuously, to retire from public life. I will argue instead that the

¹ There are surveys of the literature by G. E. F. Chilver, 'Augustus and the Roman Constitution 1939–50', *Historia* 1 (1950), 408–35; E. S. Ramage, *The Nature and Purpose of Augustus' 'Res Gestae'* (Stuttgart, 1987) (*Historia Einzelschriften*, 54), pp. 154–7. There is a good general account in D. Kienast, *Augustus: Prinzeps und Monarch* (Darmstadt, 1982), pp. 67–84. It is not practical to document specific points of agreement and disagreement, but the general studies of the question I have found most helpful are: J. Béranger, 'Le Refus du Pouvoir', *MH* 5 (1948) = idem, *Principatus* (Geneva, 1975), pp. 165–90; F. Millar, 'Triumvirate and Principate', *JRS* 63 (1973), 50–67; W. K. Lacey, 'Octavian in the Senate, January 27 B.C.', *JRS* 64 (1974), 176–84; E. A. Judge, "'Res Publica Restituta' A Modern Illusion?", in J. A. S. Evans (ed.), *Polis and Imperium: Studies in Honour of Edward Togo Salmon* (1974), pp. 279–311; P. Cartledge, 'The Second Thoughts of Augustus on the Res Publica in 28/7 B.C.', *Hermathena* 119 (1975), 30–40; J. H. W. G. Liebeschuetz, 'The Settlement of 27 B.C.', in C. Deroux (ed.), *Studies in Latin Literature and Roman History IV* (Brussels, 1986), pp. 345–64. For the Latin text of the *Res Gestae* I have relied on the convenient edition of P. A. Brunt and J. M. Moore, *Res gestae divi Augusti* (Oxford, 1967); for the Greek translation see V. Ehrenberg and A. H. M. Jones, *Documents Illustrating the Reigns of Augustus and Tiberius*, 2nd ed. (Oxford, 1955).

Res Gestae offers a different selection of events, and that the speech so vividly described by Dio is not mentioned in the *Res Gestae* at all. What Augustus talks about at *R.G.* 34.1 is the reaction his speech provoked: the senate and people declared that he was indispensable and supreme, and Augustus describes this, not unreasonably, as the acquisition of supreme power with universal consent. The transfer of the state came next: once he had been confirmed in power Augustus handed over a number of provinces to the senate, and he voluntarily defined his magistracy as one of limited duration. It was this later decision, not his initial offer of resignation, which prompted the senate to name him Augustus (*R.G.* 34.2), and it was this which allowed him to claim that he exceeded other magistrates in *auctoritas* but not in *potestas* (*R.G.* 34.3). The decision to limit his powers did not, of course, amount to a restoration of The Republic. But it was something that could reasonably be described as a transfer of the state to the authority of the senate and people of Rome.

I. THE EVENTS OF JANUARY, 27 B.C.

It is easy to read *R.G.* 34 as a sober account of a concerted constitutional plan: the process was a long one, taking place partly in 28 and partly in 27, was made possible by military victory and by general approbation, and resulted in the transfer of the state; this transfer was then rewarded with a series of honours, and left Augustus with vast moral authority and traditional magisterial powers. But it is important to consider Augustus' purpose as he brings the *Res Gestae* to a close. Chapters 34 and 35 are not a simple continuation of Augustus' life story, but the climax to it. After an abrupt (and thus emphatic) shift from discussion of foreign policy, Augustus concludes by describing two of his proudest moments: in 2 B.C. he was given the title *pater patriae* (*R.G.* 35), and as a reward for certain actions in 28 and 27 he received the name *Augustus* (*R.G.* 34).² Augustus has little interest here in constitutional theory; he is not inaccurate, because in general such things mattered to him, but his attention at the end of the *Res Gestae* is elsewhere.³

It is important to recognize that the focus of chapter 34 is on the name *Augustus* and the other honours received in early 27. The famous conclusion, on *auctoritas* and *potestas*, explains not so much the constitutional position of Augustus as the nature of his prestige from that point on. And although the first sentence suggests at first that Augustus' focus is on the political events of 28 and 27, his purpose is simply to provide background information. We should, I would argue, understand the paragraph roughly as follows: 'Because I transferred the state, I was called Augustus and received other honours. My standing at that point was such that, though I exceeded none of the other magistrates in *potestas*, I surpassed everyone in *auctoritas*.' The whole chapter is more focused and specific than we tend to think. Augustus is describing not his rise to preeminence in the state, but a single moment at which that preeminence was publicly recognized.

² J. Gagé, *Res Gestae Divi Augusti* (Paris, 1935), p. 15: 'À la fin de cette série ascendante, échelonnée suivant le procédé de l'αὐξήσις recommandé par les règles de l'ἐγκώμιον, les deux chapitres de conclusion prennent leur pleine valeur; ils isolent du *cursus honorum* les deux titres exceptionnels qui ont le mieux couronné la carrière du nouveau Romulus.' See also Z. Yavetz, 'The *Res Gestae* and Augustus' Public Image', in F. Millar and E. Segal (edd.), *Caesar Augustus: Seven Aspects* (Oxford, 1984), pp. 1–36, at 14, who stresses that of the two chapters it is 35 that is the real high point.

³ Contrast Ramage, *op. cit.* (n. 1), p. 111: 'He was out to describe in a clear, succinct manner the new form of government, the principate, that he had established in Rome.'

Dio, on the other hand, offers a long and detailed account of Augustus' political manoeuvres in 28 and 27.⁴ The problem in this case is that although Dio clearly had good sources to work with, he was preoccupied with the relation between the realities of the Roman monarchy and its rhetoric. For Dio the interesting thing about the settlement of 27 was what went on behind the scenes, and his account of Augustus' manipulation of traditional institutions has an almost Tacitean tendentiousness. Dio's cynicism is attractive, but it is important that we look beyond it, to appreciate the picture that Augustus himself was trying to present. Augustus was manipulating the forms of government because he thought it would strengthen his political position, and it is important to see what he was up to. In what follows, therefore, we will approach Dio's account with an eye to the interpretation that Augustus himself would have wanted us to come away with.

In Dio the constitutional settlement is long and complicated. Augustus started planning for it in 29, after the debate between Maecenas and Agrippa produced a firm decision to impose monarchy.⁵ The process got started at the very beginning of 28, when Augustus decided to treat Agrippa as an equal colleague in the consulship,⁶ and the pace of reform picked up towards the end of 28, with the abolition of the illegal laws of the triumvirs.⁷ The process came to a head with the senate meeting of 13 January, 27 B.C.; the speech attributed to Augustus allows Dio to demonstrate his own rhetorical skills, and to juxtapose imperial rhetoric with political reality.⁸ But the speech does not bring Dio's account to an end. In the first place, the senators rejected Augustus' offer to resign, and forced him to accept supreme power.⁹ Secondly, Augustus went on to limit and delegate his own powers, and Dio explains at some length how the system worked in practice.¹⁰ Dio is careful to show that Augustus wanted monarchy from the start and that his underhanded approach, producing the famous constitutional ambiguities of the early principate, was completely successful.

In telling this story Dio chooses to emphasize the complexity of the process. Augustus supposedly conceived the idea of staging a mock resignation only late in the process, as he groped his way towards a satisfactory constitutional settlement:

And since Augustus had made a great many unjust and illegal decisions because of the civil strife and the wars, especially during his joint rulership with Antony and Lepidus, he abolished all of them in one single decree, placing as a time limit his sixth consulship. And when he found that he got approval and praise from this, he became eager to show yet another example of his magnanimity, so that from an action of this kind he might receive yet more honour, and so that his monarchy would be confirmed by willing people, since it would not appear as though unwilling people had themselves been forced. For this reason, having first prepared his particular friends among the senators, he entered the senate as consul for the seventh time, and read the following speech.¹¹

⁴ See F. Millar, *A Study of Cassius Dio* (Oxford, 1964), pp. 83–102, with a useful outline at 98–9; B. Manuwald, *Cassius Dio und Augustus* (Wiesbaden, 1979), pp. 86–97. More generally, E. Gabba, 'The Historians and Augustus', in Millar and Segal, op. cit. (n. 2), pp. 61–88, esp. 70–75; P. M. Swan, 'Cassius Dio on Augustus: A Poverty of Annalistic Sources?', *Phoenix* 41 (1987), 272–91; J. W. Rich, 'Dio on Augustus', in Averil Cameron (ed.), *History as Text* (London, 1989), pp. 86–110; idem, *Cassius Dio: The Augustan Settlement* (Roman History 53–55.9) (Warminster, 1990).

⁵ Dio 52.1.1–2: 'These then are the things the Romans accomplished, and suffered, when ruled by the kings, by the people, and under the aristocrats; but after this they went back to a proper monarchy, even though Caesar made plans to lay down his arms and turn affairs over to the senate and the people. But he came to this decision along with Agrippa and Maecenas (for he would share all his secrets to these men), and Agrippa, speaking first, said the following.'

⁶ Dio 53.1.1.

⁷ Dio 53.2.5.

⁸ Dio 53.3–10.

⁹ Dio 53.11.4, translated and discussed below.

¹⁰ Dio 53.12.2–9.

¹¹ Dio 53.2.5–7.

Dio might conceivably have had authentic information about Augustus' thinking at this point. But whether he did or not, Augustus himself would surely have tightened up his story for public consumption. The various decisions would look more convincing if presented as a single process, planned from the start as an act of generosity commensurate with the honours received in return.

Dio and Augustus also differ markedly in their accounts of what occurred on 13 January. Dio describes the parliamentary evolutions in some detail. First, of course, he provides his version of Augustus' speech, in which the emperor announced that he wanted to relinquish his power.¹² But more dramatic still is the complicated situation in which the senators then found themselves: the only ones able to applaud Augustus' speech were those he had taken into his confidence, while all the others, whether they believed him or not, and whether they wanted the Republic or not, were compelled to argue against him. These protests resulted in a new confirmation of Augustus' authority:

Some did not dare to praise him for suggesting to resign, and others did not want to; instead, they raised a great clamour, both while he was reading and afterwards, begging him to take supreme power and saying whatever would urge him in this direction, until they compelled him, so to speak, to take supreme power (*μέχρις οὐ κατηνάγκασαν δῆθεν αὐτὸν αὐταρχήσαι*). And he immediately saw to it that his personal guards would receive twice the pay given to the other soldiers, so that he would have very tight personal security. This was how much he really wanted to lay aside the monarchy. (*οὕτως ὡς ἀληθῶς καταθέσθαι τὴν μοναρχίαν ἐπεθύμησε*).¹³

Dio's cynicism should not obscure the fact that something significant had taken place. In rejecting Augustus' offer to resign the senate in fact confirmed him as head of state. The whole point of the resignation speech was to elicit this response, and Dio makes his snide remark about the bodyguards to emphasize how well the plan had worked.

Dio's next remark suggests that what was involved was not some vague expression of approval and support, but a formal vote, by the people as well as the senate: 'And so in this way he obtained confirmation of his authority from the senate and the people'.¹⁴ The most obvious interpretation of these words is that Augustus was given a special constitutional position, similar, perhaps, to that bestowed on the triumvirs by the *lex Titia*.¹⁵ The illegal acts of the triumvirs had been acknowledged and rectified, but Augustus' legal powers as triumvir had elapsed, and he needed some sort of formal expression of his position. He had been operating as a sort of triumvir by default, though without colleagues and without the name, and what the senate and people decided on 13 January was that this position should be legalized.¹⁶

Most scholars have been reluctant to accept that Augustus acquired any special powers at this stage.¹⁷ A formal position at the head of the state conflicts with the

¹² It seems generally accepted that the speech was composed by Dio, see Millar, *op. cit.* (n. 4), pp. 78–83. Suetonius, *Aug.* 84 does say that Augustus normally spoke from a prepared text, but there is no reason to suppose that Dio or his source had got hold of a copy of this particular speech.

¹³ Dio 53.11.4–5.

¹⁴ Dio 53.12.1: *Τὴν μὲν οὖν ἡγεμονίαν τούτῳ τῷ τρόπῳ καὶ παρὰ τῆς γερονσίας τοῦ τε δήμου ἐβεβαιώσατο*. Note that according to Dio this formal vote occurred *before* the decision to give up certain provinces; contrast, e.g. P. A. Brunt, 'Lex de Imperio Vespasiani', *JRS* 67 (1977), 95–116, at 96, who understands Dio as talking here about the *lex de provinciis*.

¹⁵ See esp. Millar, *op. cit.* (n. 1), 50–54 for the formal legality of the Second Triumvirate.

¹⁶ For the continuation of triumviral powers after 33 B.C. see Cartledge, *op. cit.* (n. 1), 32; note esp. *ILS* n. 78, which has Augustus as triumvir as late as 28.

¹⁷ An exception is Liebeschuetz, *op. cit.* (n. 1), esp. p. 347: 'It is quite clear the vote was very significant indeed. It involved not only the senate but the people as well. In fact it represented a formal confirmation of Augustus' leadership. Augustus had achieved the object for the sake of which he had staged the scene: he had obtained his spontaneous vote of confidence'.

whole trend of Augustus' thinking, at least as described by Dio, and with Augustus' claim at *R.G.* 34.3 that he had no power greater than any of his colleagues. But what was important for Augustus was that he receive this position once, not that he keep it forever. Dio goes on to say that Augustus' first act after being recognized as head of the state was in fact to delegate and limit his new power:

... but since he wanted nevertheless to seem to be some sort of a republican, he accepted all the care and oversight of public affairs on the grounds that they needed some sort of attention, but said that he would not rule over all the provinces himself, and that he would not take on a permanent basis those provinces which he did rule over.¹⁸

As far as Augustus was concerned, therefore, two important things happened on 13 January: the senate and the people confirmed his tenure of supreme power, and he himself relinquished a lot of it. Dio described these events with an emphasis on what lay behind the formalities, but Augustus himself could summarize them as follows: 'having been placed in supreme control by universal consent, I transferred the state to the senate and people of Rome'.¹⁹

II. RES GESTAE 34.1

The question that remains is whether or not it makes sense to understand Augustus' words in this way. His individual expressions can certainly be read as though he were talking about old-fashioned *Realpolitik*: he ended the civil wars, he got a lot of political support, and he handed over the Republic. But in the final analysis what matters most is making sense of the whole. If the primary purpose of *R.G.* 34.1 is to introduce the discussion of honours, it is easier to interpret the sentence as focused specifically on the events of January: because he was voted supreme power on 13 January, and because he then gave back some of it, he was rewarded with the name Augustus and with other honours in which he took great pride.

I will argue, first, that the careful chronological information of 'in consulatu sexto et septimo' is misleading; the events Augustus is actually referring to are those of January 27 alone, not the long process of constitutional settlement begun in the previous year. Secondly, I will argue that 'per consensum universorum potitus rerum omnium' refers specifically to the reaction to Augustus' offer on 13 January to resign from power; instead of accepting his resignation, the senate and people made a formal declaration that Augustus was in charge. Finally, I will argue that 'rem publicam ex mea potestate in senatus populique Romani arbitrium transtuli' is a reasonable – if partisan – description of the concessions that Augustus actually made once his power was formally recognized.

1. 'in consulatu sexto et septimo, postquam bella civilia exstinxeram'

Augustus' forthright chronological statement presents the greatest single obstacle to the present argument. It is clear that, like Dio, he thinks of his constitutional settlement as something that extended over two consular years, and it therefore seems

¹⁸ Dio 53.12.1–2.

¹⁹ The same sequence of events is referred to by Strabo 17.3.25: 'The provinces have been variously organized at different times, but at present they are as Caesar Augustus decided. For when his country bestowed on him the foremost position in government and he was established as having a lifetime authority over questions of war and peace (ἐπειδὴ γὰρ ἡ πατρίς ἐπέτρεψεν αὐτῷ τὴν προστασίαν τῆς ἡγεμονίας καὶ πολέμου καὶ εἰρήνης κατέστη κύριος διὰ βίου), he split the whole empire into two parts, and assigned one part to himself, and another to the people.'

natural to understand the rest of the sentence as explaining what took so long: 'In my sixth and seventh consulships, having ended the civil wars and having acquired supreme power, I went about the business of transferring the state.'

But it is possible, I think, that Augustus' logic is more complicated. The manoeuvres of 28 and 27 are not in themselves important to him here; what matters is their triumphant conclusion in January of 27. His meaning would certainly have been clearer if he had written simply 'in consulatu septimo', but to some extent the misunderstanding may be our own fault. If we insist on reading *R.G.* 34.1 as a report on constitutional history, we naturally expect an exact chronology. But if the purpose of the sentence is to set the scene for the list of honours received in 27, it is easier to explain Augustus' imprecision. In his view the honours of January 27 depended on the successful conclusion of two important eras in Roman political history: he had ended the civil wars, and he successfully completed a constitutional settlement, which began in 28 and came to dramatic close in January of 27: 'At the crucial moment, at the end of a process taking place in my sixth and seventh consulships (which itself depended on my successfully ending the civil wars), I was given supreme power and I handed over the state.'

2. 'per consensum universorum potitus rerum omnium'

Historians tend to take remarks about power very seriously, and Augustus' words on the subject have usually been read as a statement about the real underpinnings of his political position. Scholars have argued about the precise date and nature of Augustus' *consensus*, but its basic meaning has always seemed fairly obvious: after winning the civil wars Augustus found that he was supported by most inhabitants of the empire, and this moral support gave him complete control of the state, which he subsequently gave up.²⁰

But the words *consensus universorum* are more difficult than they at first appear; aside from the fact that they can easily be an exaggeration, it is not always obvious whom the speaker has in mind.²¹ At one extreme 'everybody' can mean the entire human race,²² or even humans and gods together.²³ But it can also mean everybody in a much smaller group, such as members of the same family or the partners in a commercial firm.²⁴ Thus although it is possible to understand Augustus as claiming that all his subjects, as a whole, approved of him,²⁵ it is also possible that he is making

²⁰ See, e.g. Brunt and Moore, *op. cit.* (n. 1), 76: 'The constitutional puzzle is less important than Augustus' claim to "universal consent". Though *ex parte* and exaggerated, it may not be far from the truth. He had re-established peace and order and it was probably widely believed that he had saved Rome from eastern despotism.... His munificence in 30–27 must have won him popularity. The oath taken to him in 32 surely betokened wide support, and since 32 he had acted in such a way as to win and not to forfeit men's good opinions.'

²¹ H. U. Instinsky, 'Consensus Universorum', *Hermes* 75 (1940), 265–78; A. Pittet, 'Le mot consensus chez Sénèque', *MH* 12 (1955), 35–46.

²² Cic. *De div.* 1.1: 'omnium gentium consensus'; Cic. *De nat. deor.* 3.7.18: 'totius mundi consensus'; Cic. *Tusc.* 1.16.36 'consensus nationum omnium'.

²³ Tac. *Hist.* 1.15.1: 'deorum hominumque consensu' (Galba called to power); Val. Max. *praef.*: 'penes quem [i.e. Tiberius] hominum deorumque consensus maris ac terrae regimen esse voluit.'

²⁴ *CIL* VI. 10238c lines 1ff.: 'Quod si quis eorum partem iuris sui vendiderit aut ex consensu universorum, eam pecuniam in aerarium populi Romani inferri iubemus.' For the use of *consensus* in the law of obligations see Gaius 3.135: 'Consensu fiunt obligationes in emptionibus venditionibus, locationibus conductionibus, societatibus, mandatis.'

²⁵ As, for example, Tac. *Hist.* 1.49.4: 'omnium consensu capax imperii'.

a much more reasonable claim: he received power by the agreement of everyone who, in this context, mattered, namely the senate and people of Rome.

Although our sources only rarely provide details about the specifics, it is clear that at least some measures were passed in this period by formal votes of both the senate and the people.²⁶ In theory there was a fundamental difference between the two, but at least under Augustus the distinction was so unimportant that *senatus consulta* were adopted by the people wholesale, and voted through as *leges*. The best example of this is the vote of honours for Germanicus in A.D. 19, especially given the details now provided by the *Tabula Siarensis*: the senate produced a long list of decisions for the emperor's approval, one of which was that the consuls of the next year should present the senate's decisions to the people for a formal vote.²⁷ It also seems clear that more substantive decisions could be treated in precisely the same way; the *Lex de Imperio Vespasiani*, theoretically a *lex* passed in the *comitia*, preserves even the formal language appropriate to the *senatus consultum* which formed, as it were, the first draft.²⁸ If Augustus, on making his mock resignation speech, was confirmed as head of state by the senate and the people, the formalities of the voting could well have been similar to those attested in these documents.

Moreover it is reasonably certain that a vote of this kind could be called a *consensus universorum*. Velleius tells us that Augustus was voted his name by a *consensus* of the whole senate and people.²⁹ And it may even be that *consensus* was virtually a technical term for this kind of formal vote. Two decrees of the town council of Pisa, commemorating Lucius and Gaius Caesar, were passed 'per consensum omnium ordinum', and it seems to me possible that this refers to the same sort of bipartite voting procedure as was used at Rome.³⁰ There is good numismatic evidence to suggest that for the government at Rome the *consensus* of 'everybody' meant no more than a vote of the senate and the people: a denarius of 16 B.C. has, on its reverse, a *cippus* inscribed 'imperatorii Caesari Augusto communi consensu';³¹ this might, on its own, be taken as a reference to general political support, but a dupondius of Gaius, commemorating Augustus, offers an expanded version of the same slogan: 'consensu senat(us) et eq(uestris) ordini(is) p(opuli)q(ue) R(omani)'.³² Above all, the *Tabula*

²⁶ On the tendency to omit references to votes in the *comitia* see F. Millar, 'Imperial Ideology in the *Tabula Siarensis*', in Julian González and Javier Arce (edd.), *Estudios sobre la Tabula Siarensis* (Madrid, 1988), pp. 11–19, esp. 12–13.

²⁷ J. González, 'Tabula Siarensis, Fortunales Siarenses et Municipia Ciuum Romanorum', *ZPE* 55 (1984), 55–100, esp. II b lines 27–30; for bibliography and translation see R. K. Sherk (ed., trans.), *The Roman Empire: Augustus to Trajan* (Cambridge, 1988), no. 36, pp. 63–72.

²⁸ Brunt, op. cit. (n. 14), esp. 116.

²⁹ Vel. Pat. 2.91.1: 'quod cognomen illi iure Planci sententia consensus universi senatus populiue Romani indidit'.

³⁰ *CIL* XI. 1420 = *ILS* 139. 18–19 = Ehrenberg and Jones, op. cit. (n. 1) no. 68.9ff.: 'Cum senatus populiue Romani inter ceteros plurimos ac maximos honores L. Caesaris, Augusti Caesaris patris patriae pontificis maximi tribuniciae potestatis XXV filio, auguri consuli designato, per consensum omnium ordinum.' *CIL* XI. 1421 = *ILS* 140.13 = Ehrenberg and Jones, op. cit. (n. 1), no. 69.51ff.: 'placere conscriptis quae a. d. IIII nonas Apriles, quae Sex. Aelio Cato C. Sentio Saturnino cos. fuerunt, facta acta constituta sunt per consensum omnium ordinum.' See, contra, Instinsky, op. cit. (n. 21), 269 who argues that the *consensus* is invoked as an authority simply because no duumvirs were in place.

³¹ *RIC*, 2nd ed. I (1984), p. 68, Augustus nos. 357 and 358. The inscription on the obverse of no. 358 is 'I(ovi) O(ptimo) M(aximo) S(enatus) P(opulus)Q(ue) R(omanus) v(otum) s(usceptum) pr(o) s(alute) Imp(eratoris) Cae(saris), quod per eu(m) r(es) p(ublica) in amp(liore) atq(ue) tran(quilliore) s(tatu) est'.

³² *RIC* I, 2nd ed. (1984), p. 112, Gaius no. 56, with plate 14. Both coins have been seen as reflecting the language of *R.G.* 34, though I do not see how we can be certain of this; see

Siarensis now offers what looks very much like an exact parallel to the *consensus universorum* of *R.G.* 34.1. The senate orders the consuls to provide for publication of the new decree, 'so that the piety of all the orders towards the house of Augustus and the agreement of all the citizens (*consensus universorum civium*) in the honouring of Germanicus' memory might be better known'.³³ If we had only these words alone we might be tempted to conclude that their author was really talking about 'all' the citizens of Rome. But since the document also provides a detailed account of the procedural background, we know that the whole citizen body was involved only in a theoretical way; what the consuls were supposed to communicate, though called a *consensus* of 'all' citizens, was in fact simply a formal vote, by the senate and by the people.

Even more difficult to pin down, perhaps, are the words 'potitus rerum omnium', though here I think the problem is in understanding not what Augustus said, but why he said it. Discussion is complicated by a lacuna in the Latin text, though the Greek translation leaves no doubt about the basic meaning. The traditional restoration of 'potitus rerum omnium' is based, I think correctly, on the assumption that Augustus was using a stock piece of political language: 'rerum potiri' is a standard expression for the acquisition of real political power, and by the time of Tacitus is used in an almost technical sense for people who become emperors. Scholars have also suggested 'compos rerum omnium' and 'potens rerum omnium',³⁴ and neither reading can be ruled out, but the basic point of the phrase remains the same. Augustus is claiming to have received not some formal title or theoretical power, but a very real political position at the head of the state.³⁵

Interpretation becomes more complicated, however, when we consider the words 'potitus rerum omnium' in their context, since Augustus claims that he was made head of state 'per consensum universorum'. If, as I have argued above, this *consensus* refers to a vote of the senate and people, then the meaning of 'potitus rerum omnium' is rather different: Augustus is claiming not that he handed over the state after he had ended the wars and acquired power, but that he did so after he ended the wars, and was *given* power, by the body politic of Rome.³⁶

There is a linguistic point which offers some confirmation of this view. The most obvious implication of the perfect tense in 'potitus rerum omnium' is that the event in question was a specific one, not a continuous process, and this implication is stronger still in the case of the Greek translation. The claims of the Latin text to be taken this way are not, to be sure, compelling: the readings 'compos rerum omnium' and 'potens rerum omnium' remove the difficulty, and even *potitus*, if taken as a

A. Alföldi, *Insignien und Tracht der römischen Kaiser* (1935), p. 45 = *Die monarchische Repräsentation im römischen Kaiserreiche* (Darmstadt, 1980), p. 162; K. Oehler, 'Der Consensus omnium als Kriterium der Wahrheit in der antiken Philosophie und der Patristik', *Antike und Abendland* 10 (1961), 103–39, esp. 112–13.

³³ *Tabula Siarensis* II b 21–7, cf. González, op. cit. (n. 27), p. 76: 'Item senatum velle atque aequ(u)m censere, quo facilius pietas omnium ordinum erga domum Augustam et consensu(s) universorum civium memoria honoranda Germanici Caesaris appareret, uti con(n)s(ules) hoc s(enatus) c(onsultum) cum edicto suo proponerent iuberentque mag(istratus) et legatos municipiorum et coloniarum descriptum mittere in municipia et colonias Italiae et in eas colonias quae essent in <p>rovinciis, eos quoque qui in provinciis praessent recte atque ordine facturos si hoc s(enatus) c(onsultum) dedissent operam ut quam celeberrimo loco figeretur.'

³⁴ D. Krömer, 'Textkritisches zu Augustus und Tiberius', *ZPE* 28 (1978), 127–44.

³⁵ W. Seyfarth, 'Potitus rerum omnium', *Philologus* 101 (1957), 305–23.

³⁶ Contra, e.g. Béranger, op. cit. (n. 1), 175: 'Le *princeps* ne mâche pas ses mots: *potitus rerum omnium*. Il ne dissimule pas la brutalité de l'acte.'

'true' perfect, can mean (if it has to) 'having (over time) gained hold of the state'.³⁷ But the Greek translation makes these solutions less attractive.³⁸ If Augustus was talking about his real political power, and not a formal grant of authority, his translator ought to have written *ἐγκρατὴς ὢν*, not *ἐγκρατὴς γενόμενος*.³⁹ It is very hard to believe that, if Augustus had written 'compos rerum omnium' or 'potens rerum omnium', his translator would have spontaneously used an aorist participle. And though it is easier to imagine the translator failing to see that *potitus* was a 'true' perfect, and thus using an aorist by mistake, there is, on the present argument, no need to convict him of carelessness. The acquisition of power Augustus is talking about here is not the real thing, which took him years of successful politics and warfare; it is a single (if bipartite) act of the senate and the people, which meant a great deal to Augustus even if it never made much impression on our sources.

3. 'rem publicam ex mea potestate in senatus populi que Romani arbitrium transtuli'

The term *res publica* is a very slippery one.⁴⁰ Rather like the word 'democracy' it can have an explicit, almost technical, sense, but it can also have a more ideological one; a Roman might describe as a *res publica* something that a political opponent would see as a monarchy, or a tyranny. For some Romans the only acceptable form of government was the traditional oligarchical one we know as 'The Republic,' and for someone like Tacitus the *res publica* was ended by Augustus.⁴¹ Other Romans were more willing to countenance a less traditional political arrangement, as long as it worked. If civil wars were ended and if the government functioned, then the *res publica* had survived, and supporters of Augustus could give him the credit.⁴² They could even claim, as Velleius did, that for all practical purposes the traditional system had been restored: 'The civil wars were ended after twenty years, foreign wars were dead and buried, peace was brought back, and the fury of arms was quieted everywhere; force was restored to the laws, authority to the courts, and majesty to the senate, and the power of magistrates was reduced to its earlier limits, except that two praetors were adlected to the traditional eight. The traditional old shape of the *res publica* was called back into being.'⁴³

³⁷ See Brunt and Moore, op. cit. (n. 1), p. 76: 'It seems better, then, to suppose that Augustus is not concerned here with the legal basis of his power and is saying either that after crushing Antony he acquired absolute control *de facto* with all men's approval, or more probably that on the eve of the great surrender he was in complete control of the state; on the last view the participle *potitus* is a true perfect, misunderstood by the Greek translator.'

³⁸ For the merits and failings of the Greek translation see the useful survey in Ramage, op. cit. (n. 1), pp. 126–32.

³⁹ K.-E. Petzold, 'Die Bedeutung des Jahres 32 für die Entstehung des Principats', *Historia* 18 (1969), 334–51, esp. 343–4: 'Untersuchungen des Sprachgebrauchs, insbesondere in der Koine, lehren, dass der Aorist *ἐγκρατὴς γενόμενος* nur als Ergebnis eines Vorgangs, nicht als Zustand verstanden werden kann.'

⁴⁰ For a more detailed discussion see Judge, op. cit. (above, n. 1), 280–5; in general, Donald Earl, *The Moral and Political Tradition of Rome* (Ithaca, 1967), pp. 62ff.

⁴¹ Tac. *Ann.* 1.3.7: 'quotus quisque reliquus, qui rem publicam vidisset?'

⁴² See especially the inscription from Augustus' triumphal arch in the Forum, from 29 B.C., *ILS* 81 = Ehrenberg and Jones, op. cit. (n. 1), no. 17: 'senatus populusque Romanus imp. Caesari divi Iuli f. cos. quint. cos. design. sext. imp. sept. re publica conservata.'

⁴³ Vel. Pat. 2.89.3: 'Finita vicesimo anno bella civilia, sepulta externa, revocata pax, sopitus ubique armorum furor, restituta vis legibus, iudiciis auctoritas, senatui maiestas, imperium magistratuum ad pristinum redactum modum, tantummodo octo praetoribus adlecti duo. Prisca

An additional complication stems from the fact that Romans could talk about the *res publica* as something that could be controlled, or even possessed; in a monarchy it was in the hands of a single person, in a democracy it was in the hands of the people, or the senators who held it for them. Thus Romans with an eye for the political realities could claim that Augustus kept hold of the *res publica*. Capito wrote that Labeo's attachment to *libertas* led him to regard only the traditional law as valid, 'even though the divine Augustus was by then *princeps* and was taking possession of the *res publica*'.⁴⁴ In the same way, Suetonius says that Augustus considered giving back the *res publica*, and implies that he never did so.⁴⁵

But handing over the state is in the eye of the beholder; some Romans, more in tune with Augustan ideology, could apparently argue that he did exactly that. Two well-known texts make the claim that *res publica* was restored (*restituta*), by which they seem to mean that Augustus 'gave the state back' to the senate and the people of Rome. The word *restituo* is, like the English 'restore', ambiguous: you can restore a government to its original condition just as you can restore a damaged painting, but you can also restore a government, or a painting, to its rightful owners.⁴⁶ The *Laudatio Turiae* refers to a moment 'when peace had been brought to the world, and the *res publica* had been given back', though it is a passing remark with no necessary connection with official Augustan ideology, and is completely ambiguous about who, if anyone, the state was being restored to.⁴⁷ But the *Fasti Praenestini* for 13 January apparently makes the same claim, and reveals (although much of the text is conjecture) that the *res publica* was restored, very specifically, to the people: 'The senate decreed that an oak crown should be put over the door of the home of emperor Caesar Augustus, because he restored the *res publica* to the people of Rome.'⁴⁸ Difficult though these two texts are, it seems clear that 'handing over' the *res publica* could be part of an Augustan version of events.

An Augustus who merely placed limits on his own powers could not plausibly claim to have restored the Republic, but he could claim to have handed over the state. Our preoccupation with the realities of power tends to distract us from the importance of administrative detail, but it was Augustus' assignment of provinces to the senate (and

illa et antiqua rei publicae forma revocata.' Millar, op. cit. (n. 1), 64 regards this as a very limited claim: 'We could reasonably paraphrase this passage as "Augustus restored the *res publica*", but not as "Augustus restored the Republic".' But even if we accept his punctuation ('imperium magistratuum ad pristinum redactum modum; tantum modo octo praetoribus adlecti duo prisca illa et antiqua rei publicae forma revocata'), I do not see how we can read this other than as a claim that Augustus gave the Romans back what they had always had – with the single exception that there were now eight praetors instead of six.

⁴⁴ Aulus Gellius *N.A.* 13.12.2: "'Sed agitabat", inquit [sc. Capito], "hominem [i.e. Labeo] libertas quaedam nimia atque vecors usque eo ut, divo Augusto iam principe et rempublicam obtinente, ratum tamen pensumque nihil haberet, nisi quod iussum sanctumque esse in Romanis antiquitatibus legisset".'

⁴⁵ Suet. *Aug.* 28: 'de reddenda re p(ublica) bis cogitavit: primum post oppressum statim Antonium, memor obiectum sibi ab eo saepius, quasi per ipsum staret ne redderetur; ac rursus taedio diuturnae valitudinis, cum etiam magistratibus et senatu domum accitis rationarium imperii tradidit.' See esp. Millar, op. cit. (n. 1), 65.

⁴⁶ See Judge, op. cit. (n. 1), 285–7.

⁴⁷ *Laudatio Turiae* II. 35 = Ehrenberg and Jones, op. cit. (n. 1), n. 357: 'pacato orbe terrarum, res[tituta] re publica'; Ramage (op. cit.), 59, n. 117 suggests (I think rightly) that this is best taken as understanding a dative, presumably *nobis*.

⁴⁸ *CIL* I² p. 231 = Ehrenberg and Jones, op. cit. (n. 1), p. 45; A. Degraffi, *Inscriptiones Italiae* XIII.2 (1963), 112–13: 'Corona querc[ea uti super ianuam domus imp. Caesaris] Augusti poner[etur senatus decrevit quod rem publicam] P. R. rest[it]u[it]l.' For a very different restoration see Judge, op. cit. (n. 1), 288–98.

thus the people) that provided the immediate impulse for voting the name *Augustus*. Dio's description of the honours received by Augustus is not as precise as we might like, but he apparently associates the name *Augustus* with this last stage of the constitutional settlement:

Now Caesar had already been awarded many things, when the issues of declining the monarchy and distributing the provinces had been discussed. For the placing of laurels in front of his palace and the fastening of an oak crown above them had already been voted him at that time as being the conqueror of the enemy and the saviour of citizens. [At this point Dio inserts a digression on the word *palatium*.] But when he in fact carried these things out, then indeed the name of Augustus was voted by the senate and by the people.⁴⁹

The epitomator of Livy, though more cryptic, also seems to see the organization of the provinces as the heart of the settlement of 27, and implies that it was connected closely with the vote of the name *Augustus*: 'C. Caesar, having organized things and having restored the provinces to a stable form, was also given the title Augustus as a cognomen, and the month Sextilis was named after him.'⁵⁰ More powerful still is the evidence of Ovid, who in the *Fasti* for 13 January, explains to Germanicus why the day was important: 'On the Ides the chaste priest offers the innards of a ram in the temple of great Jupiter, and every province was returned to our people, and your grandfather was called by the name Augustus.'⁵¹ The senate in fact voted the name *Augustus* on the 16th, but Ovid's error, or poetic licence, is revealing. As far as the senate was concerned, the crucial event of the settlement of 27 occurred on 13 January. It was not Augustus' offer to resign that counted, but what came next; placed at the head of the state by the senate and the people, however briefly, Augustus had handed back the provinces. He had, in other words, transferred the state from his power to the authority of the senate and people of Rome.

CONCLUSION

It would be gratifying to provide some independent support for the argument advanced here. In particular, a formal vote of supreme power by the senate and people, even if almost immediately declined or modified, ought to have left more obvious traces than the passing references in Dio, and it is unnerving that we have so little information about such a constitutionally significant moment. In lieu of more evidence we can only return to the text of the *Res Gestae*, and attempt to read chapter 34 in the right spirit. Augustus was proud of the name Augustus and the other honours he received in 27, and he was proud of the dramatic public meetings which had prompted them. The events of January 27 were nothing to be ashamed of: the senate and people had given Augustus supreme power, and he had given most of it back.⁵²

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⁴⁹ Dio 53.16.4–6.

⁵⁰ Livy, *Epit.* 134: 'C. Caesar rebus compositis et omnibus provinciis in certam formam redactis Augustus quoque cognominatus est; et mensis Sextilis in honorem eius appellatus est'.

⁵¹ Ovid, *Fasti* 1.587–90: 'Idibus in magni castus Iovis aede sacerdos / semimaris flammis viscera libat ovis; / redditaque est omnis populo provincia nostro, / et tuus Augusto nomine dictus avus.'

⁵² John Crook, Chris Francese, Nicholas Horsfall and Robert Kallet-Marx made valuable comments on this paper, for which I am grateful: it should not be assumed that they agree with the argument.