

VALERIUS MAXIMUS ON THE *DOMUS AUGUSTA*, AUGUSTUS, AND TIBERIUS*

Valerius Maximus' *Facta et dicta memorabilia* provide an opportunity of seeing how an undistinguished talent responded to the demise of the republic and the establishment of an imperial system. Fergus Millar has argued that we should view Valerius as a contemporary of Ovid, that is as an author influenced by the last years of Augustus and writing in the early years of Tiberius' reign,¹ but the internal evidence of *Facta et dicta memorabilia* better fits publication in the early 30s A.D. in the aftermath of Sejanus' unsuccessful conspiracy.² Although this does distance Valerius further from the key years of transition, he is not remote—and because of the relative paucity of prose authors of the period his presentation of the *domus Augusta* and of Augustus and Tiberius repays attention.

Under some ninety chapter headings illustrating for the most part virtues and vices Valerius presents around 1,000 *exempla*. Excluding those cases where Caesar or Augustus provide a chronological reference only, members of the imperial family feature in some fifty *exempla*. This has led Martin Bloomer to say that 'Caesar and the imperial family are not an ubiquitous, dominating presence in Valerius' work.'³ By comparison with, for example, Marius, who appears in over ninety *exempla*, that view appears to have some substance, but crucially it fails to take into account the fact that direct or indirect panegyric of the imperial house appears at key structural points in the work, which gives it a greater prominence—for example, in the prefaces to Books I, II, and VI, at the conclusion to the treatment of vices and in the final chapter of the work.⁴

VALERIUS' PRESENTATION OF THE *DOMUS AUGUSTA*

It is significant that Valerius speaks of a *domus*, not just of the emperor and his predecessors, and thus implicitly of an imperial dynasty. Augustus' concern to found an imperial dynasty can be traced back to the 20s B.C. at the latest and even to the late 30s B.C., if the Mausoleum was conceived as a tomb for the whole *domus*.⁵ Oath formulae from his reign indicate how broadly the idea was accepted. Not only the eastern areas of the empire with their long experience of Hellenistic monarchies

* I thank Miriam Griffin for her comments on an earlier draft of this paper.

¹ F. G. B. Millar, 'Ovid and the *domus Augusta*: Rome seen from Tomoi', *JRS* 83 (1993), 4.

² J. Briscoe, 'Some notes on Valerius Maximus', *Sileno* 19 (1993), 398–402 and R. Combès, *Valère Maxime: Faits et dits mémorables livres I–III* (Paris, 1995), 8–11. *Contra* J. Bellemore, 'When did Valerius Maximus write *Dicta et facta memorabilia*?', *Antichthon* 23 (1989), 67–80. Cf. D. Wardle, 'The "Sainted Julius"—Valerius Maximus and the Dictator', *CPh* 92 (1997), 333.

³ W. M. Bloomer, *Valerius Maximus and the Rhetoric of the New Nobility* (London, 1992), 216.

⁴ Cf. F. Römer, 'Zum Aufbau der Exempelsammlung des Valerius Maximus', *WS* 103 (1990), 104 and A. Weileder, *Valerius Maximus: Spiegel kaiserlicher Selbstdarstellung* (Munich, 1998), 14–15, n. 51.

⁵ The construction of the Mausoleum was well advanced by 28 B.C. according to Suetonius (*DA* 100.4). Cassius Dio's imperfect *ᾠκοδομείτο* (53.30.5) of 23 B.C. should not be pressed, see von Hesberg in H. von Hesberg and S. Panciera, *Das Mausoleum des Augustus: der Bau und seine Inschriften* (Munich, 1994), 54–5. Even if the monument was originally intended for members of the *gens Julia* only (cf. D. Boschung, 'Tumulus Iuliorum, Mausoleum Augusti', *HASB* 6 [1980] 38–41), that was not the case after 23 B.C. when Marcellus and Agrippa became its first occupants.

include his *oikos*, but also communities from the west, and most notably the Senate in the formal declaration of Augustus as *pater patriae* delivered by Valerius Messala Corvinus in 2 B.C.: *quod bonum faustumque sit tibi domuique tuae*.⁶ In A.D. 14, probably as one of the honours for the recently deified Augustus, the Senate authorized the erection in the Circus Flaminius of a statue *divo Augusto domuique Augus[tae]*, and a statue group was formally dedicated by the consul of A.D. 15, C. Norbanus;⁷ and in A.D. 19 the Senate's decision to have bronze tablets set up in the *municipia* and *coloniae* of the empire recording honours paid to the late Germanicus was motivated *quo facilius pietas omnium ordinum erga domum Augustam . . . appareret*.⁸ One of the many important contributions of the *senatus consultum de Pisone patre* is the definition of Piso's crimes as *nelecta maiestate domus Aug(ustae)*; and the conclusion of the extant portion of the decree goes further, declaring that

omnesq(ue), qui sub auspiciis et imperio principis
nostri milites essent, quam fidem pietatemq(ue) domui Aug(ustae) praestarent, eam sperare
perpetuo praestatueros, cum scirent salutem imperi nostri in eius domu<s> custo
dia posita<m> esse{t}.⁹

Ovid's post-exilic poetry provides the earliest appearance of the phrase *domus augusta* in an extant literary work.¹⁰ For Flory the notion is a creation of the last six years of Augustus' reign and has a specifically prospective sense, to present the

⁶ For example, the oath from Palaipaphos in A.D. 14: *σὺν τῷ ᾧ παντὶ αὐτοῦ οἴκῳ* and *AE 1967, 458* a decree of Messene in honour of the quaestor of Achaia who, *εὐνοίᾳ τῇ εἰς τὸν Σεβαστὸν καὶ τὸν οἶκον αὐτοῦ πάντα*, had conducted public sacrifices for Gaius Caesar's safety on hearing of his campaign successes in A.D. 2 or 3. The rites in honour of the *numen* of Augustus from Narbo A.D. 12/13 mention the *gens*: *quod bonum, faustum, felixque sit imp. Caesari divi f. Augusto . . . coniugi liberis gentique eius* (*ILS 112*); from Lampsacus (*IGRRP 4.180*): *τοῦ ἱερέως τῶν Σεβαστῶν καὶ στεφανηφόρου τοῦ σύμπαντος αὐτῶν οἴκου*. Although the precise word *oikos* does not appear in the inscription, honours were paid to members of the family from at least 27 B.C. (*IGRRP 4.39*). The absence of an adjective agreeing with *oikos* in the Greek examples does not invalidate them, as in each case there is clear reference to a *Σεβαστός*. Examples of *σεβαστός* used as an adjective with *oikos* are rare (e.g. *IGRRP 4.146, 1608*).

C. E. Stevens saw the insertion of the two words *domuique tuae* as 'the culmination of a process that had perhaps begun as early as the grant of tribunician *sacrosancitas* to Augustus, Livia and Octavia in 36 and 35' (reported by P. Cartledge, 'The second thoughts of Augustus on the *respublica* in 28/7 B.C.', *Hermathena* 119 [1975], 40, n. 14).

⁷ On this group, see M. B. Flory, 'Dynastic ideology: the *Domus Augusta*, and imperial women: a lost statuary group in the Circus Flaminius', *TAPhA* 126 (1996), 287–306. She reconstructs the family group as comprising Augustus, Livia, Germanicus, and Drusus the Younger.

⁸ *Tabula Siarensis* fr. 1 line 10, fr. 2, col. b lines 22–3. Text in J. González, 'Tabula Siarensis, Fortuinales Siarenses et municipia Civium Romanorum', *ZPE* 55 (1984), 55–100.

⁹ W. Eck, A. Caballos, and F. Fernández, *Das senatus consultum de Cn. Pisone patre* (Munich, 1996), lines 32–3 and 160–3 'all who were soldiers in the service of our *princeps* will continue to manifest the same loyalty and devotion to the *domus Augusta*, since they know that the well-being of the empire has been entrusted to the safe-keeping of that house'. Cf. C. Damon, *AJPh* 120 (1999), 39: 'the safety of our empire had been placed in the custody of that house'. The translation of M. T. Griffin ('The Senate's story', *JRS* 87 [1997], 253) is slightly different in emphasis 'the safety of the empire depends on the protection of that house' (cf. the German translation of Eck: 'dass das Wohlergehen unseres Reiches auf dem sorgsamem Schutz dieses Hauses gegründet sei'), but equally possible. In a private communication Miriam Griffin concedes that the genitive *domus* is probably subjective, i.e. the protection afforded by that house. This seems to be supported by the *feriae Cumanae* (*CIL* 1², 320), which record a *supplicatio* for Augustus probably dating from 9 B.C. Cf. the description of Augustus as *custos imperii Romani* by the burghers of Pisa in A.D. 4 (*CIL* 11.1421).

¹⁰ *Pont.* 2.2.74; cf. the several references in *Fasti* and *Pont.* where *domus* refers clearly to Augustus and his family (Flory [n. 7], 293, n. 23).

imperial family as united and the succession as secure. The chronological restriction at least is questionable and I posit the first public appearance of the notion of a *domus Augusta* from around 13 B.C. at the latest, taking Messala's words as evidence of the notion in the public domain. Flory discounts Messala's words as 'fall[ing] short of the specificity of the family dynasty implied by the phrase *domus Augusta*', but the vocatives *Caesar Auguste* which follow *domuique tuae* would make the inclusion of *Augustae* unnecessary and clumsy.¹¹ A date sometime after 13 B.C. is attractive, if the motivation for the introduction was political, to submerge the individual identities of the Julian and Claudian *gentes* beneath a more general term,¹² since the events of 6 B.C. produced the first visible evidence of tensions within the imperial family, as seen in the consulship awarded to Gaius Caesar and in Tiberius' 'retirement'. Also the side panels of the *Ara Pacis Augustae*, which must have been completed for its dedication in 9 B.C. and which represent a procession featuring the imperial family, surely portray the *domus Augusta* and probably permit us to see the idea in existence as early as 13 B.C., as do the coin issues of this year.¹³

Valerius is the earliest extant prose writer to preserve the phrase *domus Augusta*, referring to the dwelling rather than the members of the imperial family.¹⁴ In one passage (2.8.7) he describes the civic crown which was fixed over the door of Augustus' house on the Palatine by order of the Senate in January 27 B.C. and thus betrays a physical understanding of the house.¹⁵

A second passage is harder to unpack:

verum etsi mens hoc loco protinus ad Augustam domum, beneficentissimum et honoratissimum templum, omni impetu fertur, melius cohibebitur.

But even though the mind is immediately carried away from here with all eagerness to the *domus Augusta*, domain of the greatest beneficence and veneration, it will better be restrained.

Valerius alludes to the architectural features which made Augustus' house resemble a temple, most obviously the *fastigium* over the door. Although Augustus may have intended by his reorientation of the house after the fire of A.D. 3 to play down the links of *princeps* and god which the original palace and temple complex of 36 B.C. had highlighted and to present himself as one of the traditional *nobiles*, Valerius' description of the *domus* as a *templum* gives a wholly different impression.¹⁶

¹¹ M. B. Flory, 'The meaning of *Augusta* in the Julio-Claudian period', *AJAH* 13 (1988), 116.

¹² Cf. E. Fantham, 'Ovid, Germanicus and the composition of the *Fasti*', in F. Cairns (ed.), *Papers of the Liverpool Latin Seminar*, vol. V (Liverpool, 1986), 260–2.

¹³ M. D. Fullerton, 'The *Domus Augusta* in imperial iconography', *AJA* 89 (1985), 480–3.

¹⁴ Ovid's one mention of *domus Augusti* (*Pont.* 3.1.125) refers to the dwelling. Cf. Fantham's suggestion ([n. 12], 264–5) that one can trace in Ovid's exilic poetry an 'evolution from the spatial concept of the *domus Augusta*, enclosing its sacred precincts (cf. *Fasti* 4.953–4) to the concept of the *domus* as an evolving imperial family'.

¹⁵ Cf. Augustus, *RG* 34. T. P. Wiseman, 'Conspicui postes tectaque digna deo', in *L'Urbs: espace urbain* (Rome, 1987), esp. 398–405, examines the literary evidence for Augustus' house on the Palatine and the decoration of its entrance in particular. He makes excellent use of Ovid's description in *Tristia* 3.1.33–6, but makes no reference to Valerius' information. What Valerius had in view was presumably the palace entrance rebuilt and reoriented after the fire of A.D. 3. R. A. Gurval (*Actium and Augustus: The Politics and Emotions of Civil War* [Ann Arbor, 1995], 87–90, 113–15) takes a different view from Zanker on the *domus*' physical connection with the temple of Apollo and on the origins of the latter, but this does not affect the point here. For Valerius' use of *postes* and the associations of the oak and laurel, see Weileder (n. 4), 263–7.

¹⁶ 8.15 *praef.* Wiseman (n. 15), 405ff. As Augustus' house after 12 B.C. incorporated a temple of Vesta (see D. Fishwick, 'A temple of Vesta on the Palatine?', in A. Ladomirski (ed.), *Études sur l'histoire gréco-romaine* [Wrocław, 1993], 51–7), it might reasonably be described as a *templum*.

The adjective *augustus* had religious connotations that were central to its choice by Octavian as the name by which he wished to be known as the ruler of the Roman world, and this was commented on from antiquity.¹⁷ Its use for the imperial house, while on one level technical with the meaning 'the house of Augustus', also transmits the same religious aura to the *domus*. Other adjectives perform a similar function: Valerius applies *sanctus* and *sacer* definitely to Augustus and to his sister Octavia,¹⁸ and probably to Livia.¹⁹ Octavian had received tribunician sacrosanctity,²⁰ and had had similar prerogatives extended to Octavia²¹ and Livia, so the extension of the adjectives to them is intelligible;²² after his consecration they could be applied to Augustus as they were to the gods in general and to all elements of their worship. But despite his stress on Caesar and Augustus as *divi*, and on Tiberius as a *praesens deus*, Valerius does not use the adjective *divina* of the *domus*.²³ The first securely datable example of that combination belongs to A.D. 33, an inscription from Lucus Feroniae in *honorem domus divinae*, but Fishwick suggests that an altar at Nasium in Belgica inscribed *pro perpetua salute / divinae domus* belongs in the immediate aftermath of Sejanus' fall and should pre-date the other.²⁴ In his relative restraint here Valerius appears to fall in with the wishes of Tiberius, who objected to the description of the emperor's duties as *divinas occupationes*.²⁵ However, it is clear that the most remarkable aspect of Valerius' presentation of the imperial family, his almost omnipresent emphasis on the divine nature of Caesar, Augustus, and Tiberius, demonstrates the underlying notion of a *domus* that is truly *divina*. Although the suggestion that in its earliest appearances the expression had a technical sense only, that of 'house of (founded by) the *divus*', and that only later did the general meaning change to that of

¹⁷ See, for example, the ancient etymologies collected by R. J. Maltby, *A Lexicon of Ancient Latin Etymologies* (Leeds, 1991), 66.

¹⁸ For *sacer/sacrat* as practically synonymous with *augustus*, see H. Wagenvoort, *Roman Dynamism* (Oxford, 1947), 13–14. 1.7.1: *divi Augusti sacratissima memoria*; 9.15.2: *clarissimae et sanctissimae sororis eius Octaviae*; 4.7.7: *ab illa, quae sanctorum umbris dicata esse creditur, sede . . . illinc M. Agrippa*.

¹⁹ <*Gentis*> was supplied by Pighius after Iuliae in 6.1 *praef.*: *sanctissimumque Iuliae geniale torum* to create a reference to the Julian family, but the text should not be supplemented (see below n. 22). Cf. 9.15.2: *sanctissimi penates*—these *penates* would strictly be Claudian because Octavia had married C. Claudius Marcellus.

²⁰ RG 10. See W. K. Lacey, *Augustus and the Principate: The Evolution of the System* (Leeds, 1996), 101–2, 113. R. A. Bauman ('Tribunician sacrosanctity in 44, 36 and 35 B.C.', *RhM* 124 [1981], 181, n. 102) considers Valerius' language here as non-technical, but its use is best explained by the actual grant to Octavia.

²¹ Dio 49.38.1.

²² The attachment of *sanctissimum* to *Iuliae geniale torum* in the much disputed passage 6.1 *praef.* may in the light of this lend weight to the idea that Valerius' Iulia is Livia and that the addition of <*gentis*> approved by many scholars is unnecessary (cf. H.-F. O. Müller, 'Vita, pudicitia, libertas: Juno, gender and religious politics in Valerius Maximus', *TAPhA* 128 [1998], 230–1). Livia was celebrated in contemporary poetry for her chastity, with much of the vocabulary used by Valerius in this passage (cf. Ovid *Pont.* 3.1.114–16) and may have played a role in the worship of Vesta in the Palatine *domus* set up by Augustus (M. B. Flory, 'Sic exempla parantur: Livia's shrine to Concordia and the Porticus Liviae', *Historia* 35 [1984], 321; cf. Fishwick [n. 16], 51–7). Again the *s. c. de Pisone patre* and the Arval Acta demonstrate eloquently that Livia could be celebrated under Tiberius.

²³ By contrast with Cicero, Valerius uses *divinus* of the gods and their affairs, individual members of the imperial family, and of the literary and intellectual genius of those long dead. Overall this gives far more prominence to the imperial family and above all to the *divi* (see Wardle [n. 2], 337).

²⁴ D. Fishwick, *The Imperial Cult in the Latin West II* (Leiden, 1991), 423.

²⁵ Suet. *Tib.* 27; cf. Tacitus, *Ann.* 2.87.

'divine',²⁶ may be plausible, Valerius, as demonstrated by his treatment of Tiberius, the living *princeps* and one who was not a *divus* or *divinus*, presupposes the developed meaning.

VALERIUS' PRESENTATION OF AUGUSTUS

Within the fifteen *exempla*, which directly exemplify virtues of five members of the imperial family,²⁷ the higher profile accorded to Caesar rather than to Augustus is not to the detriment of Augustus.²⁸ It does, however, reflect the developing ideology and consciousness of the imperial house,²⁹ the *domus Augusta*, which would be incomplete without its 'founder' and first *divus*, Caesar, and also the greater pervasiveness of imperial cult in general life, the pre-eminent vehicle through which loyalty and support to the imperial family was manifested throughout the empire.

Bloomer has argued for a Valerius who is 'not a slavish admirer [of the Caesars] if this slavery means the constant and consistent defamation of history along Caesarian lines',³⁰ but despite his contribution to a more nuanced evaluation of Valerius' presentation, this picture needs modification: Valerius' version of history, in so far as it involves members of the imperial family, follows without hesitation the Caesarian line, even where that involves him in difficulties.

As Bloomer has rightly shown, neither Valerius' *exempla* nor his own comments distinguish republic from principate: Roman history is a seamless teleological progression to the Caesars.³¹ The closest we come to any distinction is in two *exempla* from the final chapter of the work where Valerius draws a sharp contrast between *Sullana violentia* and *Caesariana aequitas* and describes the 'Caesar' as a *iustus princeps* (9.15.5-ext. 1).³² This *princeps* must be Augustus rather than Caesar, as the continuation in 9.15 ext. 2 demonstrates. There the same ruler executes the false-Ariarathes, pretender to the throne of Cappadocia, after the real Ariarathes had been terminated by M. Antonius in 36 B.C.³³

Augustus appears six times as Caesar, three times as Augustus, six times as Divus Augustus, once as a *divus Caesar*, and probably twice as *deus*.³⁴ The prominence of the

²⁶ Fishwick (n. 24), esp. 424–30; originally proposed by R. Mowat, 'La *domus divina* et les *divi*', *Bull. Epig.* 5 (1885), 221–40, 308–16. Valerius' use of *domus* of the human members of the family is appropriate: *domus* is broader in scope than *familia* and encompasses cognate as well as agnate descendants, so R. P. Saller, 'Familia, *domus* and the Roman conception of the family', *Phoenix* 38 (1984), esp. 342–6.

²⁷ Caesar: 1.6.13, 1.7.2, 1.8.8, 3.2.19, 4.5.6, 6.9.15, 8.9.3, 9.8.2; Augustus: 7.7.3–4; Tiberius: 5.5.3, 8.15 *praef.*, 9.11 ext. 4; Livia (?): 6.1 *praef.*; Antonia: 4.3.3. Although Antonia technically does not belong to the *familia Augusta* as she was no descendant of Augustus in the agnatic line and did not lie in the line of succession, she is clearly to be considered a member of the *domus Augusta*, as the *s. c. de Pisone patre* makes clear (lines 140ff.; cf. Flory [n. 7], 295).

²⁸ Wardle (n. 2), 344–5.

²⁹ See Millar (n. 1), esp. 2–4, 7–8 for this seen in Ovid's *Fasti*; 12–13, 15–16.

³⁰ Bloomer (n. 3), 186–7, 229.

³¹ Bloomer (n. 3), 205. Given Valerius' devotion to Tiberius, the suggestion of Bellemore ([n. 2], 68–9), that Valerius considered the year of Tiberius' birth, 42 B.C., to mark a new era and that for moral persuasion *exempla* of the *maiores* were more efficacious, is attractive.

³² Valerius' use of *princeps* of Sulla may be another way in which he glides over the distinction between republic and principate—i.e. Augustus was not the first *princeps*.

³³ See R. D. Sullivan, 'The dynasty of Cappadocia', *ANRW* 2.7.2 (Berlin, 1980), 1148.

³⁴ Caesar: 1.1.19, 1.4.7, 1.5.7, 1.7.1, 9.15 ext. 1; Augustus: 1.7.2, 4.3.3 (Briscoe in the latest Teubner deletes *Augustis* [Pighius' excellent emendation of mss. *Augusto*] as a gloss), 7.6.6; *Divus Augustus*: 1.7.1, 3.8.8, 7.7.3, 7.7.4, 7.8.6, 9.15.2; *divus Caesar*: 2.1.10; *deus*: 4.7.7, 9.11 ext. 4 (see

divine is clear. This needs to be underlined, by stressing that in Roman thought, and law, the divinity and humanity of Augustus were distinct: he was fully and only a man until he had been formally consecrated a god, after his death. So, to use the divine title of Augustus' earthly actions is not just a chronological but also a legal and theological inexactitude. One could put this down to a polite, honorific usage, but Valerius is playing with contemporary non-official (or essentially non-Roman) ideas which emphasized the possession of a divine spirit by the *principes* during their earthly life, a spirit which was restored to its heavenly glory only at death. The idea is central to his reverence for, and presentation of, Augustus.

In fact it guides him through his handling of the *exempla* in which Augustus is most prominent. Valerius never presents Augustus as the direct exemplar of any of the virtues for which he was signally honoured by the state or which he paraded on his coinage. This contrasts sharply, for example, with the language of the *senatus consultum de Pisone patre*,³⁵ but Valerius had no doubts as to the cardinal merits and excellence of Augustus. Indeed he can say of Augustus that *si ipsa Aequitas hac de re cognosceret, potuisset iustius aut gravius pronuntiare?* Nor is it likely that Valerius is engaging in sophistic hair-splitting, that is crediting Augustus with *aequitas* and not with *iustitia*. Although there could have been no shortage of favourable material on Augustus, Valerius may not have been able to find it in prominent annalistic histories, the kind of sources he preferred.³⁶

On his first major appearance Augustus is the indirect recipient of a dream sent by Minerva before the battle of Philippi (1.7.1).³⁷ Valerius does his best with the incident, which could give the thinking reader pause for controversial reflection. For, in direct contrast both to Caesar and to Tiberius, Augustus was not conspicuous for personal courage, yet Valerius praises his efforts: *supra vires corporis pro adipiscenda victoria excubat*. In fact this covers an ignominious flight from his camp and three days' hiding in the marshes, while M. Antonius swept the forces of Cassius off the field. At first sight *excubare* seems an unexceptional word, but for Valerius this is a key term for the gods' activity in protecting the Roman empire, as seen in his first authorial shaping of his *exempla* in Book I, and also that of the emperors, gods in the making.³⁸ The story of Artorius' dream appeared first in Augustus' *Autobiography* and served to excuse Augustus' flight—it was divinely ordained, to preserve him for his future role. While we might wonder whether the safest course was not to omit the incident altogether,

below p. 491). By using Caesar in the core of *exempla* of the period before 27 B.C., Valerius respects the historical facts of Augustus' contemporary nomenclature.

³⁵ S. c. de Pisone patre, lines 90–2: *memorem clementiae suae iustitiaeq(ue) <atq(ue)> animi magnitudinis, quas virtutes {quas} a maioribus suis accepisset tum praecipue ab divo Aug(usto) et Ti. Caesare Aug(usto) principibus suis didicisset*. See e.g. A. F. Wallace-Hadrill, 'The Emperor and his virtues', *Historia* 30 (1981), 298–323, esp. table on 323, and A. Cooley, 'The moralising message of the *Senatus Consultum de Pisone patre*', *G&R* 45 (1998), 199–212.

³⁶ Tacitus lamented the lack of *decora ingenia* (*Ann.* 1.1.2) and only exiguous fragments have survived of annalists covering Augustus' reign. Of those written before A.D. 30 we know only of Livy and Cremutius Cordus. Whether a loyalist like Valerius would have used the latter's work is unclear. Cf. P. M. Swan, 'Cassius Dio and Augustus: a poverty of annalistic sources?', *Phoenix* 41 (1987), esp. 386.

³⁷ Within the *exemplum* itself Valerius refrains from using the anachronistic *Augustus*, using instead Caesar. On the historical details, see D. Wardle, *Valerius Maximus' Memorable Deeds and Sayings Book I* (Oxford, 1998), 218–19.

³⁸ On 1.1.8, see C. Skidmore, *Practical Ethics for Roman Gentlemen: The Work of Valerius Maximus* (Exeter, 1996), 64–5. For *excubare* used 'in Formulierung mit hoher Tonlage', Weileder (n. 4), 165, n. 260. Of twelve uses of *excubare* and *excubatio*, the first three and one other relate to divine or imperial action (1.1.8, 1.7.1, 1.8.1, 9.11 *ext.* 4).

Valerius enthusiastically presents the official version. Key to his chosen presentation is the sacralizing language which frames the *exemplum*: *quem locum unde potius ordiar quam a diui Augusti sacratissima memoria? and quid ergo aliud putamus quam diuino numine effectum ne destinatum iam immortalitati caput indignam caelesti spiritu fortunae uiolentiam sentiret?* This last extract, if taken literally, bestows on the human Octavian a heavenly spirit, as well as emphasizing that the gods desired and secured the preservation of the future Augustus. The sacralizing language of the introduction and conclusion distances Augustus from any criticism, and crucially makes the reader look ahead to the ultimate destiny of the man, his deification.

Augustus appears prominently in two *exempla* 'De testamentis quae rescissa sunt' (7.7.3–4). Firstly:

C. autem Tettium a patre infantem exheredatum, Petronia matre, quam Tettius, quoad uixit, in matrimonio habuerat, natum, diuus Augustus in bona paterna ire decreto suo iussit, patris patriae animo usus, quoniam Tettius in proprio lare procreato filio summa cum iniquitate paternum nomen abrogauerat.

A child C. Tettius, whose mother Petronia was the wife of his father Tettius till his death, was disinherited by his father. By his own decree Augustus, employing the mind of a Father of the Fatherland, ordered that the son inherit his father's estate, seeing that Tettius had renounced the title of father by treating with utter unfairness a son born under his own roof.

We again see the sacralization of Augustus in the use of his divine name Divus Augustus, but unique to this passage is the stress on the title of *pater patriae*³⁹ and its apparent application in the legal sphere. As is clear from Augustus' *Res Gestae*, he placed great store on the title and regarded it as the culminating honour of his life.⁴⁰ While it is most unlikely that the title conferred any legal powers, Valerius imports it to justify Augustus' extreme action in an area carefully circumscribed by law.⁴¹ For Valerius, the good of the state, as achieved by the recognition and succession of legitimate heirs, was paramount over the freedom of the individual, a view fully consistent with the prevailing Roman sentiment that natural children should inherit and that disinheritance should be avoided.⁴²

Septicia quoque mater Trachalorum Ariminensium irata filiis in contumeliam eorum, cum iam parere non posset, Publicio seni admodum nupsit, testamento etiam utroque praeterito. a quibus aditus diuus Augustus et nuptias mulieris et suprema iudicia improbavit: nam hered-

³⁹ Elsewhere Valerius uses *parens patriae* of Caesar (6.8.4, 8.11.2) and *parens* of Tiberius (5.5.3, 9.11 ext. 4). ⁴⁰ RG 34.

⁴¹ Valerius' process of excerpation robs us of the exact legal context, and therefore of the basis on which Augustus reached his verdict, but it is likely that the issue involved was what was later known as a *querella inofficiosi testamenti*, a type of case heard before the *centumviri* from the middle of the first century B.C. The centumviral court could declare a will undutiful, thereby setting it aside, and so cause another will to be made, if the testator was alive, but could not declare that the plaintiff should receive the testator's goods (cf. A. Watson, *The Law of Succession in the Later Roman Republic* [Oxford, 1971], 62–6). Augustus appears to go further than republican practice permitted in ordering that C. Tettius receive his father's property: Valerius may be truncating an account of a longer process in which an appeal was made to Augustus against a ruling of the *centumviri*, but the impression given is of direct remedial action by the *princeps*. J. M. Kelly, *Princeps Iudex. Eine Untersuchung zur Entwicklung und zu Grundlagen der kaiserzeitlichen Gerichtsbarkeit* (Weimar, 1957), 84–6, argues against A. H. M. Jones, 'Imperial and senatorial jurisdiction in the early principate', *Historia* 3 (1953/4), 476, that the cases of Tettius and Septicia had come to Augustus on appeal.

⁴² E. Champlin, *Final Judgments: Duty and Emotion in Roman Wills* (Berkeley, 1991), 107. A. F. Wallace-Hadrill, 'Family and inheritance in the Augustan marriage laws', *PCPhS* 27 (1981), 63–4.

itatem maternam filios habere iussit, dotem, quia non creandorum liberorum causa coniugium intercesserat, uirum retinere uetuit. si ipsa Aequitas hac de re cognosceret, potuitne iustus aut grauius pronuntiare? spernis quos genuisti, nubis effeta, testamenti ordinem uiolento animo confundis neque erubescis ei totum patrimonium addicere, cuius pollincto iam corpori marcidam senectutem tuam substraui. ergo dum sic te geris, ad inferos usque caelesti fulmine afflata es.

Also Septicia, a mother of Trachali Arimensis, in anger at her sons and to insult them, although she could no longer bear children, married Publicius who was quite an old man, and excluded both sons from her will. Approached by them the god Augustus annulled both the woman's marriage and her last wishes. For he ordered the sons to receive the mother's inheritance and forbade the husband to retain the dowry because the marriage had not been contracted for the bearing of children. If Fairness herself were judge of this case could she have pronounced with greater justice or authority? You spurn those to whom you gave birth, you marry when enfeebled, you overturn the purpose of a will with malicious intent and you do not blush to give all your estate to one beneath whose body which is already prepared for burial you have laid your drooping old age. So while you were behaving in this manner you have been struck by a heavenly thunderbolt down to hell.

Valerius' second example is problematic in that the legal justification of Augustus' action in setting aside Septicia's will, ending her marriage to Publicius, and requiring the restoration of her dowry is unclear. We can search for a specific infraction of law, that, for example, Septicia was attempting to circumvent the intention of Augustus' own legislation on inheritances to secure the continuation of families by restricting legacies, or that she was contravening his *lex Julia de maritandis ordinibus*, a law which seems to have specified that marriage was *liberorum procreandorum causa*, a phrase which Valerius clearly echoes.⁴³ However, Valerius' stress on the age of the couple is a complicating factor: the *lex Papia-Poppaea* of A.D. 9, which eased the requirements of Augustus' earlier *lex Julia de maritandis ordinibus*, laid down that men between the ages of twenty-five and sixty and women between twenty and fifty should be married—Septicia was beyond the age of child-bearing, but could still have fallen under the law. If there were a simple contravention of a law, the matter would not have been referred to Augustus as it was and he would not have won Valerius' praise for his wisdom.⁴⁴ If, however, the sons' case was basically a *querella inofficiosi testamenti*, that should have been brought before the *centumviri*; we might conjecture that they had ruled against the sons and that the case had gone on appeal to Augustus. Whatever the legal technicalities, Valerius concludes with an extended rhetorical apostrophe of the hapless Septicia which culminates with the image of Augustus as Olympian Jupiter consigning her to hell.⁴⁵ Any suggestion of a questionable reinterpretation of his own laws or dubious action is swept away by the blatant sacralizing of the emperor, not just by the application of the adjective *caelestis* to Augustus' pronouncement, but by the overt equivalence of Augustus with Jupiter.

The expressions Valerius uses for Augustus' exercise of power also indicate his attitude. While he can trot out well-worn metaphors, e.g. of holding the reins of power,

⁴³ See S. Treggiari, *Roman Marriage: iusti coniuges from the Time of Cicero to the Time of Ulpian* (Oxford, 1991), 8, n. 37 for a list of occurrences of the phrase in literary and legal texts; for the *lex Julia*, *FIRA* 3.17: *Nomissianus filiam suam virginem . . . secundum le[gem] Iuliam quae de maritandis ordinibus la[ta] est liberorum procreando[rum] causa in matrimonio(m) eam collo[cavit]*, *PSI* 6.730, etc.

⁴⁴ Cf. n. 41 and M. Humbert (*Le Remariage à Rome* [Milan, 1972], 156), who argues that legal penalties for the behaviour exemplified by Septicia began only in A.D. 34 with the *s. c. Persicianum*.

⁴⁵ Weileder ([n. 4], 64, n. 133) cites F. Christ, *Die römische Weltherrschaft in der antiken Dichtung* (Stuttgart/Berlin, 1938), 128, for a list of passages where Augustus' actions are compared with Jupiter's thunderbolt.

the *gubernacula Romani imperii* (9.15.5),⁴⁶ which should not be pressed for any constitutional significance, other expressions have been thought to evoke specific political powers.

In the final domestic *exemplum* from the chapter *De necessitate*, on a threatened invasion by Phraates of Parthia which caused grain prices to soar in the eastern half of the empire, Valerius praises Augustus for the resolution of the crisis: *amarissimam tempestatem Augusti cura tutelae tunc terrarum uacans dispulit* (7.6.6-ext. 1).⁴⁷ In *cura* and *tutela* Valerius produces two more of the key terms from the early principate by which the emperors and their subjects described the imperial function.⁴⁸ Von Premerstein suggested that Valerius' language echoes a specific legal conferral on Augustus of a *cura et tutela reipublicae*.⁴⁹ The existence of such a grant is disputed,⁵⁰ but that we have Valerius using prominent terms by which Augustus' influence was described, whether in legal terms or not, is not surprising. Even if Valerius' choice of *cura* and *tutela* was suggested by a constitutional prerogative, his framing of the whole incident (*ut divinam filii mentionem caelesti patris recordationi subnectam*) presents Augustus as a god deploying his divine powers for the assistance of humanity, not as a human ruler exercising a legally conferred power.

A third example may be drawn from the final chapter as extant of *Facta et dicta memorabilia* on the subject of low-born individuals who falsely insinuated themselves into noble families:

ne divi quidem Augusti etiam nunc terras regentis excellentissimum numen intemptatum ab hoc iniuriae genere . . . dum plenis impudentiae velis ad summam audaciae gradum fertur, imperio Augusti remo publicae triremis adfixus est. (9.15.2)

Not even the most outstanding divine power of the god Augustus, who even now rules the earth, was untouched by this kind of insult . . . but, when with sails full of effrontery he was carried along to the ultimate level of audacity, by an order of Augustus he was chained to an oar of a state galley.

Valerius' introductory words attribute to the living Augustus *numen*, the quint-essential property of a god, and represent the fraud perpetrated against his wider family as sacrilege. *numen* was used in two senses from the time of Augustus: firstly, to denote the functional property of a god by which the god manifests his deity; and secondly, by metonymy to denote a personal god or divinity itself.⁵¹ Although Cicero had attributed *numen* to the Senate and Roman people, the regular usage in official sources by the end of Augustus' reign, according to Fishwick, 'shows that it was conceived as a divinized abstraction to be treated in the same way as a traditional

⁴⁶ C. M. Moschetti (*Gubernare navem, gubernare rem publicam* [Milan, 1966]) omits Valerius entirely from his study, although he devotes space to the image as used of Augustus (177ff.).

⁴⁷ The date of this threatened invasion is unclear, but sometime in the late 20s B.C. is likely.

⁴⁸ Cf. 9.11 ext. 4 for Tiberius as *auctor et tutela nostrae incolumitatis*. See J. Béranger, *Recherches sur l'aspect idéologique du principat* (Basle, 1953), 186–217, 257–9 and Weileder (n. 4), 61–71.

⁴⁹ A. von Premerstein, *Vom Werden und Wesen des Prinzipats* (Munich, 1937), 123; contra Béranger (n. 48), 196: 'il est loin de penser à une ingérence d'ordre législatif'.

⁵⁰ From Strabo's use of *ποροαία* (840), J. H. W. G. Liebeschuetz ('The settlement of 27 B.C.', in C. Deroux [ed.], *Studies in Latin Literature and Roman History*, vol. IV [Brussels, 1986], esp. 348–53) plausibly argues for the grant to Augustus of an empire-wide mandate of a supervisory role even where his *imperium* did not stretch. Although Liebeschuetz suggests that *ποροαία* need not be the translation of any particular Latin term (353, n. 54), it is attractive to see it as the Greek rendering of *tutela* (cf. the examples at Béranger [n. 48], 256–63).

⁵¹ See Fishwick (n. 24), esp. 383–4.

god, though *immanent* in the emperor rather than *concomitant* like the *Genius Augusti*.⁵² He wisely permits that 'the uneducated classes' may not have grasped the subtlety of this distinction, but perhaps we should go further and suggest that members of 'the educated classes' such as Valerius could either ignore or reject it. The worship of Augustus during his lifetime, as attested in many communities throughout Italy, should not arbitrarily be limited to the simple or to the socially inferior.⁵³ In this example from Valerius, for example, it is hard to see how the imposture was an assault on Augustus' *numen* as opposed to his humanity. What constitutes a key difference between the impostor's actions and those of Piso (see below) is that the latter's were directed against physical (and other) manifestations of the cult offered to Augustus. Although in his introduction to the chapter Valerius states that the impostures posed a threat to the state, *periculi tum privatim tum etiam publice late patentis*, and that to have claimed to be Augustus' nephew and son-in-law Marcellus, thus to be part of the *domus Augusta*, had obvious public significance, nothing suggests that it was *per se* sacrilegious. If the idea of sacrilege is to be taken seriously, it appears to indicate Valerius' belief in a *domus divina*.⁵⁴

Use of Augustus' divine name *Divus Augustus* anachronistically, as in the *exempla de testamentis quae rescissa sunt*, is readily intelligible and in isolation need imply nothing about the living Augustus. Indeed contemporary official documents refer to Augustus in this way: in the *s. c. de Pisone patre* alone this happens five times.⁵⁵ Valerius' emphatic use of *numen* may seem different and more extreme, but again, the *s. c. de Pisone patre*, an official publication destined for a wide audience, has something very similar: *bellum etiam civile excitare conatus sit, iam pridem numine Divi Aug(usti) virtutibus(ue) Ti. Caesaris Aug(usti) omnibus civilis belli sepultis malis*.⁵⁶ So, during his earthly existence, Augustus' *numen* had put an end to civil war. While emphasis could be placed on the anachronistic use of *divus* of the living Augustus,⁵⁷ it is the

⁵² Fishwick (n. 24), 385 (my emphasis). Fishwick develops his argument: 'to credit Augustus with *numen* . . . did not make Augustus a god . . . in strictly theological terms Augustus now became a *θεῖος ἄνθρωπος*, an inspired man. . . . Augustus himself never made the ultimate step from manhood to godhead, from possessing *numen* to being a *numen*.' In connection with the formal dedication by Tiberius of an *ara numinis Augusti* in A.D. 6, however, Fishwick notes that 'to attribute *numen* to Augustus was an unprecedented departure in that the human emperor was now given the essential property of a god' ('Numen Augusti', *Britannia* 20 [1989], 232).

⁵³ Cf. M. Clauss, 'Deus praesens: Der Kaiser als Gott', *Klio* 78 (1996), 419–21. This conclusion would be strengthened by the arguments of I. Gradel ('Mamiae's dedication: Emperor and *Genius*: the imperial cult in Italy and the *genius Coloniae* in Pompeii', *Analecta Romana* 20 [1992], 43–58) that municipal cult in Italy was offered to Augustus directly and not to his *Genius* (cf. D. Fishwick, 'The inscription of Mamia again', *Epigraphica* 57 [1995], esp. 26–7).

⁵⁴ Cf. above, pp. 482–3. The conclusion of the preceding *exemplum* (9.15.1) concerns Herophilus, the false grandson of Marius, and his two appearances in Rome before and after the death of Caesar. The *divinae Caesaris vires* secured Herophilus' relegation from Italy; then, *postquam ille caelo receptus est* the Senate had him murdered. Valerius' emphasis on the divine has notable similarities to the following Augustan *exemplum*.

⁵⁵ Lines 52, 86, 92, 138, 141.

⁵⁶ Cf. the *s. c. de Pisone patre* (lines 45–7). The contrast between the *virtutes* of Tiberius and the *numen* of Augustus is clear. One inference to be drawn from this is that in official state documents the reigning emperor was not to be presented as divine (as Tiberius wished, see p. 482 and n. 25). Perhaps the juxtaposition with Augustus hints that deification awaits Tiberius because of his virtues (cf. H. I. Flower, 'Piso in Chicago', *AJPh* 120 [1999], 106–7). At lines 91–2 *Divus Augustus* and Tiberius, *suis principibus*, are also juxtaposed as the supreme exemplars of virtues to the Senate, but no distinction is made between the two of them.

⁵⁷ Cf. Eck (n. 9), 187, n. 515, considering this 'besonders wichtig'.

importation of the *numen* which is truly striking and not to be minimized. In the final charge against Piso, actions or words pre-dating Augustus' death are retrospectively interpreted as an attack on Augustus' *numen*: *numen quoq(ue) divi Aug(usti) violatum esse ab eo arbitrari senatum omni honore, qui aut memoriae eius aut imaginibus quae, antequam in deorum numerum referre{n}tur, ei r[. . .]tae erant, habeba{n}tur, detracto*. On one level to describe the imposture as sacrilegious rather than fraudulent makes the *exemplum* more dramatic and treasonous. However, although as here Valerius echoes the language of official documents, as his willingness to use *deus* of emperors both dead and alive shows, it is possible that Valerius believed (or leaves it open for his reader to believe) that the emperor was a god.⁵⁸

VALERIUS' PRESENTATION OF TIBERIUS

Is Tiberius, the reigning emperor, dealt with differently from Caesar and Augustus by Valerius, particularly with respect to sacralization, in that the Tiberius of our historical sources was keen to preserve the distinction between dead and deified *principes* and himself? He appears as the exemplar of only one virtue, fraternal *pietas*. Although he does not make it the climactic *exemplum* in the chapter, Valerius presents at great length and in his most elaborate style Tiberius' journey to the deathbed of his brother Drusus (5.5.3).⁵⁹

It has been reasonably surmised that this feat of heroism was something upon which Tiberius prided himself, indeed his contemporaries and subsequent generations freely acknowledged his efforts.⁶⁰ Valerius' treatment of the episode, then, might be expected to be of interest. His decision to include such a contemporary *exemplum*, one that postdates his apparent cut-off point, is in itself significant.⁶¹ Valerius' language and emphasis raise several questions, but here I shall deal only with two.

Firstly, the concluding *sententia*, *his scio equidem nullum aliud quam Castoris et Pollucis specimen consanguineae caritatis convenienter adici posse*, shows Valerius to be well aware of one element of imperial propaganda of the Augustan and Tiberian principate, the use of Castor and Pollux to symbolize fraternal pairings within the imperial house, starting from Gaius and Lucius and continuing through to Tiberius'

⁵⁸ It is difficult to establish the resonance of the final image in which we see Augustus wielding *imperium* to have an individual consigned to the galleys. *Imperium* could have a variety of meanings, e.g. simply 'command' or 'order', or the general authority vested in Augustus or one of the specific grants of *imperium* made to Augustus which defined his constitutional position, but the first of these is most likely (cf. 1.1.19). At any rate Augustus' action is a vivid demonstration of the imperial role in the upholding of morality by punishing the wicked, which Valerius celebrates emphatically in the preface.

⁵⁹ Cf. Bellemore (n. 2), 73: 'the quality and quantity of material and the wealth of personal, perhaps even trivial detail distinguish this anecdote from those which deal with earlier periods' and R. Combès, *Valère Maxime: Faits et dits mémorables livres IV-VI* (Paris, 1997), 226: 'l'*exemplum* marque un sommet dans l'œuvre'.

⁶⁰ For example, *Cons. Liviae*; Pliny, *N.H.* 7.84; Cassius Dio 55.2.1. The choice for a statue group of an obscure mythological episode, the recovery of the body of Achilles by Odysseus, in Tiberius' grotto at Sperlonga has suggested a particular pride by Tiberius in his escorting of Drusus' body home (see R. G. M. Nisbet, 'Notes on the text and interpretation of Juvenal', in N. Horsfall [ed.], *Vir bonus peritus dicendi* [London, 1988], 105, n. 29).

⁶¹ Cf. Bloomer (n. 3), 227-8. It may be relevant that Livy's history, one of Valerius' major sources, concluded with the events of 9 B.C. and, as we know from the *periocha* (142), contained an account of Drusus' death and Tiberius' accompaniment of the corpse to Rome, and so presumably recounted Tiberius' other journey and the final meeting of the brothers. Cf. Bellemore (n. 2), 68-71.

grandsons.⁶² In fact the most tangible and memorable example of this relates to Tiberius and Drusus: in A.D. 6 Tiberius dedicated the restored temple of Castor and Pollux in his own name and that of Drusus, marking this by a large commemorative inscription with gilded letters.⁶³ Müller has argued that another element of the myth is relevant to Valerius' story, that 'Castor . . . was commonly considered originally immortal and Pollux originally mortal' and that this distinction between the brothers was carried through Valerius' description: 'Tiberius acts according to sacred duty (*benevolentia fraterna* is a virtue, gods promote virtue, gods are sacred, etc.), but his brother Drusus acts according to civil and military considerations.'⁶⁴ In fact, however, Greek myth makes Pollux immortal and no extant version makes Castor the divine brother,⁶⁵ and Roman sources similarly give this version, notably Ovid, whose contemporary account is our best evidence.⁶⁶ For the Romans Castor took precedence over his brother for his warlike character, and from the Augustan period after the restoration of the temple by Tiberius it was known as the *aedes Castorum*—Pollux's name was erased.⁶⁷ Even if Valerius were operating with the form of the story which Müller assumes, to categorize Tiberius' *fraterna benevolentia* or *pietas* and Drusus' deferential recognition of his brother's *maiestas* as divine and human respectively is problematic: both are clearly virtuous, and the latter is not obviously less important, especially when Valerius considers due regard for status a common element of his *exempla* (e.g. 9.15). Rather, as Weileder suggests, the reader comes away with only the general impression of Tiberius and Drusus as a new epiphany of the Dioscuri, fulfilling the exact role of fighting for Rome which Valerius ascribes to them in other *exempla*.⁶⁸

Secondly, the anachronistic description of Tiberius as *princeps parensque noster* is not accidental, but functions on several levels, here in a way drawing the reader into the heroic actions—if Tiberius is the reader's father, then Drusus is his brother and Tiberius' bravery is on behalf of the reader's family too. There is another level of subtlety in Valerius' formulation: Tiberius expressly refused the title *pater patriae* in deference to Augustus, but by using the cognate *parens* Valerius can circumvent Tiberius' refusal and credit the emperor with the laudable associations of the title on which Augustus has set such store.⁶⁹

The other reference to Drusus in Valerius, in an *exemplum* celebrating the *abstinentia* and *continentia* of his widow Antonia in remaining unmarried for nearly forty years, similarly is turned to reflect praise on Tiberius and Augustus as *reipublicae divini oculi*;⁷⁰ this attributes to Tiberius a divine role which we see repeated in the next two passages to be considered.

⁶² See B. Poulsen, 'The Dioscuri and ruler ideology', *SO* 66 (1991), esp. 122–28; P. Schrömbges, *Tiberius und die Res publica Romana: Untersuchungen zur Institutionalisierung des frühen römischen Principats* (Bonn, 1986), 44–50; C. J. Bannon, *The Brothers of Romulus* (Princeton, 1997), 178–9.

⁶³ Suet. *Tib.* 20.3, Dio 55.27.4. The inscription is recreated by G. Alföldy, *Studi sull' epigraphia augustea e tiberiana* (Rome, 1992), 39–58.

⁶⁴ H.-F. O. Müller, *Exempla tuenda: Religion, Virtue and Politics in Valerius Maximus* (dissertation, University of North Carolina, Chapel Hill, 1994), 55.

⁶⁵ E.g. Apollodorus 3.11.2, Pindar, *Nem.* 10.

⁶⁶ *Fasti* 5.709–19.

⁶⁷ See *LIMC* s.v. Dioskouroi, 567, Castores, 608.

⁶⁸ Weileder (n. 4), 166.

⁶⁹ Suet. *Tib.* 26.2, Tac. *Ann.* 1.72.1, 2.87.2. See Combès (n. 2), 12–13; Weileder (n. 4), 266–7.

⁷⁰ 4.3.3: *operum suorum pro habitu aetatis magnitudine vitrico pariter ac fratri [Augustis] duobus reipublicae divinis oculis mirifice respondentem*. Briscoe rejects *Augustis*, Pighius' emendation of the manuscripts' *Augusto*, as a gloss on *vitrico* and *fratri*.

In an emotional tirade against an unnamed conspirator Tiberius occupies the climactic position as the one responsible for the salvation of the empire:⁷¹

sed vigilarunt oculi deorum, sidera suum vigorem obtinuerunt, arae, pulvinaria, templa praesenti numine vallata sunt, nihilque, quod pro capite augusto ac patria excubare debuit, torporem sibi permisit, et in primis auctor et tutela nostrae incolumitatis ne excellentissima merita sua totius orbis ruina conlaberentur divino consilio providit. (9.11 ext. 4)

But the eyes of the gods were awake, the stars retained their force, the altars, couches and temples were protected by a present divine power and nothing which ought to have kept watch over the head of Augustus and the fatherland allowed itself drowsiness, and above all the author and defender of our safety saw to it by divine wisdom that his own most excellent achievements would not be destroyed in the ruin of the whole world.⁷²

Tiberius appears syntactically on the same level as the gods, *oculi deorum*.⁷³ Two further phrases, although ambiguous, underline this. Firstly, what or who is the *praesens numen* which protected altars, temples, and couches? Although it can be understood as the deity worshipped at each site defending his or her worship, a reference to Tiberius is possible, and indeed is suggested by the powerful parallels with the preface to *Facta et dicta memorabilia* which this reveals. In the preface Tiberius is invoked as a god, is accorded *divinitas* made evident by a *praesens fides*, and is seen as the living equivalent of Caesar and Augustus, now fully fledged *dei*. Secondly, the key words *divino consilio* may be understood as meaning 'with counsel given by the gods', but a stronger sense which attributes the divine counsel to Tiberius himself is preferable. Then the parallel with the preface where Tiberius' *caelestis providentia* is fundamental to Valerius' work is underlined. Although Valerius elsewhere can credit the gods with the inspiration of good counsel,⁷⁴ here his chosen formula is at the least ambiguous, so that Tiberius can be read as the source of divine counsel. When the *divino consilio* is combined with *providit*, a clear reference to a key notion of the Tiberian principate promoted by Tiberius himself and taken up throughout the empire,⁷⁵ we cannot escape the conclusion that Valerius is presenting Tiberius as divine (if his readers want to accept that).⁷⁶

As with Julius Caesar and Augustus, this sacralizing of Tiberius is central to Valerius' presentation of him. Valerius knows that Tiberius has not been formally

⁷¹ On the probable identity of this man with Sejanus, see Wardle (n. 37), 3–4. Briscoe adopts the reading of *G Augusti*, but serious consideration should be given to the emendation of Perizonius *augusto*. Again, if one expects consistency between 4.3.3 (see n. 70) and 9.11 ext. 4, either Valerius uses the noun *Augustus* of Tiberius or not in both. Although the *cognomen* Augustus was part of Tiberius' official titulature used within Rome and throughout the empire, as evidenced by numerous inscriptions and coins, Tiberius refused its formal award by the Senate (Suet. *Tib.* 26.2, Dio 57.8.1; see K. Scott, 'Tiberius' refusal of the title "Augustus"', *CPh* 27 [1932], 43–50 and B. M. Levick, *Tiberius the Politician* [London, 1976], 247, n. 11). If Valerius avoids the noun, he might be thought sensitive to the emperor's wishes in this as in other respects.

⁷² Cf. the translation by R. K. Sherck, *The Roman Empire: Augustus to Hadrian* (Cambridge, 1988), 77.

⁷³ Weileder (n. 4), 64 argues convincingly that *vigilarunt oculi deorum* principally refer to Caesar and Augustus, the imperial *divi*.

⁷⁴ 7.4.4: *ducum nostrorum sagacibus consiliis propitius aspiravit*.

⁷⁵ The basic discussion appears in J.-P. Martin, *Providentia deorum: recherches sur certains aspects religieux du pouvoir impérial romain* (Rome, 1982), 103–34, who rightly stresses the use of *providentia* in connection with the conspiracy of Sejanus, but ignores this example.

⁷⁶ For the key role of ambiguity and ambivalence in Roman imperial cult see T. R. Stevenson, 'The "Divinity" of Caesar and the title *Parens Patriae*', in T. W. Hillard, R. A. Kearsley, C. E. V. Nixon, and A. M. Nobbs (edd.), *Ancient History in a Modern University: Proceedings in Honour of Prof. E. A. Judge I* (Grand Rapids, 1998), esp. 259–63.

constituted a god and can say, as earlier poets did of Augustus, that the way to heaven was open for him; he emphasizes that all human distinctions are less than Tiberius deserves.⁷⁷ In the preface this is seen in its starkest and most remarkable form:⁷⁸

te igitur huic coepto, penes quem hominum deorumque consensus maris ac terrae regimen esse uoluit, certissima salus patriae, Caesar, inuoco, cuius caelestis providentia uirtutes, de quibus dicturus sum, benignissime fountur, uitia seuerissime uindicantur: nam si prisci oratores ab Ioue optimo maximo bene orsi sunt, si excellentissimi uates a numine aliquo principia traxerunt, mea paruitas eo iustius ad fauorem tuum decurrerit, quo cetera diuinitas opinione colligitur, tua praesenti fide paterno auitoque sideri par uidetur, quorum eximio fulgore multum caerimoniis nostris inclitae claritatis accessit: reliquos enim deos accepimus, Caesares dedimus.

You, therefore, I invoke for this enterprise, into whose hands the common consent of mankind and gods has desired to place the rule of sea and land, Caesar, the surest salvation of our fatherland, by whose heavenly forethought the virtues of which I am about to speak are most generously encouraged and vices most severely punished. For if the orators of old began rightly with Jupiter the Best and Greatest, if the finest poets have taken their beginnings from some divine power, my humble person would have recourse to your favour all the more appropriately, in that while the divinity of others is deduced from belief, your divinity is seen by tangible proof to be equal to the star of your father and grandfather, by whose exceptional splendour much illustrious brilliance has been added to our ceremonies: for we have inherited the other gods, but we have bequeathed the Caesars.

As I have argued elsewhere,⁷⁹ Valerius' choice of an invocation to Tiberius and his deliberate confounding of *deus* and *divus* show indisputably his knowledge of the formal restriction against calling the emperor *deus* and his determination to circumvent the restriction.

CONCLUSION

While praise of the imperial family does not burden every chapter of his *exempla* and Valerius does not consider it necessary even to present the Caesars as the ultimate exemplars of individual virtues,⁸⁰ those passages in which he does praise them are not detachable from the work as a whole. Praise of members of the imperial family occurs at key structural points and is thus the more prominent,⁸¹ and the presence of such praise in *exempla* at non-crucial positions is not insignificant. Valerius' praise and adoration of the imperial family is not mere rote obeisance, but necessary to his system of belief. It is the great contribution of Skidmore to recent scholarship on Valerius to have re-emphasized the moral purpose of Valerius' work and to have stressed in particular his words from the preface on the imperial role in the encouragement and enforcement of morality and the punishment of evil: *cuius caelesti providentia virtute . . . benignissime fountur, vitia seuerissime vindicantur*. He shows that the themes of good and bad conduct with their respective concomitants of reward and punishment are pressed home by Valerius throughout the work.⁸² The *senatus consultum de Pisone patre* shows beyond doubt that, as far as the empire-wide public expression of the Senate's views is concerned, the emperors were viewed not as

⁷⁷ 8.15 *praef.*: *cui ascensus in caelum patet, quamvis maxima, debito tamen minora sunt quae in terris tribuuntur*.

⁷⁸ D. Wardle, 'The preface to Valerius Maximus', *Athenaeum* 87 (1999), 523–5, and id. (n. 37), 66–74.

⁷⁹ Wardle (n. 2), 337.

⁸⁰ As argued by Bloomer (n. 3), 224, 228.

⁸¹ Cf. p. 479 and n. 4.

⁸² Cf. D. Wardle, 'Review of Skidmore [n. 38]', *Scholia* 7 (1998), 158–60.

‘ordinary’ exemplars of virtues but as their pre-eminent mediators, and that they could be lauded as such. Valerius’ praise of the emperors, then, is not redundant, formulaic, or to be discounted as mere flattery.

An inevitable consequence of Valerius’ exemplary method is the abstraction of his exemplars—that not being set in a fuller narrative and historical context their actions are disembodied and they lack depth of characterization. All his exemplars suffer in this way, not just the Caesars, although to some the imperial figures of Augustus and Tiberius, because they appear less frequently than others, have appeared to be particularly feeble.⁸³ Closer examination of these *exempla*, such as I have attempted, reveals, however, that Valerius understands well the language and images that the first emperors promoted and himself assiduously supports them. Among our extant sources Valerius’ particular contribution, as has been shown here, is to highlight the pervasiveness and importance of the imperial cult in the emperors’ self-representation. I would not claim for an instant that Valerius is here innovating or that this emphasis is a mark of any genius, but rather that he reflects more accurately than other authors what was most evident throughout the Roman empire for someone who probably belonged to neither the social nor literary élite.

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⁸³ For example, Bloomer (n. 3), 160.