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PERSONALITY AND POWER: LIVY'S DEPICTION OF THE APPII CLAUDII IN THE FIRST PENTAD[1]

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The reader of Livy's first pentad soon becomes aware that people with similar names tend to behave in similar ways. Members of the Valerian gens, for example, are frequently pictured as heroic soldiers and energetic supporters of popular rights: Publius Valerius is associated with Brutus and Collatinus in the overthrow of the Tarquins and wins the cognomen Publicola for championing the rights of the people; Manius Valerius, elected dictator in the midst of internal strife and external threat, fights a signally successful military campaign and thereafter delivers a stirring plea to the Senate on behalf of plebeian rights; L. Valerius Potitus, like his ancestor Publius, plays an important role in the recovery of *libertas* and the establishment of the rights of the plebeians.[2] The Servilii also display a similarity of character and action within the first pentad: Publius Servilius is the author of a compromise that averts disaster during plebeian agitation for reform of the laws concerning debt, and other Servilii likewise appear at critical junctures to resolve internal faction and restore *concordia* in the state.[3]

[1] The following abbreviations have been used: R. M. Ogilvie, *A Commentary on Livy, Books 1-5* (Oxford 1965) = Ogilvie; P. G. Walsh, *Livy, His Historical Aims and Methods* (Cambridge 1961) = Walsh, *Livy*; T. P. Wiseman, *Clio's Cosmetics* (Leicester 1979) = Wiseman. I would like to express my thanks to my colleague at Boston University, Meyer Reinhold, to E. S. Ramage and Eleanor Winsor Leach of Indiana University, and to John Bodel of Harvard University, all of whom kindly read and commented upon an earlier version of this paper.

[2] P. Valerius, Publicola, cos. suf. 509 B.C. (*MRR* 2): Livy 1.58.6; 1.59.2; 2.2.11; 2.6.6; 2.7.3–9.1; 2.11.4; 2.11.7; 2.15.1; 2.16.7. M. Valerius, dict. 494 B.C. (*MRR* 14): Livy 2.30.4–31.11. L. Valerius Potitus, cos. 449 B.C. (*MRR* 47–48): Livy 3.39.2; 3.41.1–4; 3.49.3–5; 3.51.12; 3.52.5–55.15; 3.57.9; 3.60.1–61.10. The Valerii are the stereotypical noble opponents of Claudian persecution of the plebs; for opposition from the lower classes, see below, note 35. Wiseman (115) attributes both the positive legends of the Valerii and the negative ones of the Claudii to Valerius Antias. For adulation of the gens Valeria, see Ogilvie 14, 224, 232, 241, 250–51; and Walsh, *Livy* 88–89.

[3] P. Servilius, cos. 495 B.C. (*MRR* 13). Livy 2.21.5; 2.23.10; 2.24.3–27.13. Cf. Q. Servilius Priscus, Livy 4.45.8–47.7, and C. Servilius Ahala, Livy 5.8.1; 5.9.5–8. For the Servilii, see Ogilvie 568–69, 603–4, 646.

There is no more striking instance of this sort of familial stereotyping in the first pentad than in the case of the Appii Claudii. Each Appius Claudius is an arrogant and headstrong opponent of the plebeians, a depiction which is but the earliest extant example of a tradition of characterization which both preceded the *ab Urbe Condita* and followed it.[4] A nineteenth century historian has written: "In all of Roman antiquity . . . there is practically nothing more widely known and more constantly repeated than the fierce enthusiasm, almost a madness, displayed by the Claudian gens in everywhere defending the interests of the patricians and optimates. The books of the ancients resound with the voices of the Claudii, defiant in their opposition to the tribunes, abusive to the plebeians. Claudian pride, arrogance, and contempt in their disdain for the rights and liberty of the poorer classes were almost proverbial."[5]

In an earlier generation, stereotypical portraits such as those of the Claudii, Valerii, and Servilii formed the basis for criticism of Livian methodology and competence.[6] Livy has, however, found more sympathetic readers in recent times, and modern commentators have attempted to understand the depiction of individuals in the histories against a complex background of influences, including that of Greek and Roman philosophical ideas, ancient biography, the personae of drama and rhetoric, as well as Greek and Latin historiography.[7] For the most part, however, they have agreed with their sterner predecessors in seeing Livy's preoccupation with stereotyped moral qualities as clear evidence of his unwillingness (if not inability) to deal with complex political problems of his own or of earlier times.[8] The view is rein-

[4] Much has been written of the Claudian gens and the way it was portrayed by Livy, Tacitus, and others. A starting point for any discussion of the issue is Th. Mommsen's assertion of the falsity of the picture found in the literary sources in *Römische Forschungen* (Berlin 1864) 285–318. For Mommsen's analysis of Appius Decemvir, see below, note 33 of this paper. For more recent work, see "Claudius," *RE* 3, 2662–2908; Ogilvie 273–74, 376–77; Walsh, Livy 89–90, 90 note 1; A. Alföldi, *Early Rome and the Latins* (Ann Arbor 1963) 159–64; and especially Wiseman, 55–139. (For summary of scholarship on treatment of Claudius in Tacitus, see M. T. Boatwright, "Tacitus on Claudius and the Pomerium, *Ann.* 12.23.2–24," *CJ* 80.1 [1984] 36–44). The stereotype of the Claudii as arrogant and tyrannical opponents of the people is found both in Livy and in Dionysius of Halicarnassus; Livy is therefore not the originator of the *topos*. As Cicero makes no use of the tradition in the *Pro Caelio*, it is generally attributed to a late annalistic source (Wiseman 104–39); but see below, pp. 213–216.

[5] E. Lübbert, *Dissertatio de Gentis Claudiae Commentariis Domesticis* (Kiliae 1878) 6–7.

[6] See discussion of such criticism in M. L. W. Laistner, *The Greater Roman Historians* (Berkeley 1947) 95–97, 175 note 28.

[7] For preoccupation with moral characteristics as reflecting a distinctively Roman conception of history, see V. Pöschl, "Die römische Auffassung der Geschichte," *Gymnasium* 63 (1956); Hans Drexler, "Die Entdeckung des Individuums: Probleme antiker Menschendarstellung," *Gymnasium* 63 (1956) and *Die Entdeckung des Individuums* (Salzburg 1961); Ivro Bruns, *Die Persönlichkeit in der Geschichtsschreibung der Antike* (Berlin 1898).

[8] P. G. Walsh, "Livy," in *The Latin Historians*, ed. T. A. Dorey (New York 1966) 117, writes: ". . . the anecdotes of the first decade pre-eminently serve [the] purpose [of] attesting the *fides, disciplina, concordia, virtus,* or *pudicitia* of the Roman patron saints." Ogilvie (18) comments in

forced by the author's own statement in the preface to the *ab Urbe Condita* in which he speaks of the pleasure derived from turning away from the ills of the present and contemplating the noble qualities possessed by the heroes of the past (5). P. G. Walsh writes of the passage: "This is the voice of the non-political moralist, interested not so much in the techniques by which power is obtained and manipulated as in the deeper attributes of character possessed by the Roman leaders and their antagonists. In this sense Livy is less engaged in the harsh political realities than are Sallust and Tacitus. . . ."[9]

Even within the preface, however, Livy gives his readers a number of indications that he is indeed engaged in the "harsh political realities" and that what concerns him is precisely this—the means by which power is acquired and manipulated. He admits that the earliest records of Rome can hardly be termed "history" but are more akin to poetic productions.[10] Great value resides in such stories, however, in spite of the difficulty of determining their objective truth or falsity. They can serve, he states, as *exempli documenta* (10) which illustrate attitudes and actions to be emulated or avoided. Livy is not speaking here of moral qualities simply as ethical guides for individuals; he is intent upon showing how such qualities engendered and expanded the power of Rome at home and abroad: ". . . quae vita, qui mores fuerint, per quos viros quibusque artibus domi militiaeque et partum et auctum imperium sit (9)." He goes on to indicate that the state (as well as the individual) can act to further its interests by recognizing patterns of individual conduct that benefit or endanger it (10: "inde tibi tuaeque rei publicae quae imitere capias, inde foedum inceptu foedum exitu quod vites"). Livy is hinting here, I believe, at his intention of using the quasi-poetic traditions of the earliest days of Rome as a theoretical illustration of the interaction of personality and political power. The technique I refer to can be demonstrated most clearly by following the treatment of four Appii Claudii in the first pentad.

Appius Claudius Regillensis (2.16.3–6; 2.21.5–30.7; 2.44.1–6; 4.48.4–7)[11]

The first Claudius to come to Rome is a Sabine from Regillus who has fallen out with the anti-Roman sentiment of the majority there. At Rome he

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a similar vein: "The second difficulty Livy tackled not by modifying or revising the data as he found them in his sources in order to produce a coherent account of early times, but by casting them into a particular mould as illustrations of moral truths . . . "

[9] "Livy," *Greece and Rome: New Surveys in the Classics* 8 (1974) 11.

[10] While Livy at first seems to be characterizing only that period immediately before the founding of the city (Praef. 6: "quae ante conditam condendamve urbem"), he later implies that the characterization applies to a broader time frame, including the period of military expansion (Praef. 8–9: "sed haec et his simila . . . ad illa mihi pro se quisque acriter intendat animum . . . per quos viros quibusque artibus domi militiaeque et partum et auctum imperium sit").

[11] For Appius Claudius Regillensis, see Ogilvie 273–74; *MRR* 12 (quaes. 496 B.C.), 13 (cos. 495 B.C.); Wiseman 57–76.

is granted land, citizenship, and admission to the patriciate, of which he becomes a staunch defender. Appius is elected consul in the year of Tarquin's death, and Livy comments ominously that because of the removal of this external threat the patricians began from this point forward to abuse the plebeians (2.21.5–6). A study of Livy's description of the career of Appius Regillensis reveals that his disapproval of Appius' character and actions becomes more marked as the narrative unfolds. At first he and his colleague Servilius act in concert to quell a plebeian riot that has arisen over the laws binding debtors (2.23.9–10); soon, however, they disagree as to what future course of action should be taken. Appius is at this point called "a man of ardent temperament" (2.23.15: *vehementis ingenii vir*) who rejects compromise and advocates the full use of consular power to quell unrest. His colleague's willingness to compromise is not presented in an unequivocally positive manner, for Servilius' attempts to retain the favor both of the Senate and the plebs ultimately earn him the contempt of both (2.27.2–4). But when Appius makes a bad situation worse by his harshness (2.27.1: *quam asperrime*) in the trials of debtors subsequent to Servilius' campaign against the Volscians, Livy speaks of his "inborn arrogance" (2.27.1: *insita superbia*).[12] This section is immediately followed by one describing the growing crisis, during which Appius' actions serve to exacerbate the hostility between nobles and plebeians, and which culminates in a renewed refusal by the plebeians to enroll when the Italic tribes once more threaten war. Appius' passion and obstinancy are attested throughout the section by Livy's use of the terms *saevire* (2.27.7), *furente* (2.27.10), and *pertinacia* (2.27.12). Finally, Appius' proposal that a dictator be chosen who would force the plebeians to confront the enemy is prefaced by the historian's comment that the man was "naturally cruel" and had grown "savage" through the hatred of the people and the praises of the Senate (2.29.9: "natura immitis et efferatus hinc plebis odio, illinc patrum laudibus").

Although the successful resolution of the immediate crisis in the state is brought about through the adoption of Appius' proposal to appoint a dictator, Livy makes the plan appear to be an expression of an evil and dangerous element in Appius' character. When reporting the reaction of the Senate to Appius' speech, the historian states that most viewed his proposal as "cruel and harsh," and, in a rare editorial aside, he confirms the correctness of this opinion (2.30.1: "multis, ut erat, horrida et atrox videbatur Appi sententia").[13] How is this condemnation to be understood? After all, the dictatorship on this occasion, as on others, proved Rome's salvation from danger within and without.[14] Clearly it was not the office itself that was *horrida et atrox*; the

[12] Cf. Tacitus, *Ann.* 1.4 ("vetere atque insita Claudiae familiae superbia"); Suet. *Tib.* 2; Sil. Ital. 17.88.

[13] L. Rutland, "Irrationality in the Early Republic: Livy Editorializes," *CW* (1979) 416–17.

[14] In Livy, T. Larcius, who in this narrative proposes that the Senate bow to the people's

cruelty and harshness of the proposal stemmed from the indications in Appius' speech of how the power of the dictatorship was to be used.

In this speech, Appius pictures the people at the mercy of one who has unrestrained power to scourge and kill and the will to use that power ruthlessly. The diction and syntax of the final sentence of his speech, rendered in *oratio recta*, are noteworthy: "Pulset tum mihi lictorem qui sciet ius de tergo vitaque sua penes unum illum esse cuius maiestatem violarit" (2.29.12). Here, the phrase *ius de tergo vitaque sua* alludes to the absolute power symbolized by the rods and axes. The final phrase points to the concentration of state authority in the office, for Appius warns of the punishment that will be exacted for diminishing the *maiestas* not of the Roman people but of an individual (*unum . . . cuius maiestatem violarit*). The central phrase unmasks the true nature of the dictatorship: all power is concentrated in the hands of one man (*penes unum*). The idea that this individual might be Appius himself or one like him is shown by Livy to be the real danger of the office. At that point the dictatorship is transformed from a powerful tool for the preservation of the state—an *imperium vehemens* (2.30.4)—into naked tyranny. Only the fact that the Senate rejects the appointment of Appius, the man of "ardent temperament" (*vehementis ingenii vir*), and settles the dictatorial power on Valerius, a man of "moderate temperament" (2.30.4: *mansueto . . . ingenio*), brings salvation rather than disaster to the state.[15]

The career of Appius is also used as an illustration of the evils of factionalism. The section of the history in which Appius plays a major role begins with his election to the consulship (2.21.5) and ends with the selection of Valerius as dictator (2.30.5). The dramatic chain of events, however, takes the reader further: to the successful campaign of Valerius; to his plea for domestic peace following the campaign; to his resignation of the dictatorship when faced with the intransigence of the Senate; to the secession of the plebs and their negotations with the Senate; and, finally, to the establishment of the tribunate and the reincorporation of the plebeians into the state (2.30.5–33.3).[16] Within this larger narrative Livy illustrates the political consequences when individuals place self-interest and party politics above consideration of

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demands, was the first of two previous dictators (Livy 2.18.4–11; Ogilvie 281–82; *MRR* 11 [cos. 498 B.C.], 12 [dict. 498 B.C.]).

[15] For Livy's later development of this theme, see J. Lipovsky, *A Historiographical Study of Livy, Books VI—X* (New York 1981) 29–86, who discusses the growth of patrician *moderatio* (and plebeian *modestia*) in the second pentad.

[16] E. Burck, *Die Erzählungskunst des T. Livius* (Berlin 1934, repr. 1964) 51, divides the second book into three parts: the death of Tarquin (1–21), the conflict between patricians and plebeians leading to the inauguration of a new order (22–33.5); and the story of Coriolanus (33.6–40). The episode in which Appius plays a key role, then, introduces the central narrative of the book. Note Livy's connection of the Claudian gens with the first secession of the plebs (9.34.3).

the common good. Throughout the narrative, both Appius and the Senate are condemned for acting only to further their own interests. At the outset of Appius' consulship the historian declares that the republic had been so fractured by internal dissension that "discord had made two states out of one" (2.24.1). The crisis that was temporarily averted by Servilius' compromises reappears because of Appius' verdicts in the trials of debtors. The motivations for Appius' actions here, according to Livy, are his arrogance and his desire to undermine his colleague, Servilius. The Senate at this point mirrors the arrogance of the consul (2.24.2: *superbiae*) and, like Appius, they eventually advocate the full use of consular authority to crush the resistance of the people (2.23.15; 2.28.2). Their passion and inflexibility plunge the state further into chaos, leading to Appius' proposal to appoint a dictator. Here Livy explicitly condemns the Senate's adoption of the proposal as motivated by blind self-interest. He says: "Due to factionalism and concern for private property, factors that always have and always will stand in the way of decisions for the common good, Appius won out . . . " (2.30.2: "sed factione respectuque rerum privatarum, quae semper offecere officientque publicis consiliis, Appius vicit . . . "). The intransigence and parochialism of Appius and the Senate are thus responsible for the abandonment of normal constitutional government and the accompanying risk of tyranny.

This same self-interest on the part of the nobility is presented as the impetus behind the establishment of the tribunate as well. After Valerius returns from his successful compaign, he delivers an eloquent plea on behalf of the rights of his victorious soldiers. The dictator declares himself to be the champion of domestic peace (2.31.9: *concordiae auctor*) and warns of dire consequences if his plea is rejected. The Senate remains unmoved and the army then secedes from the state. The plebeians agree to return only after their demand for the institution of officers to protect them from the excesses of the governing class is met. The tribuneship, then, like the dictatorship, is an extraordinary office necessitated by discord so profound that it has literally created "two states out of one."

In spite of the fact that the dictatorship and the tribuneship restore unity to a fractured state, Livy has pictured both as the sign of a failure. This failure is not that of the plebs, whose initial demand for relief from the laws of *nexum* is presented as just and whose actions are portrayed sympathetically.[17] The failure belongs to Appius and the Senate, whose actions betray a willingness to sacrifice the good of the commonwealth to their own interests: they

[17] *Pace* R. Seager, "'Populares' in Livy and the Livian Tradition," *CQ* n.s. 27 (1977) 390, who argues that Livy's hostility to *all* populares was "uniform and extreme" and that the conservative opposition is portrayed both as unified and as acting "in justified defence of law and order and only in response to extreme provocation." Seager uses Appius Decemvir as an example of condemnation by Livy of a *popularis* politician. I will argue below that Appius Decemvir, although he briefly assumes a *popularis* guise, is meant to be seen (like the other Appii Claudii of the pentad) as an archetypal conservative.

exacerbate the initial crisis through inflexibility and pride; they reject the compromise of Verginius and thereby expose the state to the dangers of the dictatorship; and finally, by turning a deaf ear to the warnings of Valerius, they bring about the establishment of the tribuneship.

Appius Claudius II (2.56.5–2.61.9)[18]

Many of the elements of characterization and patterns of action found in Livy's depiction of the career of Appius Regillensis reappear in his account of the turbulent consulship of the second Roman Appius Claudius. Like his father, he holds the consulship during a time of plebeian agitation for reform. The unrest centers on the demand that tribunes be elected exclusively by the plebs in the tribal assembly. Appius is pictured as a fervent opponent of the popular will (2.56.5: *invisum infestumque plebi*). His chief adversary is a Gaius Laetorius, who, like the Laetorius who appears as a minor figure in the narrative of the earlier Appius, is a distinguished soldier.

Appius is described as possessing the same traits as his father, a worthy offspring of a *familia* that his opponent calls "most arrogant and cruel to the Roman people" (2.56.7: *superbissimae ac crudelissimae*).[19] In addition to being called arrogant, he is also described as fierce (2.59.4: *ferox*), stubborn (2.56.14: *pertinacia*), cruel (2.58.4, 2.60.1: *saevitia,* 2.58.6: *saevo imperio,* 2.59.4: *saevire*), and so passionate that he borders on complete loss of control. These qualities, present in the description of the first Appius, are exaggerated in the portrait of the son. He is "even more hostile to the plebeians" than his father (2.58.5) and is said to combine the bitter unpopularity inherited from his father with that engendered by his own actions (2.61.3: "plenus suarum, plenus paternarum irarum"). Laetorius terms him an "executioner" whose desire is to harass and torture the plebs (2.56.8: "carnificem ad vexandam et lacerandam plebem").

The election of a man like Appius to champion the senatorial cause represents an escalation within the episode of animosities in the class struggle. Similarly, the replacement at this point in the narrative of a certain Volero with Laetorius as the chief spokesman for the popular cause heightens the tension between the two sides and casts in bolder relief the struggle that will ensue. While Volero had observed limits in his attacks, Laetorius is "bold" (2.56.7: *ferocem*) and "fiercer" (2.56.6: *acrior*) than his colleague. The crucial confrontation between the two antagonists comes at a *contio* in which violence is threatened by both sides. Laetorius attempts to remove Appius and his supporters from the scene of plebeian voting while Appius, contending

[18] See Wiseman 77–79 and Ogilvie 376–77, 383, 386, who believes that the "respectable consul" of 471 B.C. (*MRR* 30) was actually the same man as Appius Decemvir.

[19] Cf. 9.33.3: "certamina . . . ex ea familia, †quae velut fatales cum tribunis ac plebe erat†"; 9.34.15: "familia imperiosissima et superbissima."

that tribunes had no authority except over the plebs, sends his lictors to subdue Laetorius. Bloodshed is avoided only through the intervention of the other consul, Titus Quinctius, who succeeds in inducing Appius to depart and mitigates the fury of the crowd.

Although Appius is the hand-picked representative of the Senate (2.56.5; 2.58.5), Livy depicts the senators as attempting to cool the ardor of the raging consul (2.57.1). They argue, in a manner reminiscent of Valerius at the close of his dictatorship, that Appius must abandon his inflexible attitude in the interests of *concordia* (2.57.3); the quarrel between consul and tribunes had so torn and wounded the state (2.57.3: *distractam laceratamque*) that the government was caught between the two and could no longer function. The attitude taken here by the Senate is a departure from the role assigned to them in the previous narrative. In the story of Appius Regillensis, arrogance, inflexibility, and selfish partisanship had characterized both Appius and the Senate. Only the Senate's rejection of Appius himself as dictator and their selection of the moderate Valerius revealed any disparity of opinion between the two. In the present narrative the Senate opposes Appius, promulgates the bill demanded by the people, and thereby defuses the crisis.

The form Livy gives the story of the second Claudius, while similar to that of the earlier Claudian narrative, employs a more complex structure. The story of Appius Regillensis had been divided into two major episodes: 1) the events of his consulship which preceded the campaign led by Servilius against the Volscians; and 2) the crisis that followed the war, which was temporarily resolved by the selection of Valerius as dictator.[20] The present narrative is an integrated dramatic whole with a beginning, middle, and end.[21] The first part of the story includes the events mentioned above—the election of Appius to the consulship and his conflict with Laetorius, culminating in the Senate's decision to bow to the people's demands (2.56.5–57.4). The second episode involves Appius' tenure of imperium with the army, when a sudden attack on two fronts sends the consul Quinctius into the field against the Aequians and Appius against the Volscians (2.58.1–60.5). The final act in the drama depicts the trial and death of Appius after the return of the armies (2.61.1–9).

[20] Elements of the Claudian narratives fit within larger narrative patterns employed by Livy. The pattern here, in which resolution of an internal domestic crisis is deferred by foreign attack, occurs often throughout the first decade.

[21] References to Appius II in Dionysius of Halicarnassus, unlike Livy's, are found at widely separated points in Bks. 5–9, appearing whenever a spokesman for the oligarchic faction is called for. One of the major differences between the two accounts is Livy's dramatic description of Appius' campaign against the Volscians; Dionysius' account of the campaign (9.50.1–7) is brief and objective. For a detailed comparison of the Appii Claudii in the two historians, see E. Burck (above, note 16): Appius Regillensis, 61–68, Appius II, 86–88, Appius Decemvir, 28–45. (Appius Claudius Crassus does not appear in the extant books of Dionysius.) See also comparison of the treatment of the Claudii by the two historians in Wiseman 67–76 (Appius Regillensis), 77–84 (Appius II, Appius Decemvir).

It is within the extended central episode that Appius' true nature is revealed. The cruelty that was merely suggested in the description of the first Appius is the dominant trait of Appius Claudius II. Forms of the word *saevus* recur several times, and Livy states that the consul, driven to extremes of rage by his defeat at the hands of the tribunes, begins at this point to act with unmitigated cruelty (2.58.6: "haec ira indignatioque ferocem animum ad vexandum saevo imperio exercitum stimulabat"). The phrase "ad vexandum saevo imperio exercitum" reminds the reader of the accusations made by Laetorius (2.56.8: "ad vexandam et lacerandam plebem") as well as of the Senate's description of the state, "torn and wounded" by factional hatred (2.57.3: "distractam laceratamque rem publicam").

The army, for its part, is as determined in its insubordination as Appius in his cruelty, allowing itself to be routed by the enemy out of spite for its commander. Their cowardice and defeat provoke Appius into becoming, as Laetorius had predicted, an "executioner" (2.56.8): he orders many to be flogged and beheaded for cowardice and the army as a whole to be decimated. In contrast, Quinctius' army distinguishes itself by close cooperation between officers and men (2.60.2: *tantae concordiae*). While the knowledge of disharmony in the army of Appius had provoked the enemy to attack with confidence, the enemy's realization of the harmony in Quinctius' army dissuades them from attempting a pitched battle. The soldiers return, grateful to the Senate for giving them a "father" rather than a "master" as commander (2.60.3).

Not only are the traits and diction used in the portrait of Appius Claudius II almost identical to those used in the depiction of Appius Regillensis, the political lessons illustrated by the career of this Appius are to a large extent the same as those found in the first narrative. Livy continues to show his approval of those who espouse the cause of *concordia*. This role had been filled in the earlier episode by the dictator Valerius, whose election brought temporary peace at home and a series of victories in the field. Here "party politicians" are again set to disadvantage against those who look to the common welfare: Appius, the unyielding champion of the patriciate, provokes riot and sedition at home and military disaster abroad; while the milder Quinctius, with the support of the Senate, is the author of domestic peace and military victory.

As in the earlier narrative, Livy again meditates upon the potential danger of the great man endowed with great power. In the story of the first Appius, the historian hinted at the disastrous consequences for the state if a man such as Appius were to hold an office such as the dictatorship in which the normal system of checks and balances was suspended. This situation is realized, if only temporarily, in the second Appius' tenure of military imperium, for the Roman commander in the field had dictatorial power limited only by time and the possible appearance of another magistrate with *par potestas*. At the outset of this part of the narrative Livy had commented

ominously that the "chains" (*tribuniciis vinculis*) that restricted Appius' actions at home were lifted in the field (2.58.4). In Rome, the power of the tribunes, the actions of the other consul, and the advice of the Senate had placed limits on Appius. Once these restraints have been removed, the worst elements in the Claudian temperament—arrogance, passion, cruelty—rapidly take over and elicit, in turn, the worst tendencies from the plebeian army. The outcome is predictable: the plebs' hatred for their commander leads to a military defeat, while the combination of Appius' character and the unrestricted imperium he exercises culminates in his employment of the traditionally tyrannical powers of flogging and summary execution.

The last episode in Appius' career, his trial and death, introduces a concept not found in the first narrative. Appius endowed with absolute power is at his worst, but Appius at the mercy of his political enemies is a figure to be admired.[22] His pride and singlemindedness, which earlier went far towards wrecking the state, at his trial are transformed into signs of personal greatness (2.61.7: *constantia*). Livy reinforces this impression by depicting the willingness of the plebs to honor Appius after his death. The reader is thus left with the sense that men like Appius, by their extraordinary personal traits, contribute significantly to Rome's greatness. It is precisely this character, however, which makes them impatient of the bonds that restrain citizens in a free state. If such men are to be employed, they must also be controlled.[23]

Appius Claudius Decemvir (3.33.1–58.11)[24]

The tradition

The fifth century Decemvirate that produced the Twelve Tables left behind an ambiguous tradition. On the one hand the Decemvirate and its work were acknowledged to be the result of plebeian agitation and the writing down of the laws represented a victory for the plebs in their struggle for legal equality. On the other hand, the Decemvirate was remembered as an expression of the inequality between classes. As R. M. Ogilvie writes: "The plebs had demanded the safeguard of a codified legal system. When they had won it, they were profoundly dissatisfied with it because it revealed and enshrined the full

[22] Wiseman, 79, contends that Dionysius and Livy drew on a favorable and an unfavorable account of Appius' career and that the positive elements found in the trial narrative are "glimmers of the favourable version" within Livy's overall use of the unfavorable version. Cf. Mommsen's accusation of "backsliding" in Livy's account of the second Decemvirate (below, note 33).

[23] Seneca reports that Livy included in his history the statement that it was unclear whether it would have been better for the state if Caesar had been born or if he had not (Sen. Min. *Q.N.* 5.18.4).

[24] For a discussion of the Decemvirate and bibliography, see Ogilvie 451–89; on Appius Claudius Decemvir (*MRR* 45 [cos. 451 B.C.] 45–47 [dict. 451 B.C.]), see Ogilvie 460–62, 503–6; Wiseman 80–84; on Verginia, see Ogilvie 476–79, 487.

extent of the disabilities under which they lay."[25] It was this dual character that probably gave rise to the tradition of two Decemviral boards: one popular and just, responsible for the majority of the Tables, and the other tyrannical, responsible for only two of the Tables, including the odious provision outlawing intermarriage between patrician and plebeian.[26] Connected with the period of this second board there developed as well the dramatic story of the plebeian maiden Verginia: her outrage and death, the plebeian revolt and secession, and eventually the enactment of the Valerio-Horatian laws, which radically transformed the legal system enshrined in the Twelve Tables.

It is little to be wondered, then, that conflicting traditions also attached to Appius Claudius, remembered as the dominant figure among the *decemviri legibus scribundis*.[27] One tradition must have pictured Appius as a revered lawgiver, the Roman equivalent of Lycurgus or Solon; and since the Decemvirate and its work were fundamentally a popular victory, Appius the lawgiver would have been viewed as sympathetic to the plebs.[28] But at some point a tradition arose that identified this same Appius as the tyrannical figure on the second Decemviral board responsible for the attempted enslavement and death of the chaste Verginia.[29] Such an identification is not surprising, for the naming of the villainous figure improved the story, and Appius—scion and progenitor of an illustrious patrician family and a leading figure among the Decemvirs—was an obvious choice for the role. The dating of this tradition, however, remains problematical. T. P. Wiseman, following Theodor Mommsen, has argued that the identification of Appius Claudius as the villain in the Verginia story was the work of Valerius Antias.[30] Wiseman

[25] Ogilvie 452–53.

[26] Ogilvie advances the theory that the ten and the two Tables might have been written on two separate inscriptions (453). For arguments against the existence of a second board, see Ogilvie 452–53, 461–62.

[27] Appius and his consular colleague (given either as T. Genucius or T. Minucius) headed the Decemviral board, and their names were probably inscribed at the head of the original Tables as well as in the Fasti. (See Ogilvie 452, E. Täubler, *Untersuchungen zur Geschichte des Decemvirats und der Zwölftafeln* [Berlin 1921] 77–106.) The great building projects completed under Appius Claudius Caecus, his published writings—especially his speech against Pyrrhus—and his proposals for popular legislation would have contributed to the imaginative reconstruction of the career of his forebear, Appius Decemvir.

[28] There are some hints, found especially in accounts of the building program and legislation of Appius Claudius Caecus, that the Claudii were in the early period supporters of the poorest classes (at least in the commercial sphere) while remaining fierce opponents of the growing political aspirations of the middle classes. If this was the case it would have strengthened the tradition that Appius Decemvir was a supporter of popular causes.

[29] In early versions of the story both the maiden and the tyrant were apparently unnamed (Ogilvie 477; Wiseman 107; Diodorus 12.24.2).

[30] See Wiseman, 104–15, who believes the origin of the Claudian stereotype can be found in the behavior of the Claudii of the 50's and of Clodius in particular (121–30). In addition to citing the fact that Cicero did not speak of Appius Decemvir in the Clodian speeches, Wiseman mentions a passage from the *De Republica* in which Cicero said that Decimus Verginius killed

asserts that, since Cicero does not mention Appius Decemvir or the negative stereotype of the Claudii in his speeches attacking Clodius and Clodia, the story could not have been in existence at the time; and since Cicero later (*Fin.* 2.20.66) alludes to the Appius-Verginia story, it can be assumed that the narrative was the work of an annalist publishing after the period of the Clodian speeches and probably shortly before the writing of the *De Finibus,* i.e., the late 50s or early 40s.[31]

It is important, however, not to lose sight of the rhetorical exigencies of these speeches. In his attacks on Clodius and Clodia, Cicero had no desire to alienate the Claudian gens as a whole, who were tied by marriage to both Pompey and Brutus. His reluctance to offend them is witnessed by his politic letters to Clodius' brother, Ap. Claudius Pulcher (*Fam.* 3.1–13), and by his support of the same man when prosecuted by his own son-in-law, Dolabella. Just as in the *Pro Roscio* he was faced with the rhetorical task of separating his criticism of Chrysogonus from implied criticism of Sulla, so he wished to destroy Clodius and Clodia without alienating the other powerful members of the family. This he did by isolating the two, representing them as degenerating from the great familial tradition rising from such figures as Appius Claudius Caecus and Claudia the Vestal. There is, therefore, no compelling reason not to assume that the tradition was a much earlier one and that Appius' reputation had long shared the ambiguity of the Decemvirate itself.[32] In any case, the tradition of Appius the tyrant was powerful enough to color later accounts not only of Appius Decemvir himself but of the entire Claudian gens.

An historian of the late Republic would surely have found it difficult to ignore either of these two traditions in any account of Appius Decemvir. An annalist hostile to the Claudii could hardly have passed over in silence the popular nature of Appius' achievement as lawgiver—an achievement to which the bronze tablets in the Forum gave mute but eloquent testimony. And even a pro-Claudian annalist would have felt compelled, both by the currency of the story as well as by the rich possibilities for artistic embroidery it offered, to retail the dramatic events of Appius' attempt upon Verginia. But if the

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"his virgin daughter" (*virginem filiam*) because of the lust of "one of the Decemvirs" (*Rep.* 2.37.63). This does not necessarily show that Cicero did not know the name of the Decemvir at this time. If, as generally assumed, the name Verginia was a hypostatization of *virgo*, and the father's name was therefore derived from the name of the daughter, then Cicero's decision to mention Verginius but not Verginia was based on stylistic considerations rather than ignorance. I believe the same to be true of the allusion to Appius. (Cf. his account of Lucretia in *Fin.* 2.20.66, in which neither Sextus Tarquinius nor Collatinus is mentioned by name.)

[31] *Fin.* 2.20.66: "Tenuis L. Verginius unusque de multis sexagesimo anno post libertatem receptam virginem filiam sua manu occidit potius quam ea Ap. Claudi libidini, qui tum erat summo in imperio, dederetur."

[32] A. Alföldi, (above, note 4) 163, follows Hermann Peter in ascribing the Appius-Verginia story to Fabius Pictor.

historian was to incorporate both traditions—the popular Appius of the first board and the tyrannical Appius of the second—in the personality of a single individual, some motivation for Appius' changed behavior in the two periods had to be produced.

The explanation found in the history of Dionysius of Halicarnassus reflects an interpretation of events that is at least marginally favorable to the Claudii. In Dionysius, Appius undergoes a radical change in character. He is at first pictured as a man of "the finest moral rectitude" (10.57.4: ἀπὸ τοῦ κρατίστου χρηστότητος) who later becomes corrupted by his position. His conduct begins to appear in a questionable light during canvassing for the second board of Decemvirs: he initially refuses to campaign, but then not only consents to run but engineers the election of his political allies at the expense of better men (10.58.3). After his election Appius and his nine colleagues establish an oligarchic tyranny under which both nobles and plebs suffer. Appius' later conduct towards Verginia is explained with the statement that "he was not by nature possessed of a composed mind and had been ruined by great power" (11.35.4: φύσιν τε οὐ φρενήρης ἀνὴρ καὶ ὑπὸ μεγέθους ἐξουσίας διεφθαρμένος). In Dionysius, then, Appius Decemvir is a man of praiseworthy but unstable temperament who, after his admirable tenure of power in his first Decemvirate, becomes corrupted by ambition and then completely "ruined" by the power he exercises in his second Decemvirate.

Livy's account of Appius' transformation is fundamentally different from that of Dionysius. He explains the change in Appius' actions by asserting that his character, even during the period of the first Decemvirate, was merely a facade under which lay his true Claudian temperament. The diction of the narrative leaves no doubt as to the falsity of the pose assumed by Appius at this time: he had "clothed himself" (*induerat*) in a "new character" (*novum . . . ingenium*) and divested himself of those traits which one would naturally associate with the name Appius Claudius—fierce and cruel hatred of the plebs (3.33.7: "pro truci saevoque insectatore plebis"). The pretense becomes more transparent when Appius canvasses for election to his second term. Livy states that Appius' concern for his position and reputation spurred him to abandon his *dignitas* (3.35.3: "demissa iam in discrimen dignitas ea aetate iisque honoribus actis stimulabat Appium Claudium"). The spectacle of Appius in the role of *popularis* is surely intended by Livy as ironic and even borders on the comic. He "flits about the Forum," passes time with ex-tribunes, castigates the patricians, and praises the lowliest and least worthy of his fellow candidates (3.35.2–5). These attempts to "sell himself to the people" (3.35.5) at first leave his senatorial colleagues baffled. They are convinced, however, that a man of "such arrogance" (3.35.6: *tanta superbia*) could not be sincere in such behavior. Fearing his motives (3.35.6), they attempt to prevent his election, but Appius wins office anyway, along with such men as he can mold to his will. Once elected, says Livy, he removes the mask (3.36.1: *alienae personae*) and begins to act according to his true nature (3.36.1: *suo ingenio*).

This predictably leads him to direct his violence and cruelty, not against the nobility, but against his traditional enemies, the plebeians (3.36.7: "totus [terror] vertere in plebem coepit").[33] In Dionysius, Appius is transformed from a sincere if unstable *popularis* into a corrupt despot. In Livy's account the change in Appius' character and actions must be understood as the fruition of the worst aspects of the Claudian temperament: the ardent but disguised supporter of the patriciate becomes a manifest tyrant.[34]

The Second Decemvirate

In considering the way in which Livy constructs the story of the second Decemvirate, it is clear that his handling owes something to the narrative pattern used in the career of the second Appius. The account, as it concerns Appius, is again divided into three major episodes. The first covers the period when the evil character of the second Decemvirate is revealed, culminating in a crisis brought about by a foreign invasion of Roman territory (3.36.1–41.6).[35]

[33] Mommsen (above, note 4) asserted that Livy unconsciously and inexplicably shifted between presenting Appius as a fierce advocate of the patriciate (a view he believes to have been derived from late sources, hostile to the Claudii) and showing him as a supporter of the plebs (a reflection of much earlier and, in his opinion, historically accurate sources). Mommsen wrote that Livy "introduces" (*einleitet*) his account of the second Decemvirate with the statement that a "new spirit took hold of Appius," making the change seem sudden and unmotivated. In fact, Livy's statement occurs, not at the beginning of the description of the second Decemvirate, but in the middle of the description of the laudable work of the *first* Decemvirate. Further, Mommsen's translation of "novum sibi ingenium induerat" (3.37.7) as "Appius ein neuer Geist gefahren" is misleading and ignores the clear indication that Appius' stance as *popularis* was a mask, counter to his own sentiments, and assumed for the purpose of increasing his political power. Mommsen also wrote that from this point forward (late in 330) Appius was a *popularis* and called Livy's presentation of Appius in his second Decemvirate accompanied by a crowd of young patrician thugs "backsliding" (*zurückfällt*). While it is indeed possible that the several instances in Livy where a Claudius either advises or assumes a *popularis* guise to further his conservative program might reflect an earlier (and historically accurate) tradition of Claudian advocacy of the poorer classes, Mommsen's attack on Livy's handling of the Appius Decemvir narrative was a misreading of a clear, well-constructed text.

[34] This kind of change was, in fact, an element in the earlier narratives: Appius Regillensis was said to have grown "savage" (2.29.9: *efferatus*) through the hatred of the people and the praises of the nobles; Appius Claudius II was likewise made more cruel by his defeat at the hands of the tribunes (2.58.6), becoming most tyrannical when endowed with the greatest power. While the question of originality is beyond resolution, I believe that my study suggests that Livy (and Livy alone) depicted the change in Appius in this way in order to make the story conform to the political lessons he wished to impart.

[35] The figure of Laetorius, the fiery tribune who opposed the second Appius, has no single parallel here, but all the elements in his characterization reappear in two different plebeian opponents of Appius. Livy had described Laetorius as the finest soldier of his day (2.56.7), a man of action who lacked words to match his sentiments (2.56.8) and easily succumbed to the eloquent Appius in debate (2.56.12). Here Icilius, the ex-tribune, is of fierce temperament, and the speech Livy assigns to him at Verginia's first "trial" is reminiscent in sentiment of the speech of Laetorius. The latter's soldierly qualities are reflected by Verginius, the centurion—according to his own account, the bravest soldier of his day (3.47.2). Like Laetorius he is a man of deeds

The scene between an enraged Appius and an equally fervent popular leader (in this case Valerius) is replayed, and once again violence is barely averted. In the central episode Appius wields extraordinary powers and, in so doing, displays the worst tendencies in his character (3.41.7–48.9). In the earlier narrative, this occurred when Appius Claudius II led a military campaign against the Volscians. Here, Livy has made the struggle of Appius within the state the equivalent of a war (3.41.8: "bellum domi maius quam foris"). The final act in the drama, as before, depicts the trial and death of Appius (3.55.1–57.6). Elements from the story of the first Appius are present as well: patrician arrogance and excess again lead to a secession of the plebs; they once more retire to the Aventine and then to the Mons Sacer, where their demand for protection from the excessive power of the magistrates is met by the reinstitution of the tribunate and of the right of appeal.[36]

Despite these similarities of plot and character, Livy is here embarked on a much more complex literary enterprise than in the stories of the earlier Claudii. The introduction of a female character involved in a romantic triangle, the machinations through which Appius attempts to enslave Verginia, the interaction through key characters of the plebs in Rome and the armies in the field, are only the more obvious aspects of the story that have no parallel in the earlier narratives. Parallels with such events can, however, be readily identified in another story of the first pentad: the rape of Lucretia and the fall of the Tarquins. Similarities in the two narratives have often been discussed.[37] In both, the chastity of a virtuous woman becomes the catalyst for the recovery of Roman *libertas*. Furthermore, the author wishes the connections between the two to be recognized. At the beginning of the Appius-Verginia section of the narrative Livy notes that the cause and outcome of the crime committed by Appius were no different from those associated with the rape and death of Lucretia (3.44.1: ". . . haud minus foedo eventu quam quod per stuprum caedemque Lucretiae urbe regnoque Tarquinios expulerat, ut non finis solum idem decemviris qui regibus sed causa etiam eadem imperii amittendi esset").

In analyzing the traits assigned to Appius it is apparent that Livy has drawn extensively on stereotypical portraits of the *tyrannus*.[38] This stock

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rather than words, and when he summons Appius to answer for his crimes, he refuses to attempt an elaborate oration. Appius, on the other hand, gives a clever and unscrupulous speech, attempting to turn the right of appeal and the libertarian slogans of his opponents to his own advantage. The Icilii are later described as a *familia infestissima patribus* (4.54.4).

[36] This second secession is generally regarded as historically credible, although the story duplicates certain elements from the first secession. See Ogilvie 489.

[37] E. M. Pais, *Ancient Legends of Roman History*, trans. M. E. Cosenza (Freeport, N.Y. 1971[2]) 186, writes: ". . . the two legends are, both in their general and their minor characteristics, so very closely related as to make it quite evident that they are two different versions of but one story—a story that connects the history of Roman liberty with the martyrdom of a woman."

[38] The bibliography on the *tyrannus* is large. See J. R. Dunkle, "The Rhetorical Tyrant in

character, familiar in drama, rhetoric, philosophy, and historiography, is commonly distinguished by his arrogance, violence, and cruelty. An infallible sign of his ambition is his employment of a bodyguard to protect himself from his subjects and to frighten opponents. Once in power he behaves more like an animal than a human being. The term *libido* is often present in descriptions of the tyrant, referring both to the capriciousness of his rule as well as to his tendency to sexual excess.[39] It is easy to see here the stuff out of which Livy fashioned his portrait of Appius Decemvir. Demagoguery, the employment of a bodyguard, rule through intimidation, cruelty combined with sexual depravity, *superbia*, *crudelitas*, *libido*, all mark him as a typical tyrant and, as such, similar to the Tarquins.[40] Verginius' description of Appius at the end of the episode might well be imagined in the mouth of one of the masters of the rhetorical schools of Livy's day, denouncing the tyrant of a *controversia* (3.57.2–3):

> ". . . decemvir ille perpetuus, bonis, tergo, sanguini civium infestus, virgas securesque omnibus minitans, deorum hominumque contemptor, carnificibus, non lictoribus stipatus, iam ab rapinis et caedibus animo ad libidinem verso virginem ingenuam . . ."
>
> (". . . that "Decemvir for life," an enemy of the property, the persons, the lives of citizens, threatening us all with the rods and axes; surrounded, in his contempt for gods and men, not by lictors but by executioners; then [he turned] from looting and murders to lust for a free-born maiden . . .")

The complex of traits assigned to Appius, then, is unremarkable since it falls into the stock type of the tyrannical personality. The way Livy introduces these traits into the narrative is, on the other hand, noteworthy. The characteristics assigned to the previous Claudii—a passionate temperament, pride and arrogance, a tendency towards cruelty when frustrated, together with an abiding enmity towards the aspirations of the lower classes—were shown by Livy to represent a grave threat to plebeian *libertas*. These, then,

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Roman Historiography," *CW* 65 (1971) 12–20; and "The Greek Tyrant and Roman Political Invective," *TAPA* 98 (1967) 151–71, which gives the four characteristic vices of the tyrant as *vis*, *superbia*, *libido*, and *crudelitas* (159).

[39] Dunkle, "The Rhetorical Tyrant" (above, note 38) 19, writes: "In reference to the despot *libido* can mean either lust for unchecked sexual fulfillment and political power or political caprice, i.e., government by the whim of one man." See also L. Haberman, "*nefas ab libidine ortum:* Sexual Morality and Politics in the Early Books of Livy," *CB* 57 (1980) 8–11.

[40] *superbia*: 3.35.6; 3.36.2; 3.39.4; 3.44.4; 3.56.7; *saevitia* :3.33.7; 3.45.8–9; *crudelitas*: 3.37.8; 3.44.4; 3.56.3; 3.56.7; *libido*: 3.44.1; 3.44.2; 3.44.6; 3.48.1; 3.50.7; 3.50.9; 3.51.7; 3.51.12; 3.57.3; 3.61.4; *vis*: 3.36.8; 3.44.4; 3.44.7; 3.44.8; 3.44.9; 3.45.9; 3.47.4; 3.49.3; 3.49.6; *violentia*: 3.39.4; 3.41.8; 3.50.9; *atrox*: passim; *saevus*: 3.33.7; *amens*: 3.43.4; *amentiae*: 3.47.4; *pecudum ferarumque ritu promisce in concubitus ruere*: 3.47.7. See Wiseman 80–81; Alföldi (above, note 4) 154. Cf. 1.59.8: "vi ac libidine Sexti Tarquinii"; 1.59.9: "superbia ipsius regis."

appear to be the traits of the potential tyrant. By suggesting that Appius Decemvir possessed a typical Claudian temperament, even during the period of the first Decemvirate, Livy alerts his readers to this threat and foreshadows his transformation into a despot. But once Appius is reelected and does indeed become a tyrant, he is characterized by a combination of traits not used in the descriptions of previous Claudii: violence (*vis*/*violentia*) and lust (*libido*). Livy introduces the story of the outrage committed by Appius against Verginia by stating that the crime arose because of "lust" (3.44.1), and in the same section the term is repeated twice more (3.44.2, 3.44.6), while the word *vis* recurs three times (3.44.7; 3.44.8; 3.44.9). The terms reappear frequently throughout the narrative that follows—a narrative that functions as an illustration of the two traits in action.[41] The fact that Appius is characterized by these traits only during the period of his second Decemvirate indicates that Livy does not employ *libido* and *vis* as components in the personality of the potential despot, but connects them instead to the actual exercise of tyranny.

The attribution of these traits to Appius during his second Decemvirate functions on two levels. Violent sexual *libido* is, first of all, an expression of the depravity of the tyrant. Although in Livy's account Appius was always a true Claudius—arrogant, ambitious, and potentially cruel—his desire for and attempted enslavement of Verginia represent a marked degeneration in his character. It is in this light that the plebeians view his actions. Icilius declares that, although Appius had destroyed the *libertas* of the Roman people, he must not extend his tyranny even over their wives and children (3.45.8). When he does so, the action becomes a sign to the plebs that Appius is capable of any outrage. The fate of Verginia proves to them that there is no longer any restraint imposed from within or without on Appius' actions. Like slaves, they are subject to the whims of a cruel and depraved master. Such a situation is intolerable and rebellion becomes the only recourse.

More importantly, however, sexual *libido*—carnal desire and the exercise of that desire—is presented as an analogue for the lust for power and the satisfaction of that lust through despotism. The mechanism by which the two kinds of *libidines* work is similar. Livy describes how the contemplation of Decemviral power excited greater desire for power in all the leaders, but especially in Appius (3.35.2: "tanta exarsit ambitio"). This kindling of great political ambition finds its image in the onset of sexual desire at Appius' first sight of Verginia (3.44.2: "Appium Claudium . . . libido cepit"). Both *libidines* are later depicted as a passion to possess unlawful power over free individuals, a desire for domination, whether it be over the individual or the group. Appius' response to *libido* is the same in both the sexual and the political sphere: he first attempts to satisfy his passion for power through guile, assuming a *popularis* guise, but after he is elected he relies on intimidation and

[41] For *libido* and *vis*, see above, note 40.

naked force; similarly, the enslavement of Verginia is at first attempted through entreaty and guile, but at last depends on the threat of violence.

Complementary to the use of *libido* as an emblem of "cupiditas in iniusta dominatione" (3.39.7) is the role played by Verginia, the object of Appius' desire, as a symbol of the Roman plebs. Livy presents her as a mute, passive figure, thereby highlighting her symbolic role.[42] In his first mention of her, Livy calls her simply "a plebeian maiden" (3.44.2). In the key scenes of the narrative she is portrayed as a motionless statue, surrounded by wailing women and a mobile, passionate crowd. Her only emotion, like that of the plebeians suffering under the tyranny of Appius, is fear (3.44.7).[43] Even the volition to preserve her own chastity is denied her, for (unlike Lucretia) she dies by the hand of another.

Livy constantly depicts the plebs as identifying her fate with their own: the first attempt by M. Claudius to carry her off provokes a vigorous response on her behalf from the crowd; when Icilius is asked by this same Claudius to give bail, the plebeians as a whole guarantee the request; Appius' verdict in the second "trial" and the subsequent death of Verginia spark a plebeian riot; and when Verginius returns to the army and informs the soldiers of what has taken place in Rome, the soldiers consider the crime of Appius as directed against themselves and thereupon desert the camp and march back to Rome. The plebeian women likewise see Verginia's fate as a symbol of their own defenselessness: when the army marches from the Aventine to the Mons Sacer, the women and children of the city follow them, bewailing their fate in being left in a place where "neither chastity nor freedom was sacred" (3.52.4: "nec pudicitia nec libertas sancta esset").

The linking of the concepts of chastity and liberty in the phrase quoted above points to another aspect of Verginia's significance within the narrative: Livy connects the idea of Verginia's *pudicitia* with that of the *libertas plebis*. He does so, first of all, by subordinating the issue of Verginia's chastity to that of her status as a free citizen. Rather than focusing on the girl's rejection of Appius' desires (as in the case of Lucretia and Sextus Tarquinius), Livy makes the assault on Verginia's maidenhood an aspect of the assault on her liberty. It is her status as a free woman that is the subject of both of the judgments delivered by Appius from his tribunal, and it is for his false assertion of her servile status that he is ultimately arraigned by Verginius. Once the historian has presented Verginia's peril as turning on the issue of her *libertas*, he may exploit the consequent equation that arises in the reader's mind between the *libertas* of the girl and the *libertas* of the Roman people. Icilius is thus made to declare that, although Appius had destroyed the *libertas* of the Roman people, he must not extend his reign over their wives

[42] Cf. Livy's similar treatment of Veturia, mother of Coriolanus: M. Bonjour, "Les personnages féminins et la terre natale," *REL* 53 (1975) 157–81.

[43] *terror/metus plebis*: 3.36.3; 3.36.5; 3.36.6; 3.36.7.

and children; he warns that if this happens he will be the "avenger of the liberty of his betrothed" (3.45.11: "vindicantem sponsam in libertatem"). As former and future tribune of the plebs, Icilius is not only the betrothed defender of Verginia; he bears the same relationship to the plebs. The phrase he uses in connection with Verginia's free status, *vindicare in libertatem*, has a general significance as well: it was a commonplace of late Republican and early Imperial propaganda and would immediately have made Livy's readers think in terms of the *libertas* of the state as a whole.[44] The historian suggests this dual significance at other points in the narrative as well: thus the *vindices* of Verginia's honor—Icilius, Verginius, Horatius, Valerius—are precisely those men who become the *vindices* of the *libertas rei publicae*, and they accomplish both ends by the same actions; when Appius is finally called to account for his crimes, Verginius accuses him of "sentencing a free person to slavery" (3.56.4: "ab libertate in servitutem contra leges vindicias . . . dedisse"), a phrase that serves equally to describe the crime of Appius against Verginia and against the state as a whole; and when Appius is accused of having treated a free individual as a slave (3.56.8: "qui liberum corpus in servitutem addixisset"), the phrase again suggests an application both to Verginia and to the plebs.

With the story of the second Decemvirate of Appius, the Claudian narratives of the first pentad reach a dramatic peak. The story of the first Appius constituted an exposition in which the basic characteristics of the Claudian temperament were introduced, as were the potential dangers to the state represented by that temperament. In the career of the second Appius the darker side of the Claudian *persona* was unleashed temporarily during the brief period of a military command. The career of Appius Decemvir represents the climax of this dramatic sequence. Here, all the evil omens surrounding the Claudian character have been realized and have resulted in the loss of the internal *libertas* of the state.

The narrative of Appius' rise and fall is, in turn, the centerpiece of the entire pentad: it looks back to book one through the person and career of the tyrant Appius, explicitly connected to the character and career of the Tarquins; it looks forward to the final book of the pentad, for Appius embodies the great internal threat to freedom as the Gauls represent the great external threat. The figure of Appius, who has betrayed and enslaved the state, is counterbalanced by the figure of Camillus, recoverer of freedom. The story both physically and thematically occupies the center of the work, illustrating

[44] See Ch. Wirszubski, *Libertas as a Political Idea at Rome during the late Republic and Early Principate* (Cambridge 1950) 103–6; R. Syme, *The Roman Revolution* (Oxford 1939) 155, 306, 469; *Res Gestae* 1: ". . . rem publicam a dominatione factionis oppressam in libertatem vindicavi"; *BMC*, R. Emp. 1.112, for coin type of Augustus as *vindex libertatis R.P.*, and A. Alföldi, *Zeitschr. für Numismatik* 40 (1930) 5–7, for discussion of the type.

for Livy's readers the crucial lesson of how a free state can be transformed into a dictatorship from within.[45]

Although Appius richly deserves the punishment he eventually suffers, it is to be noted that Livy's account places some of the blame for this loss of *libertas* on the Roman people. The plebs, by their demand for the establishment of the office of the Decemvirate against the will of the Senate, created a tool which Appius could (and inevitably would) use to destroy their freedom. Their hatred of the office of the consulship caused them to extend the powers of the Decemvirate to a second term (3.34.8), and their support of Appius over senatorial suspicion won him election to this board (3.35.1–11). When it had become apparent that the second board was cruel and despotic, Livy states that ". . . the plebeians studied the faces of the patricians, hoping to see some hint of the recovery of liberty; yet it had been their fear of being enslaved to these men that had brought the republic to that very condition" (3.37.1). In the same section, a similar sentiment is expressed more harshly by the patricians, who accuse the plebs of "falling into slavery by their greedy rush to freedom" (3.37.2: "avide ruendo ad libertatem in servitutem elapsos").

The notion that restraint must be employed in the exercise of plebeian rights is suggested as well by the symbolic identification of the chastity of Verginia with the freedom of the plebs. By this identification, the plebs is seen as vulnerable, frightened, and defenseless—capable of violation without its legal safeguards of *provocatio* and the tribunician veto. The *libertas plebis* thus appears in Livy to be a "freedom from" rather than a "freedom to," and the proper function of the people's tribunes must be to defend rather than to attack.[46] It is consonant with this interpretation that the narrative as a whole closes with a scene in which Valerius and Horatius, the champions of plebeian rights within the Senate, warn the triumphant armies assembled on the Aventine that they must aim at *libertas* rather than *licentia* (3.53.6: ". . . libertati enim ea praesidia petitis, non licentiae ad impugnandos alios").[47] They tell the assembled soldiers: "What you require is a shield rather than a sword. It is enough for a common man that he live in a state protected by just laws, neither giving nor enduring injury" (3.53.8–9).

Appius Claudius Crassus[48] (4.48.4–10; 5.1.2; 5.2.1–7.13; 5.20.4–6)

Livy does not treat the career of Appius Claudius Crassus (grandson of the Decemvir) as a connected narrative, as his name appears in various

[45] Cf. discussion of book eight as the focal point of the second pentad in Lipovsky (above, note 15) 103.

[46] See Wirszubski (above, note 44) 1–3.

[47] This accords well with Livy's tendency throughout the history to condemn the use of the tribuneship as an instrument for promoting factional strife, attacking political opponents, or performing political functions that traditionally belonged to the Senate. See Seager (above, note 17).

[48] Ap. Claudius Crassus, *son* of the decemvir (*MRR* 68), makes a brief appearance in Livy's

passages in books four through seven.[49] The first mention of him occurs in book four, where he is introduced as a worthy offspring of the Claudian line. When the Senate is hard-pressed by the demands of the tribunes for the distribution of public land, young Claudius suggests that they adopt a strategy first employed by his great-great-grandfather, who had reasoned that the only method of breaking the power of the tribunes was by destroying their unanimity; through flattery and courteous solicitation at least one or two of the tribunes could be induced to veto the proposals of their colleagues (4.48.7).

The same Claudius plays a more prominent role at the beginning of book five as a military tribune (5.1.2). When his seven colleagues leave the city to conduct operations against Veii, Claudius remains in Rome to govern the city and "restrain the seditious behavior of the tribunes" (5.2.13). During this period, the tribunes learn of the intention of the commanders to continue the siege of Veii through the winter months. They complain bitterly of the plan, asserting that the recent grant of pay for military service had been a means of seducing the soldiers into surrendering their freedom (5.2.3–4). Claudius responds with a passionate speech urging the plebs to endure the hardships of the present for the sake of their future military glory, which would be won before the eyes of the world (5.6.6).

Although this is not an extended narrative, the reader's expectations of Crassus' "Claudian" character and actions are important to the interpretation of the episode, and it therefore deserves a place in our survey. Like Appius Decemvir, Claudius Crassus is left in control of the city while his colleagues are occupied in the field with a military compaign, and he is explicitly entrusted with controlling popular agitation. He shares the same personality traits as his forebears: a reference to him in book four terms him a worthy representative of the *gens* (4.48.10: "non degenerasset ab stirpe Claudia"), and Livy introduces his speech in book five with the statement that he was

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account of 424 B.C. (4.35.4, 4.36.5). Appointed military tribune in that year and left to govern when his colleagues leave the city, he is called "impigrum iuvenem et iam inde ab incunabulis imbutum odio tribunorum plebisque" (4.36.5). Both his position and character are thus stereotypical. For this Crassus, who is called by Livy the grandson of the Decemvir and the son of the military tribune of 424, see *MRR* 81 (mil. trib. 403 B.C.), 117 (dict. 362 B.C.), 128 (cos. 349 B.C.); Ogilvie 607.

[49] 6.40.1–42.1; 7.6.12–7.3; 7.24.11; 7.25.10. Livy's depiction of Crassus is unlike the connected narratives of the earlier Claudii and closer to the manner in which Dionysius treats the Claudii, i.e., introducing them at disconnected points, whenever an opponent of the popular cause is required. Crassus' character and actions are stereotypical throughout the remaining books of the first decade. It is noteworthy that, in his speech opposing the Sextian-Licinian Laws, Crassus asserts that members of the Claudian gens have acted only out of concern for the state as a whole; Livy, however, has undercut this claim at the outset of the speech by stating that Crassus spoke only out of hatred and anger (6.40.2: *odio . . . iraque*), and at the conclusion, by noting its ultimate futility (6.42.1: "oratio Appi ad id modo valuit ut tempus rogationum iubendarum proferretur.").

a man steeped from youth in contentions with the plebeians (5.2.13). The reader's expectation of a stereotypical pattern of events is also raised by the speech attributed to the tribunes, in which they claim that the soldiers have lost their *libertas* and that the eight military tribunes had reduced them to a slavery beyond that imposed by either kings, consuls, dictators, or even the haughty Decemvirs (5.2.8). The general intent of Appius' speech in response to the tribunes is also suitably Claudian: he attempts to persuade the tribunes and people to give up their agitation and conform to the will of the nobles. Within the speech itself there are sentiments worthy even of Appius Decemvir—for example, the comparison of nobles and plebs to a master and his slaves (5.3.8).

And yet, there is something striking about the attribution of this speech to a Claudius. The theme of Crassus' oration is *concordia*, the preservation of that unanimity won by the generosity of the Senate. Throughout the speech Appius calls on the plebs to lay aside factional politics and consider the needs of the state. This is most uncharacteristic, since the Appii Claudii have been pictured in the previous books as politicians who constantly place personal and party interests above the national welfare. They have been continually associated, not with *concordia*, but with civil discord. In previous narratives they used the threat of force to intimidate the plebs, but here Appius does not threaten violence, although endowed with the power of a consular tribune. His arguments are based on the premise that the continuation of the siege at Veii is not simply a duty owed by the plebs to their betters but will benefit the state as whole. Most striking is the reaction to the speech. We have seen that in the first pentad an Appian speech is usually followed by plebeian unrest and the ultimate failure of the argument advanced. Here Appius' appeals, together with the news of a military disaster at Veii, produce a startling degree of civic cooperation (5.7.1: "concordiam ordinum maiorem").[50] The Equites and plebs voluntarily enroll for special service, and the senators hurry from the Curia to convey to the people in the Forum their heartfelt gratitude. They declare that "because of this cooperation the city of Rome is blessed and unconquerable and eternal" (5.7.10: "beatam urbem Romanam et invictam et aeternam illa concordia").[51]

On the eve of Rome's greatest early trials, the war with Veii and the Gallic sack of the city, the Roman people are pictured as rising to a new level of civic cooperation, born of the dawning apprehension of the future greatness of the city. It is a brilliant stroke on Livy's part to express this ideal

[50] The speech is presented by Livy as typical of the appeals made at this time by Appius. He notes that, even before announcement of the military disaster, Appius was successful in countering the arguments of the tribunes (5.7.1: "par iam etiam in contionibus erat Appius tribunis plebis . . .").

[51] The description and diction owe much to Ciceronian rhetoric at the time of the Catilinarian conspiracy. Cf. scenes of *concordia* in *Cat.* 4.14.17; *Rab. Per.* 20–23.

through the *persona* of an Appius Claudius. No more telling figure could be used to embody the momentary transcendence of all elements in the state than one earlier employed as a symbol of self-interest, party politics, and *discordia.* By using Crassus to look forward to the external challenges in Rome's future, Livy rings the curtain down on the theme of the Claudian temperament as a threat to Roman *libertas* from within.[52] At the same time, he turns the attention of the reader to a new drama, now beginning to unfold: the central actor of this drama is Camillus and the culmination of the drama will be the capture of Veii, the rescue of the city from the Gauls, and the great speech of Camillus at the end of the fifth book reaffirming the destiny of Rome.

Our ability to view the *ab Urbe Condita* as a sophisticated political and historical discourse depends in some ways on Livy's shortcomings as a "scientific" historian. The one-dimensionality of the characters, the sameness of the *personae* assigned to the representatives of various families, and the repetition of themes and action all show that the first pentad can make little claim to factual accuracy. And yet it is precisely these techniques that raise the narratives to a theoretical level. Individuals, without any claim to objective realism, become representatives of certain personality types. These types, in turn, are used as unchanging variables within a changing political universe. The interaction of popular and conservative leaders of various temperaments, operating in the midst of internal concord or discord, external war or peace, becomes a theoretical exemplum of Livy's view of political reality, past and present.[53]

The narratives of the Appii Claudii in the first pentad of Livy's history illustrate the danger for the state when a potentially tyrannical personality is endowed with an office in which the holder is free from effective restraints on the use of power. Even if this office were for a time held by a man subservient to the traditional institutions of the state—a Cincinnatus, a Valerius, or even an Augustus—Livy implies that it is inevitable that another man of a different, "Claudian" temperament would eventually transform such an office into a tyranny.

The first pentad was written between the victory at Actium in 31 B.C. and the "restoration of the Republic" in 27 B.C.[54] During this period the

[52] An echo of the theme resounds in book nine when Appius Claudius Caecus refuses to lay down the censorship after his legal eighteen month tenure. He does, however, continue to hold the office without becoming a tyrant.

[53] T. J. Luce, "Design and Structure in Livy: 5.32–55," *TAPA* 102 (1971) 301–2: "Livy saw nothing wrong with taking a somewhat free hand in narrating the history of early Rome; since it was uncertain and suspect, what else could he do? But he seems to have considered efforts to invest these events with a false appearance of exactitude not only misleading, but—perhaps more important—inappropriate to the spirit which animated, or ought to animate them . . . But throughout the historian must have a serious purpose." Cf. similar remarks in Lipovsky (above, note 15) 13.

[54] R. Syme, "Livy and Augustus," *HSCP* 64 (1959) 42–57.

most pressing political question of the day concerned the form that the new government would take and the place that Octavian would occupy within it. Two possible answers already familiar to the Romans were represented by the leaders of the earlier civil war, Pompey and Caesar. In spite of the tarnished ideals Cicero found in the Republican camp, Pompey came to represent a state which continued to restrain great men through the constitutional power of Senate and people; Caesar, on the other hand, was seen as the creator of an autocracy, however benevolent. I believe that Livy's manipulation of the political model in the narratives of the Appii Claudii was not only a serious attempt to analyze the challenges faced by the republic in the distant past. It was at the same time a discourse about power and politics that was relevant to these vital political issues of his own time, and one which enables us better to understand Augustus' characterization of the historian as a "Pompeianus."[55]

[55] Tac. *Ann.* 4.34. It is arguable that Tacitus' depiction of the degeneration of the principate into tyranny under the Claudii owed much to the early books of Livy.