

The Exemplary Lessons of Livy's Romulus*

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SUMMARY: Pursuing Livy's explicit statement on the exemplary value of history in *pref.* 10, this essay examines how Livy projects exemplary lessons through his characterization of Romulus. I argue that Livy has shaped his narrative to present Romulus as an exemplary figure worthy of imitation because he always successfully acted for the good of Rome. Acts that might seem morally questionable (such as the abduction of his neighbors' daughters) are to be understood as valuable for their strengthening of the city; patriotism makes moral demands of its own. Thus Romulus's exemplary value is not morally simple, but includes the consideration of his motives and the results he achieved. I conclude by suggesting that such a characterization would have been highly resonant at the time of its composition, for it proposes a standard by which the victor at Actium could be measured.

LIVY EXPLAINS IN THE PREFACE TO HIS HISTORY THAT HIS READER SHOULD study his work to consider the character and skills of the men who acquired and increased Rome's empire, then how *mores* slipped and ultimately collapsed (*pref.* 9). The goal is to learn from the past in order to guide the present (*pref.* 10):

Hoc illud est praecipue in cognitione rerum salubre ac frugiferum, omnis te exempli documenta in inlustri posita monumento intueri; inde tibi tuaeque rei publicae quod imitere capias, inde foedum inceptu foedum exitu quod vites.

This is the particularly salutary and fruitful thing in the study of history: that you consider models of every example arranged upon an illustrious monu-

* I follow Ogilvie's Oxford Classical Text (1974); translations are my own. I would like to thank Paul Allen Miller and TAPA's anonymous referees for their thoughtful and helpful criticism of this essay. I am also grateful for careful readings and salutary advice from Davina McClain, Christopher Barnes, Dylan Sailor, David Phillips, and especially David Kutzko and Melissa Stem.

ment, from which you choose for yourself and your state what to imitate and what—foul in its inception, foul in its outcome—to avoid.

By declaring to his reader so explicitly that he believes the illustrious monument of history to be didactic, Livy suggests how to read his *History*, and at the same time expresses how he conceives of his task as a historian.¹ He is not only to relate the events of the past, but he is also to shape his account of the figures and events he describes so that their value as *exempla* can be perceived and evaluated by his reader. For this reason, he stresses the character and deeds of individuals more than institutions or constitutions, and he often revises the details of an episode in order to emphasize the moral lesson of an *exemplum*.² The fact that Livian *exempla* have moral ends, however, does not mean that they are morally simple.³ Unambiguous figures can be found in Livy's *History*, but most of his heroes and villains possess good and bad qualities in varying measure.⁴ Different readers will evaluate the balance of those qualities differently, but the readers' judgment of these figures as *exempla* is crucially dependent on the presentation of their defining qualities by the historian.⁵

The purpose of this study is to examine Livy's characterization of Romulus according to the criterion of exemplarity Livy asserts in his preface.⁶ I read

¹ Such an approach is common to all Roman historians, yet it is expressed here with particular intensity: see Moles 1993: 152–55, Miles 1995: 76–79, and Kraus 1997: 51–56. For recent assessments of the nature and range of Livian *exempla*, see Jaeger 1997: 15–29, Feldherr 1998: 1–50, Chaplin 2000, and Levene 2006. On *exempla* in Roman culture more broadly, see Roller 2004 and Kraus 2005.

² See further Walsh 1955 and 1961: 66–109, Liebeschuetz 1967: 45–51, Bolchazy 1977: 43–55, Moore 1989: 149–51, Oakley 1997: 115–16, Forsythe 1999: 65–73, and Levene 2006. For Livy's tendency to tell his story by episode, and for his techniques in crafting them, see Burck 1964, Walsh 1961: 178–86, Ogilvie 1965: 17–22, Luce 1971: 285–89, Oakley 1997: 125–28.

³ Pointing to Pelling 2002 and Duff 1999 on the moralizing of Plutarch's *Lives*, Levene 2006: 103 stresses that Livy's morality is not simplistic but “complex, tempered by a continual awareness of the possibility of conflicting interpretations, of moral dilemmas, and above all that real people are not reducible to a bundle of virtues or vices.”

⁴ Miles 1995: 115, for example, points out how Camillus is presented as approaching the transgression of human limits when celebrating his triumph (5.23.5). Tarquinius Superbus, though unjust in peace, is said to be just as good a general as earlier kings (1.53.1). See Solodow's seminal article (1979) on the extended example of Horatius in 1.24–26.

⁵ See Kraus 1997: 70–74 for the challenges involved in understanding ‘Livy.’

⁶ The account of Romulus occupies 1.4–16, about 15 pages in the Oxford Classical Text. The first three chapters in Book 1 form an introduction by surveying Antenor and Aeneas, then the generations of kings at Alba Longa down to Numitor, the grandfather of Romulus.

Livy's account of Romulus with the belief that Livy is controlling how he recounts the narratives he finds in his sources, and thus that Livy has shaped his text to show the reader how Romulus is an *exemplum*.⁷ I envision Livy's model reader as actively evaluating *exempla* for his or her own personal and political circumstances,⁸ particularly in those episodes where Livy chooses to offer multiple versions of the same event.⁹ This conception of Livy's involvement with his reader focuses this study on how his text guides the reader to perceive Romulus's exemplarity.¹⁰ In what ways is the reader to imitate or avoid Romulus's conduct? How is what Romulus did for Rome relevant to what the reader should do for Rome?

The character of Romulus, as Rome's founder, represents the origins of Roman national character, and so his characterization has tremendous significance for Livy's depiction of the greatness that national character came

⁷ Ogilvie 1965: 54 argues that the tensions in Livy's characterization of Romulus are "still unresolved, for he depended on pre-Augustan sources," but I do not accept the idea that Livy is so dependent on his sources that his characterization of Romulus is to be primarily credited to them. For Livy's methods in working with his sources, see the landmark study of Luce 1977 and note also the discussions of Solodow 1979: 261–68, Levene 1993: 34–36, Miles 1995: 1–7, Damon 1997, Forsythe 1999: 7–9, and Sailor 2006: 336. For the limits of invention for Livy, see Luce 1971: 295–302 and Oakley 1997: 100–2.

⁸ So Davies 2004: 26: Livy "will bring to the forefront *exempla*, both good and bad, to be followed or avoided, and he proceeds on the basis that his readers will read his account accordingly." Solodow 1979: 252n3, Kraus 1994: 13–15 and 1997: 55–56, and Chaplin 2000: 136 note the emphasis in *pref.* 10 that the reader needs to be active; compare Dionysius 1.79.3, 2.40.3. Particularly significant is the demonstration of Solodow 1979 that Livy's narrative does not always suggest how an ambiguous episode is to be evaluated and so the final judgment is left to the reader.

⁹ Livy's choice of when to include multiple versions is surely determined some of the time by the presence of contradictions uncovered in his research (so Forsythe 1999: 40–51, on which see Warrior 2000-1 and compare Miles 1995: 154). But such considerations are limited by the fact that Livy does not endorse the study of history for its opportunities to promote thoroughness of research, but for its opportunities to present *exempla*. Hence where Livy does choose to include multiple accounts of an event, he is challenging the reader to accommodate, where possible, the differences of his sources into the reader's understanding of the exemplarity of the episode.

¹⁰ Thus I do not primarily pursue the comparative method, which has productively demonstrated how Livy presents accounts that differ from the historical tradition visible elsewhere and how those differences reflect Livy's own historical and artistic interests and methods. For this method applied to Livy's account of Romulus (for which the main texts for comparison are Dionysius of Halicarnassus 1.76–2.56 and Plutarch's *Life of Romulus*), see Burck 1964: 136–46, Ogilvie 1965: 46–87, Levene 1993: 129–34, and Miles 1995: 137–78.

to achieve.¹¹ Yet Romulus's deeds are not always easy to understand morally. A reader coming to Livy's *History* with even a basic knowledge of the life and deeds of Romulus would have known that Romulus was widely regarded as the killer of his brother, for example, as well as the dissimulating instigator of a plot to abduct his neighbors' daughters under the pretense of hosting them at a religious festival. His role as king and potential despot also makes him a troublesome *exemplum* for the republican historiographical tradition of which Livy was the culmination.¹² Romulus's distrusted political position and the ambiguous morality of some of his deeds had caused his legacy to be contested among Livy's generation. Some survivors of the civil wars at the end of the Republic had come to see Romulus's apparent act of fratricide as the stain that cursed the Romans at the very moment of their city's foundation.¹³ Yet by the time of the fateful Battle of Actium in 31 B.C.E., around which time Livy began writing,¹⁴ first Julius Caesar and then his heir had been associating themselves with Romulus and his status as founder.¹⁵ The

¹¹ For Livy's view of the development of Roman national character, see Luce 1977: 230–97, Miles 1995: 109–36, and Chaplin 2000: 165–67, 197–202; for Livy's presentation of such development during the regal period, see Konstan 1986 and Fox 1996: 96–139. Compare Book 2 of Cicero's *De Re Publica*, with Cornell 2001.

¹² See Classen 1962: 178–92 and Ogilvie 1965: 83–85. For the nature and value of the annalistic tradition, see Badian 1966 and Oakley 1997: 21–104. For the development of the mythological legend of Romulus, see Cornell 1975, Bremmer 1987, and Wiseman 1995.

¹³ See Horace, *Epodes* 7.17–20, with Wagenvoort 1956; compare *Odes* 3.3.9–16. Note also Cicero, *De Officiis* 3.41, with Bannon 1997: 162–64.

¹⁴ For the date of Livy's composition of Book 1, see Syme 1959: 42–57, Luce 1965, Woodman 1988: 132–35, Moles 1993: 151–52, Badian 1993: 13–19, and Burton 2000. I find Badian's suggestion of 30 B.C.E. compelling, but anywhere between 33 and 29 seems possible. For my purposes, the important conclusion to be reached (see Luce 1965: 238–40, Deininger 1985, and Burton 2000: 446) is that Livy wrote his account of Romulus without yet knowing what the future held for the Roman Republic. Even if he had heard the result at Actium, he did not yet know that Octavian was to restore the Republic as Augustus. Thus the contemporary historical factors affecting Livy's portrait of Romulus are the legacies of Julius Caesar and the Triumvirate, not Augustus himself and his ideological program as defined in 27 and after. Syme 1959: 53: "All in all, Livy, the pride and glory of Augustan letters, should perhaps be claimed as the last of the Republican writers."

¹⁵ For the changing legacy of Romulus from the Late Republic through the Augustan era, see Evans 1992: 87–108, Miles 1995: 99–103, and Bannon 1997: 158–73. For the relationship of Livy and Augustus, see Deininger 1985, Badian 1993, Fox 1996: 41, Kraus 1997: 70–74, Chaplin 2000: 192–96, and Sailor 2006. I do not find that the limited evidence for their relationship suggests much closeness between them, and what closeness there was likely came well after Livy's *History* was established and its patriotic tenor recognized.

exemplarity of Romulus was thus already an active topic of political debate at the moment Livy began his *History*, and his characterization of Romulus should be seen as a contribution to that debate, for his negotiation of Romulus's legacy reveals the moral and political perspective with which he seeks to guide his readers.¹⁶

When Livy challenges his readers to learn from the monument of history in *pref.* 10, he notably urges them to choose *exempla* both for themselves as individuals and for their state (*tibi tuaeque rei publicae quod imitere capias*). Thus there is a private and a public standard for judgment, and the reader is challenged to uphold that which advances both personal morality and the public good. These two goals can be expected to overlap and would ideally coincide, but the value of an exemplary figure becomes particularly instructive when these different demands come into competition, as they do in the case of Romulus.¹⁷ This study argues that Livy's characterization of Romulus demonstrates the lesson that the needs of the state should be understood as predominant, and hence that when the survival of the state is at risk, the preservation of the state inherently justifies the means necessary to do so. Acting for the good of Rome can require acts that may appear morally questionable, yet those acts are still to be evaluated as *exempla* worthy of imitation when their intention to strengthen the state is successfully actualized.¹⁸ This

¹⁶ For some of the nuances of reading the regal past with Livy's present, see Sailor 2006: 359–66. Alfonsi 1983 surveys Livy's characterization and finds Romulus an unproblematic figure of Augustan ideology. Miles 1995: 103, 137–78 (and *passim*) significantly complicates that view, arguing that Livy's problematized characterization of Romulus “is intelligible as a response (whether conscious or intuitive) to questions of Roman ideology that were of particularly immediate concern to his Roman contemporaries” (138). Miles approaches the first pentad from the perspective of the reader who is aware of Octavian's new title and role of Augustus, however, whereas I analyze how Livy has shaped Romulus as an exemplary figure for the reader at the moment of composition, which likely preceded Livy's awareness of Octavian's metamorphosis into Augustus.

¹⁷ For the challenges of the relationship between public and private interests in Livy, see further Solodow 1979, Vasaly 1987, Fox 1996: 132–39, Feldherr 1998, and Vandiver 1999.

¹⁸ Note Moore 1993: 46: “Each time, then, that Livy tells a dramatic story of a woman's suffering, his penchant for viewing history in moral terms becomes emphatically evident. By concentrating the causes of the fall of the Tarquins and the decemvirs into the deaths of Lucretia and Verginia he connects dramatically private immorality and public ruin.” Yet Romulus's abduction of his neighbors' daughters, which would seem to fit the category of dramatic stories of women's suffering, leads to Rome's great future, not its ruin. What makes Romulus's action different (compare Moore 1993: 39n3) is that Romulus is not guilty of private immorality, for Livy elucidates how Romulus orchestrated the abduction for public reasons, not private ones.

perspective does not undermine Livy's purpose as a moralizing historian, for it demonstrates how patriotism makes moral demands of its own.¹⁹

Livy presents much of Romulus's conduct in an evidently positive manner, but he complicates certain episodes to confront the moral ambiguity of Romulus's deeds. In such episodes, the moral ambiguity of an action is acknowledged, yet a justification for the action is presented to meet the moral concerns the ambiguities raise. This justification generally comes on two levels: why the act was justified in its immediate circumstances and why the outcomes from that act aided the state in larger ways. Implicit in these justifications is the idea that successful outcomes justify the means to secure them, since success demonstrates divine favor and is withheld from those who do not acknowledge the gods properly.²⁰ Livy's recognition of the tradition critical of Romulus need not imply any endorsement of it, for he never directly allows that any of Romulus's deeds were morally wrong or politically unwise. Likewise, Livy never presents Romulus's actions as undertaken for his own enrichment, but always out of devotion to his city and for the betterment of his citizens. The reader is thus invited to resolve the moral difficulties in Romulus's favor, and the result is a figure of strength and decisiveness worthy of being the founder of Roman power.²¹

¹⁹ Compare Walsh 1961: 66 (still the prevailing scholarly opinion): "moral and patriotic considerations are united [by Livy] for didactic purposes, to demonstrate to posterity that national greatness cannot be achieved without the possession, especially by the leading men of the state, of the attributes which promote a healthy morality and wisdom in external and domestic policies." Livy's Romulus complicates this didacticism, for although Romulus does demonstrate a wisdom that leads to national greatness, such wisdom includes meeting the needs of the state through means that challenge a reader's sense of a healthy morality (e.g., fratricide when his brother mocks his walls, and the violation of *hospitium* when his city needs women to survive for a second generation).

²⁰ For Livy's conception of the relationship between the gods and Rome, see Liebeschuetz 1967, Linderski 1993, Levene 1993: 22–30, and Davies 2004: 86–142. Linderski 1993: 55 argues that Livy exhibits what he defines as "the essence of Roman state theology," which is that "the gods exist, they are on the Roman side, and the proof of this is victory." Note also Luce 1977: 277–78, and see further the analysis of Feldherr 1998: 64–78, in which he formulates how Livy constructs "a system of representation based on *imperium* operating alongside conventional historiography" (76).

²¹ Contrast Miles 1995: 151–54: "In Livy's narrative, then, alternative constructions are never far from the surface. Their existence becomes problematic and threatens the logical consistency of the narrative . . ." (152). "By acknowledging that alternate representation of Romulus, if only to deny it, Livy keeps alive the questions . . ." (154).

IMMORTALITY PRODUCED BY VIRTUE (1.4–7)

Livy strikingly begins his account of the life of Rome's founder by declaring that in his opinion, the origin of so great a city as Rome, which came to possess the greatest empire in the world except for that of the gods, was owed to the fates (*sed debebatur, ut opinor, fatis tantae origo urbis maximique secundum deorum opes imperii principium*, 1.4.1).²² Yet Livy's actual account of Romulus's origin does not involve the divine as actively as this introduction might lead the reader to expect. He says only that Romulus's mother named Mars as the father either because she thought it so or because a god was a more honorable agent of the wrongdoing (*seu ita rata seu quia deus auctor culpa honestior erat*, 1.4.2). But neither of these two possibilities indicates whether or not Mars actually was the father, for both of them consider only the reasoning behind the mother's assertion.²³ Similarly, when the boys are ordered to be drowned, the Tiber—by a certain chance but also by divine plan (*forte quadam divinitus*, 1.4.4)—was in flood.²⁴ The story holds (*tenet fama*, 1.4.6) that a she-wolf then came and suckled them, but there are those who think (*sunt qui ... putent*, 1.4.7) that the wife of the shepherd who found the twins was called a she-wolf because she was a prostitute. The actual narrative of Romulus's birth and exposure thus consistently hedges about whether or not Romulus's origins and the circumstances of his initial survival were divinely guided, which suggests that Livy's assertion of the importance of fate at 1.4.1 results from a perspective independent of the historical tradition related at 1.4.2–7.

²² Livy also describes the fates leading Aeneas to the beginnings of great things (*ad maiora rerum initia ducentibus fati*, 1.1.4). For the debate over the sense of *fatum* in Livy, see Levene 1993: 30–33 and Davies 2004: 105–15, and for 1.1.4 and 1.4.1 in particular, see Kajanto 1957: 54–56 and Levene 1993: 128.

²³ Dionysius 1.77.1–3, by comparison, says that most sources present Mars as Romulus's father, but also openly acknowledges that the truth of such divine involvement is debated, and even includes the possibility that Amulius deliberately impregnated his niece. Compare further Plutarch, *Romulus* 4.

²⁴ On Livy's manner of presenting Romulus's birth, see Kajanto 1957: 30–31, Levene 1993: 129, and Miles 1995: 138–142. For the question of how to understand the presence of both scepticism and belief in Livy's *History*, often (as here) as two explanations of the same event, see Ogilvie 1965: 30, 48, Liebeschuetz 1967, Levene 1993: 16–30. For the argument that the polarities of scepticism and belief do not define a viable approach to the proper understanding of Livy's involvement with Roman religion, see Davies 2004: 1–12, 21–25, 138–42 (and 115–16 on 1.4.4, which he regards as a demonstration of overlapping rather than competing explanations). For a new consideration of Livian scepticism from the perspective of the relationship between political power and the supernatural, see Sailor 2006: 341–357.

Livy explains that perspective in his preface, where he declares that he does not intend to confirm or deny those things in the historical record that are more appropriate for poetry than for history (*pref.* 6). But then he says (*pref.* 7):

Datur haec venia antiquitati ut miscendo humana divinis primordia urbium augustiora faciat; et si cui populo licere oportet consecrare origines suas et ad deos referre auctores, ea belli gloria est populo Romano ut cum suum conditorisque sui parentem Martem potissimum ferat, tam et hoc gentes humanae patiantur aequo animo quam imperium patiuntur.

This indulgence is given to antiquity, that it make the beginnings of cities more august by mixing the human with the divine; and if any people should be allowed to consecrate its origins and refer to gods as its progenitors, the Roman people have such glory in war that when it claims that its parent and the parent of its founder is none other than Mars, the peoples of humankind accept this with just as much equanimity as they accept Rome's power.

Thus the question of Romulus's divine origin is precisely the sort of thing that Livy will not explicitly confirm or deny, and yet his language in this passage is suggestive of why his reader would be wise to indulge in Romulus's purported divinity rather than deny it.²⁵ The very fact that Romulus's city had put humankind under its power strongly suggests the guidance of the divine from its origin. Livy's language here stresses Roman power more than historical truth, but his hedging about the historicity of Romulus's paternity should not be understood as casting any doubt on his assertion of Rome's status as Mars's favorite. Denying Mars any role in Romulus's destiny would be as naïve for Livy's reader as assuming that Mars in anthropomorphic guise raped Romulus's mother. The reader is thus to understand that Livy recognizes that there is no historical proof of Mars's paternity of Romulus, but that he does not wish to reject something that the success of his city for seven hundred years seems inherently to validate. Hence he acknowledges an account of Romulus's origins that defines him as entirely human and exclusively subject to the necessities and capriciousness of human fortune, but yet introduces his

²⁵ Sailor 2006: 349–54 argues from this same passage for the opposite conclusion, yet he focuses specifically on Livian scepticism about the direct involvement of divine beings with mortals. With regard to indirect involvement of the gods in Roman history, however, he approvingly cites (343n42) the discussion of Forsythe 1999: 91–93, who concludes that Livy does believe in the gods' involvement in human affairs, even though he is sceptical about supernatural events. See further Wiseman 2002.

presentation of the specific details of the story (1.4.2–7) with an invocation of fate, the gods, and the ultimate *imperium* of Romulus's city (1.4.1).²⁶

Romulus's own character first emerges in the account of his upbringing, in which he and his brother are described as passing their early manhood hunting, thereby strengthening their bodies and minds, from which they then turn to organizing their fellow shepherds and attacking the local bandits (1.4.8–9). These details are all that are included about the boys' early years, yet they well convey the impression that even in the rustic circumstances of their youth Romulus and Remus already had the mental and physical capacities to inspire men to fight and to lead them to victory. Moreover, when the bandits strike back by kidnapping Remus and falsely accusing him before King Amulius, Romulus has the armed means to rescue his brother. Since Amulius has been ascribed the responsibility for the order to expose Romulus and Remus (1.4.3), the reader understands when the capture of Remus leads to Romulus's vengeance upon the king. Yet Amulius's superior defensive position requires dissimulation in order for success to be achieved, "thus from all sides a trap is devised for the king" (*ita undique regi dolus nectitur*, 1.5.7). Romulus orders the shepherds to disguise their arrival at the palace by having different groups of them approach by different routes. Remus joins them with another band from the house of his grandfather Numitor, while Numitor himself draws off the palace guard to the citadel by claiming that an enemy has breached the city (1.5.7–1.6.1). Thus Romulus kills the king (*ita regem obtruncat*, 1.5.7).²⁷ The lessons to be learned from this first great event of Romulus's maturity are that success results from both decisiveness and planning, that injustices are to be met with force, and that the strategic use of deception to counter injustice is acceptable. Romulus is presented as an effective leader prepared

²⁶ Plutarch takes a similar approach (see the end of *Romulus* 8), but he waits until he has completed the story of the twins' youth to urge his readers to connect Rome's ultimate power to the likelihood of its divine origin. Note also Cicero, *De Re Publica* 2.4.

²⁷ The singular form of *obtruncat* is notable, given how Livy presents the plot to bring down the king as a collaborative effort. Moreover, its subject is slightly ambiguous. The previous sentence starts with Romulus and ends with Remus, so Remus is the subject closest to *obtruncat*. But Romulus is the more significant player in the development of the plot (while Remus only assists, *adiuvat*, 1.5.7), so the singular reflects Livy's desire to attribute the killing only to Romulus and not to both. This allows Romulus to receive the credit as the chief actor, and it establishes his stature as the greater leader among the two. Romulus's greater strength as a fighter is also suggested by the fact that when both of them are ambushed in 1.5.3, Romulus is able to fight off his potential kidnappers but Remus is not.

to demonstrate his strength, and the reader's first impression of Romulus's own actions is positive.²⁸

This impression also forms the reader's introduction to Livy's account of Romulus's founding of Rome. Every Roman reader would have known that the founding was concomitant with the killing of Remus, and so would have approached this episode as a significant and revealing test case for the exemplary nature of Livy's Romulus. Livy begins the episode by describing the optimism of the whole enterprise, and he presents Romulus and Remus as seized with a desire for founding a city (*cupido . . . urbis condendae*, 1.6.3) where they had been raised. But intervening in these plans was the evil that had affected their grandfather (*avium malum*, i.e., the events narrated at 1.3.10–11), namely the desire for absolute rule (*regni cupido*), which caused a foul conflict (*foedum certamen*) to arise after a smooth enough beginning (1.6.4). This shift between the twins' desire to found a city and the desire of each to rule it alone possesses clearly negative moral connotations (*malum*, *foedum*), which would seem to suggest that the action of this episode will be of negative exemplary value, i.e., something to be avoided.²⁹ Yet the episode never clarifies for its readers where the fault for this evil desire lies, nor where exactly it manifested itself, nor, therefore, how the death of Remus should be understood as an *exemplum*.

Livy begins his account of the events in question by relating that because no distinction could be made between the twins based on age, they agree to determine through augury which of them should found the new city, an agreement that suggests their piety and their trust in the gods' wisdom. Romulus ascends the Palatine, Remus the Aventine, and both watch for the appropriate birds (1.6.4). The narrative then moves from this smooth enough beginning to the foul conflict that arises. Remus sights his birds first, six vultures, but Romulus soon sees twice that number. An argument develops over the issue of whether temporal priority or the greater number of birds is more indicative of the gods' will, with the supporters of each side (*illi . . . hi*) advocating their champion. The climactic action then occurs at the end of a series of intransitive or passive verbs that obscure the ultimate

²⁸ From the perspective of Romulus's exemplarity, I regard this episode as an unproblematic introduction of Romulus's nascent leadership (see the similar perspective of Dio-dorus 8.4). Compare Miles 1995: 141–64, who approaches it from the perspective of the ideologies of Roman self-representation and argues for tensions between self-sufficiency and superhuman agency, new men and the establishment, and city and country life.

²⁹ Compare *pref.* 10–11, where one should avoid that which is foul in its inception, foul in its outcome (*foedum inceptu, foedum exitu*).

responsibility for Remus's death. Translated very literally, the account reads: "Then, having come together with an argument, they are turned to killing by the conflict of their angers; there in the crowd, Remus, having been struck, fell" (*Inde cum altercatione congressi certamine irarum ad caedem vertuntur; ibi in turba ictus Remus cecidit*, 1.7.2). The passive participle "struck" (*ictus*) without any indication that Romulus was the agent leaves the reader unclear about Romulus's responsibility, and distinctly allows that Romulus not be regarded as the culpable agent of his brother's death. Given that the episode began by attributing an *avittum malum* to the twins, the absence of Romulus's agency appears particularly conspicuous. The narrative prepares the reader for Romulus's deed, but then obfuscates the actualization of it. The supporters of each of the twins, not the twins themselves, are presented as the ones responsible for the "foul conflict" that arises.³⁰

Livy then offers a second account of Remus's death, for which the episode so far has not prepared the reader but which he presents as the more commonly known version (1.7.2):

Volgatio fama est ludibrio fratris Remum novos transiluisse muros; inde ab irato Romulo, cum verbis quoque increpitans adiecisset, 'Sic deinde, quicumque alius transiliet moenia mea,' interfectum.

The more commonly known story is that Remus, in mockery of his brother, leapt over the new walls; thereupon he was killed by an angry Romulus, after he had added, chiding him also with words, "So be it, then, for whoever else will leap over my walls."

In this version Romulus's act of killing is emphatically placed as the final, climactic act of Livy's sentence.³¹ Unlike the first version, in which the crowd

³⁰ Thus the *foedum certamen* anticipated in 1.6.4 is realized in 1.7.2, but as the *certamen irarum* of the two groups, over which neither twin seems in control. Note that some of the crucial features of this account are very similar to Dionysius's much fuller rendering: the twins move from a desire for rivalry to a desire for rule (1.85.4–5), the responsibility for the quarrel falls upon the groups supporting each of the twins (1.85.5, 1.87.1), and Remus's death occurs in an intransitive participial clause in which no agent is named (1.87.3). Thus Livy and Dionysius may well have been working from the same source, and Livy simply selected far fewer details to include. If so, then it would be significantly to Romulus's advantage that Livy omits to mention Romulus's attempt to trick his brother by falsely claiming to have seen birds first (1.86.3–4), for this attempt would provide legitimate justification for the anger of Remus and his followers. Plutarch, in fact, says that Remus did not learn of his brother's deception until Romulus was already laying out his walls, which is why Remus then mocked them (*Romulus* 10.1).

³¹ For the significance of this emphasis, see Levene 1993: 130 and Bannon 1997: 165–66, who note how other authors (Diodorus 8.6, Dionysius 1.87.4, Ovid, *Fasti* 4.837–56,

turns violent because of their collective anger (*certamine irarum*), here Romulus himself is described as angry (*irato*) at being mocked by his brother, and he pauses to chide his brother for such mockery before killing him. His dramatic utterance is thus the focus of his characterization in this version,³² yet because the context is so minimal, the tone of the remark is difficult to determine. In order to understand the exemplarity of the act, the important question is the degree to which Romulus's act was justified. Was Remus simply providing some levity, and Romulus responded with a violent temper that he could not control?³³ Or was Remus seeking to undermine his brother's authority and the gravity of the ceremonial construction of the city's new walls, and Romulus responded with the rightful protectiveness of a city founder responding to a mocking violation of his city's walls?³⁴ Since Livy chooses not to explicate either the substance or the tone of Remus's mocking, nor the motivation behind Romulus's anger, the reader is left to assess these actions on his or her own. Much like Livy's decision to leave the agent of Remus's death unnamed in the first account, so here he does not provide the reader with a complete context in which to assess the moral validity of Romulus's killing of his brother. In particular, who was responsible for the "foul conflict" (*foedum certamen*) anticipated at 1.6.4? Who was guilty of the desire for sole rule (*cupido regni*)? Did Romulus strike his brother out of such a desire? Or did Remus mock his brother because *his* desire for sole rule was being frustrated? Was Romulus at fault for overreacting to his brother's mockery? Or was Remus at fault for mocking his brother at such a significant moment?

Plutarch, *Romulus* 10) name Celer, a foreman over the wall building, as Remus's killer, which suggests a tradition more exculpatory of Romulus than Livy presents. Assuming that Livy also knew of this tradition, then he too could have named Celer and so absolved Romulus, yet he chooses to present Romulus as a fratricide, a choice that suggests that Livy is deliberately not being as morally easy on his readers as he could have been.

³² For the use of such a short and dramatic utterance in direct speech as the technique by which Livy brings an episode to its climax, see Ogilvie 1965: 20, 54, and Kraus 1994: 12–13.

³³ The decisiveness of Romulus's action seems consistent with Livy's depiction of Romulus's achievements generally, though Romulus's actions elsewhere in Livy's account come after a period of consideration and planning, whereas the killing of Remus described here appears to have been a spontaneous action in anger.

³⁴ So Ovid, *Fasti* 4.819–56, and see Bannon 1997: 160–61 for the likelihood of such a view in Ennius. Livy curiously (though see Levene 1993: 131) does not specifically mention the significance of the city's walls as marking a sacred boundary (the *pomerium*) until 1.44, where Servius is said to extend it outward. Dionysius (1.88.2) and Plutarch (*Romulus* 11) both attribute its delineation to Romulus, but only after Romulus's burial of Remus.

An additional point of difficulty for the reader concerns the relationship between the two versions.³⁵ Are the accounts of inconclusive auguries and interrupted wall building two entirely separate narratives of the circumstances of Remus's death, or does the second relate to the first in some way? One way of seeing continuity is to regard Romulus's chiding of his brother as a reflection of the evil desire for rule passed down through his family (the *malum avitum* of 1.6.4).³⁶ On this reading, Romulus's reference to his walls (*moenia mea*) at 1.7.2 would be presumptuous, the result of the fact that his desire for rule makes him willing to strike down his fraternal rival and so remove any claim of his brother's upon those walls. A different way of seeing continuity is to posit that the second version follows chronologically from the first, since the wall building would have begun only after the choice of founder had been made. Thus Romulus's claim that the walls are his suggests that his augury of twelve birds had been judged more favorable and so he had been granted due authority to build walls as the preferred founder of the city.³⁷ On this reading, Remus's mockery of his brother becomes a sign of his bitterness at that judgment, which would characterize him as a dangerous challenger to the new city whom Romulus would be justified in striking down.

Livy's choice to leave the connection between the two versions imprecise, therefore, further contributes to the difficulty of the reader seeking to evalu-

³⁵ I do not think Livy's description of the second version as the "more commonly known story" (*volgatior fama*, 1.7.2) has any significant effect on how the reader is to understand the relationship between the two versions, for the conclusion that whatever Livy regards as better (or less) known he also regards as more likely to be historically valid seems overly simplistic. It would too easily cause the dismissal (or the privileging) of the variant related in 1.16.4, for example, in which "a very obscure story" (*perobscura fama*) relates how Romulus was killed by members of his senate. Compare Miles 1995: 35, 148, and Bannon 1997: 165. Dionysius, by comparison, openly says that he finds the account of Remus's death in the quarrel over the auspices to be the most probable (1.87.4), and he says so before he even relates the account of Remus's death during the building of the walls (see Fox 1996: 56–57).

³⁶ See Miles 1995: 65–66 and 152–53. Konstan 1986: 206–10 analyzes how this "ancestral vice" plays out in Livy's narrative of Rome's subsequent kings. But if the reader regards the second version of Remus's death as completely independent of the first version, then it is not even clear whether the intervention of the *avitum malum* at 1.6.4 is meant to apply to both versions, or only to the first.

³⁷ So Ovid, *Fasti* 4.815–8. Dionysius 1.87.4 further explains that Remus deferred to Romulus, though reluctantly. Remus is less reluctant in Diodorus 8.5. Livy later has Romulus say, while praying to Jupiter, that he laid the first foundations of the city on the Palatine because Jupiter's birds had ordered it (*tuis iussus avibus*, 1.12.4), which is an indirect means of presenting Romulus's augury as a valid sign of the god's favor.

ate the two versions on his or her own. But this difficulty is grounded in the uncertain exemplarity of *both* versions: the first does not identify the agent of Remus's death, and the second does not clarify the justification for Romulus's act of anger. Hence Romulus may or may not have killed his brother, and Remus may or may not have deserved it. This incompleteness in Livy's account, which appears deliberate,³⁸ provides one of the most significant indicators that Livy is not simply whitewashing Romulus's legacy, and yet he is not condemning it, either. Since one cannot tell for sure what happened, all one can do is continue with the story. Hence Livy simply proceeds with the unadorned declaration that Rome was the city of Romulus alone (*ita solus potitus imperio Romulus*, 1.7.3). Rendering Remus's death as an incomplete and so ambiguous *exemplum* is a strategy that ultimately neither celebrates nor denounces Romulus,³⁹ and Livy's choice of this strategy thereby requires the reader to seek a more conclusive evaluation of Romulus's character and achievements from the subsequent account of his deeds as Rome's first king.⁴⁰

It is significant, therefore, that in the very next episode, Livy returns to a more clearly positive characterization of Romulus by asserting the involvement of fate in Romulus's divinity. This episode begins with the claim that Romulus's first acts after founding the city were the building of fortifications and the performance of the sacred rites (1.7.3). The pairing suggests that

³⁸ That Livy had more information at his disposal than he chose to include is suggested by the other, much fuller extant accounts of Remus's death (Ovid, *Fasti* 4.807–62, Diodorus 8.6, Dionysius 1.85–87, Plutarch, *Romulus* 9–10).

³⁹ Walsh, 1955 and 1961: 93–109, 151–53, shows how Livy elsewhere idealizes Roman leaders by omitting or softening material that involves unedifying conduct. Yet as Luce 1977: 151 notes, Livy smoothes away problems more than he sweeps away the truth; see Luce 1971: 278–79 on how Livy handles the Roman defeat at the Allia. Compare also Plutarch's mixed verdict on Romulus at *Comparison of Theseus and Romulus* 3–5.

⁴⁰ Contrast Miles 1995: 35 (see also 65–66 and 148): "But whatever logical analysis may suggest, the second version of Remus's death . . . is clearly the more memorable. Even though there is no apparent basis for favoring it, it is in fact privileged over the first alternative: it is longer, more dramatic, more detailed, more vivid, more troubling in its implications, and so more likely to engage the reader's attention. . . . Livy has again favored one traditional variant over another without any decisive basis for judging their relative facticity." Miles thus admits that "there is no apparent basis for favoring" the second version, but declares it favored. Determining which version is more memorable, however, is to my mind an insufficient criterion for assessing which is more favored, since that would tend to make whatever was more sensational more historical. Nor can the second version be said to be longer or more detailed except at the specific moment of Remus's death, for the account of the dispute over the auguries is notably longer than the one sentence describing the fratricide during the wall building.

Romulus understands the value of a close connection between his own efforts to protect the city and his invocation of the gods' assistance in protecting it. The performance of the rites also presents Livy the opportunity to note that the only foreign rites Romulus adopted were the Greek rites for Hercules, and then the historian digresses for well over a page to tell the story of Hercules' killing of the ferocious and greedy Cacus and the subsequent dedication of the Ara Maxima (1.7.4–14). Livy concludes the digression by returning to his point that the rites for Hercules were the only foreign rites Romulus adopted, and the reason for this special treatment was that Romulus was “even then a promoter of the immortality produced by virtue to which his own fates were leading him” (*iam tum immortalitatis virtute partae ad quam eum sua fata ducebant fautor*, 1.7.15). The claim is arresting and significant: Livy is characterizing Romulus as another Hercules, fated to achieve divinity through his labors. Livy thereby reasserts his belief, first expressed at 1.4.1, that fate is responsible for Rome's greatness, but he here specifically presents fate as the guide of Romulus, and so the guarantor of Romulus's immortality on account of his virtue.⁴¹

Such a claim, coming as it does as an unnecessary aside from Livy himself, attributes a stature to Livy's Romulus that overshadows the ambiguities and the inconclusiveness of the previous episode. It restores the reader's confidence in Romulus by reminding the reader of Livy's perspective that something greater than circumstance is responsible for Romulus's position in history. Thus even when Livy's narrative shows his reader that Romulus's moral legacy is not to be a simple one, for fate is leading him to power at the cost of the blood of others, Romulus can still be celebrated as a man whose deeds were so significant that he received immortality as his due reward. The moral questions regarding Romulus's possible culpability for the death of his brother are thereby acknowledged in Livy's vision of Roman power, yet the reader is shown that Remus's death does not hinder Livy's assertion that Romulus's deeds were founded in virtue and worthy of immortality. The linking of Romulus to Hercules forms a strategic response to the previous episode, and the structuring of the two episodes demonstrates Livy's ability to endorse Romulus in the most significant terms without exonerating his actions.⁴²

⁴¹ That *immortalitas* here is to be understood as the eternal life of a divinity and not merely eternal fame in the eyes of humankind is confirmed by Livy's contextualization of the Hercules digression amidst Romulus's performance of the sacred rites (*sacra*) for Hercules and the other gods (*dis aliis*, 1.7.3).

⁴² For other perspectives on the placement and significance of the Hercules digression, see Burck 1964: 141–42, Penella 1990: 211, Fox 1996: 101–4, and Bannon 1997:

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Having thus narrated Rome's foundation, Livy turns to Romulus's achievements in establishing his city in peace. Romulus gives the city its first laws (1.8.1), and he founds the practice of having twelve lictors attend the chief magistrate (1.8.2). Livy explicitly says that Romulus appointed the lictors because he thought that these trappings of authority would cause the laws to become revered among his community of rustics (*quae ita sancta generi hominum agresti fore ratus*, 1.8.2), and this characterization of Romulus as supportive of the rule of law and the formal apparatus of the state indicates Livy's rejection of the historical tradition that saw in Rome's first king the origins of Roman despotism.⁴³ A highly significant further step against despotism is taken when Romulus creates a senate: since he is confident in the strength of the city, he provides a body to advise that strength (*cum iam virium haud paeniteret consilium deinde viribus parat*, 1.8.7). The implied lesson is that deliberation is rightly to be paired with strength, and that Romulus is to be emulated in his desire to govern by law as well as by force.⁴⁴

Romulus also broadcasts an unrestricted offer of asylum in order to increase his city's citizenry. Livy's characterization of Romulus's offer is particularly revealing because of its admission of the limitations of an exclusively moral perspective in the creation of a city. He frankly acknowledges that Romulus offered asylum following the old policy of city-founders, who falsely pretend that their population has been born from the earth (*vetere consilio condentium urbes, qui obscuram atque humilem conciendo ad se multitudinem natam a terra sibi prolem ementiebantur*, 1.8.5). Misrepresentation is thus presented as inherent to the very process by which a city's first citizens become citizens, and Livy is not being critical of these dissimulating city-founders, but simply characterizing them as doing what city-founders do in order to establish the population of their cities. The necessity that a city survive its earliest years inherently justifies a certain amount of pretense in securing that survival.

166. Sailor 2006: 34 imputes more cynical motivations: "Romulus had cultivated the divinity of Hercules, his predecessor in deification, with the evident aim of securing his own divinity."

⁴³ Similarly, in the next chapter, Livy includes the detail that when Romulus sent embassies to obtain intermarriage rights for the Romans, he did so according to the advice of his senate (*ex consilio patrum*, 1.9.2). Dionysius 2.3, by comparison, has Romulus deliver a speech in which he denies any royal ambition and offers to submit to whatever government the people desire.

⁴⁴ For Livy's pairing of *consilium* with *vires*, see Moore 1989: 107–8 and Penella 1990: 208–9.

Likewise, Livy well knows that the great crowd of new citizens that resulted from Romulus's offer of asylum consisted mostly of former slaves, vagabonds, and runaways all looking for a fresh start (1.8.5–6), yet he also describes them as the first bit of strength at the beginning of Rome's greatness (*primum ad coeptam magnitudinem roboris*, 1.8.6). It is with the same perspective that Livy then turns from Romulus's procuring of the male population of his city to his procuring of the female population.⁴⁵

Livy's account of how Romulus overcame Rome's lack of women, a lack that meant that the greatness of the city would not last more than one generation (1.9.1), begins by describing how the insulting responses to Romulus's diplomatic efforts to obtain intermarriage rights led him to pursue other means to secure Rome's future greatness. Rome's ambassadors were met with scorn and fear, and sent away with the suggestion that the Romans should also offer asylum to women, since that would be the only way they would achieve rights of intermarriage with their equals (*id enim demum compar conubium fore*, 1.9.5). This suggestion that Rome's founding mothers come from the same social conditions as Rome's founding fathers causes grave offense and so spurs Romulus to action (1.9.6):

Aegre id Romana pubes passa et haud dubie ad vim spectare res coepit. Cui tempus locumque aptum ut daret Romulus aegritudinem animi dissimulans ludos ex industria parat Neptuno equestri sollemnes.

The Roman youth bore this with distress, and there was little doubt that the situation was beginning to look to force. In order to provide a fitting time and place for such force, Romulus, dissimulating the distress in his heart, purposely develops a religious festival in honor of Neptune, god of the horse.

The language of the first sentence is notably impersonal, as if the situation itself (*res*) is dictating events.⁴⁶ Yet the second sentence, linked to the first by a connecting relative (*cui*) within a purpose clause that binds the two sentences in a cause and effect relationship, awards Romulus sole credit for formulating the Roman response and creates the impression that at a widely felt moment of distress (*aegre*) within the Roman community, Romulus was able to disguise his own distress (*aegritudinem*) and so start the community

⁴⁵ Livy separates Romulus's offer of asylum and his abduction of women only by three short sentences on his creation of a senate (1.8.7). For the logic of this ordering, see Brown 1995: 292–93; for the emphasis on Rome's destiny of growth, see Fox 1996: 106–9. For comparisons of Livy's account to the other extant accounts of the abduction, see Ogilvie 1965: 64–67, 76, Wiseman 1983, Miles 1995: 179–219, Brown 1995.

⁴⁶ Compare the climax of the first version of the death of Remus (1.7.2).

on the path to recovery. This introduction to Romulus's retaliation is crucial for the narrative of the entire extended episode to follow, for it reveals Livy's strategy of explaining how Romulus was justified in enacting a plan to use violence and deception to secure Rome's needs. Because Romulus followed diplomatic protocol, and made it known that the Romans' own virtue and the support of the gods would lead their city from humble beginnings to greatness (1.9.3–4),⁴⁷ it seems the onus of establishing intermarriage rights falls on the neighboring cities, and the rude refusal of such a formal request from such a promising city is presented as tantamount to injustice.⁴⁸

Livy's account openly presents Romulus's response as intended (*ex industria*, 1.9.6) to deceive his neighbors, and the whole Roman community is complicit. The festival is widely advertised (1.9.7), and the attendees are given a tour of the city and even hospitably received into individuals' homes (1.9.9). A spectacle is staged to distract the visitors and group them in one place, and at the height of the spectacle, coordinated violence erupts (*ex composito orta vis*) at a predetermined signal (*signo dato*), and the young men of Rome run in to abduct the young women (*ad rapiendas virgines*, 1.9.10). The openness with which the Romans' deceitful actions are described is consistent with Livy's presentation of them as justified, for, as the plot against Amulius demonstrated, deception is acceptable when it is the necessary means to respond to an injustice. Up to this point, therefore, Livy's account of the Romans' abduction of their neighbors' daughters can be seen as morally justifiable, and in fact Romulus's exemplary status is notably enhanced, since he is personally credited with the inspiration that led to Rome's successful acquisition of what it most needed to survive as a city: marriageable women of respectable status.

⁴⁷ Livy's claim of Romulus's fated immortality at 1.7.15, combined with his statement at 1.4.1 that the fates were responsible for leading Rome to empire, would bolster his readers' acceptance of this argument. Luce 1977: 284–86 notes how Livy's *History* is very Rome-centered, and how at times this perspective “blunts his moral sensibilities in a most disturbing way” (284). See Moore 1989: 157–59 for how Livy's pro-Roman bias affects his moral vocabulary. Oakley 1997: 96–97 finds this pro-Roman bias thoroughly established in the annalistic tradition.

⁴⁸ Ovid has Mars himself present this perspective at *Fasti* 3.179–200 (on which see Miles 1995: 198), but this perspective is by no means consistent within Ovid's corpus: see Herbert-Brown 1994: 49–62 and Murgatroyd 2005: 255–58. Dionysius (2.30.2–3) also reports that Romulus developed the abduction plot because Rome's neighbors would not intermarry, but neither he nor Plutarch includes the rude rejoinder that Livy presents as the particular goad to action, thereby lessening the justification for the abduction. In fact, both Dionysius (2.31.1) and Plutarch (*Romulus* 14.1–2) endorse the idea that Romulus wanted to provoke a war that would bring his neighbors into alliance with his city.

The perspective of Livy's narrative then shifts from that of the Romans to that of the abducted women and their parents, however, and through this shift Livy complicates the reader's understanding of the morality of the abduction, for a focalization from the perspective of the women and their parents allows for a challenge to the propriety of the abduction on different grounds from those on which the Romans' motivations were presented (1.9.13–14):⁴⁹

maesti parentes virginum profugiunt, incusantes violatum hospitii foedus deumque invocantes cuius ad sollemne ludosque per fas ac fidem decepti venissent. Nec raptis aut spes de se melior aut indignatio est minor.

the women's parents flee in sorrow, making the accusation that the pact of hospitality was violated and calling upon the god to whose festival and games they had come and been deceived contrary to right and good faith. Nor did the abducted women hold out any better hope concerning themselves, or any less indignation.

Indignation has been aroused not simply because the Romans abducted the women against their will, but because the Romans used the implicit protections of Neptune to lure them into the trap. The charge is highlighted by the fact that Livy earlier included the detail that the women and their families were received hospitably into individuals' homes (*invitati hospitaliter per domos*, 1.9.9) before they were abducted. Such a reception, particularly since Livy explicitly describes it as having been done *hospitaliter*, implies the creation of a formal relationship of host and guest, the violation of which is subject to divine punishment. Though Jupiter is especially regarded as the primary protector of *hospitium*, other gods can be as well, and the parents of the abducted women here call upon Neptune since it was under the auspices of his festival that they were deceived.⁵⁰ Thus even though Livy has already shown the reader that the Romans' actions are justifiable, the parents of the

⁴⁹ For Livy's practice of including material critical of Rome by attributing it to Rome's opponents, see Walsh 1961: 84–85 and Luce 1977: 287. Chaplin 2000: 70–72 concludes that such different perspectives on the same event reveal Livy's awareness of the malleability of *exempla*, though "Romans are superior students of the past" (77).

⁵⁰ Bolchazy 1977 documents the different types of *hospitium* in the Roman world, and stresses its importance in Livy's narrative and in Livy's characterization of the Romans (see esp. 57–64). He categorizes the present example as that of the "*ius hospitii*, *ius dei*" variety (see 10–11, 25–27), namely the belief that it was a "god's will that strangers be received and treated hospitably" (10). See Bolchazy 1977: 27–31 for the contractual nature of hospitality, both ethical and religious, and hence the sanctions for violating it. For Jupiter (as Iuppiter Hospitalis, analogous to Zeus Xenios) as the chief but not exclusive protector of the *ius hospitii*, see Bolchazy 1977: 10–11, 26.

abducted women seem to have a case, too. Hence this shift to the parents' perspective permits the Roman reader to recognize, and even urges that reader to acknowledge, that even though the Romans may have been justified in responding to their mistreatment by the women's fathers, the manner in which the Romans responded raises some moral questions that require further answers. Livy's account appears carefully designed to provide those answers, but it is highly significant that Livy's structuring of this episode introduces the need to meet these moral doubts rather than simply asserting the validity of the Romans' actions.⁵¹

First, the indignation of the immediate audience of the abducted women has to be dissolved, for as long as the women feel improperly treated, then the goal of securing wives appropriate for Rome has not yet been met. Since the whole purpose of the abduction, as Livy introduced it, was for the Romans to marry women of status and not the sort of women that an offer of asylum would attract, any serious mistreatment of the women before marriage would have compromised the undertaking.⁵² Hence Livy describes them as abducted (*raptae*), but he does not portray them as raped,⁵³ and he presents

⁵¹ Solodow 1979: 258: "Livy's narrative, that is to say, contains within itself both a moral problem and an *awareness* of the problem, an awareness that is transferred from the characters in the story to the reader." Miles 1995: 217–19 goes further in this direction; compare Chaplin 2000: 50–53. As Bolchazy 1977: 58 points out, the focus on *hospitium* seems particularly Livian, given that neither Dionysius nor Plutarch (nor any of the Augustan poets) includes the charge of violated hospitality. Dionysius 2.30.3 even describes Romulus securing the favor of the god whose festival he is about to establish (Consus/Poseidon; on whom see further 2.31.2–3, Plutarch, *Romulus* 14.3, and Ogilvie 1965: 66–7) *before* he acts. Livy stresses the charge of violated hospitality again when he has the Sabine Mettius Curtius characterize the Romans as "treacherous hosts and unwarlike enemies" (*perfidus hospites, imbelles hostes*, 1.12.8).

⁵² Though he characterizes Romulus's plan as somewhat crude (*subagreste*), Cicero also specifically notes that the women were from reputable families (*Sabinas honesto ortas loco virgines*, *De Re Publica* 2.12). He then says only that Romulus ordered them to be seized (*rapi iussit*) and married them to appropriate husbands, and so does not address how they were treated or what their perspective on these events was (see further Miles 1995: 196–97).

⁵³ Vandiver 1999: 209–13 demonstrates this point well, especially in contrast to what is clearly the rape of Lucretia near the end of Book 1 (for her discussion of the sense of *rapere*, especially compared to *stuprum*, see 223–44nn15–16). Dionysius 2.30.4 has Romulus bid his men to guard the women's virginity, and Plutarch also judges Romulus to have instigated the abduction with honorable intentions (*Comparison of Theseus and Romulus*, 6.2–3), but other accounts do not maintain the Romans' integrity so carefully. Ovid's *Ars Amatoria*, for example, has the Romans putting their

the Romans' sexual desire as subordinated to their desire to secure wives.⁵⁴ It is through persuasion that Romulus and the prospective husbands seek to meet both the indignation and the hopes of the women: "Romulus himself went around and explained that this had happened because of the arrogance of their fathers, who had denied intermarriage rights to their neighbors" (*ipse Romulus circumibat docebatque patrum id superbia factum qui conubium finitimis negassent*, 1.9.14).⁵⁵ This explanation makes explicit that the fathers were the intended targets of the abduction and not their daughters, to whom he then offers Roman citizenship as formally married women with full partnerships in all the fortunes of their households and in the raising of their children (1.9.14). The prospective husbands then add their own charms and justify (*purgantium*) the deed by professing their desire and love (1.9.16). Livy's choice to describe the prospective husbands as justifying themselves reminds the reader that their actions were felt to require justification, but Livy then explicitly reports that the persuasion is effective. The women are greatly appeased (*iam admodum mitigati animi raptis erant*, 1.10.1), and so one significant obstacle to the success of Romulus's plan is removed. The women find acceptable the very rationale for their abduction that the earlier part of Livy's account set forth, which helps to confirm for the reader the moral validity of the Romans' action, for if the justification for the abduction is accepted by the abducted women themselves, then it becomes easier for

"desirous hands" (*cupidas manus*, 1.116) upon the women (note also their jumble of emotions at 1.109–110), and the whole episode (1.101–134) concludes by projecting an exemplarity that is very different from Livy's. Propertius 2.6.19–22 claims that Romulus, the author of the crime (*criminis auctor*) against the Sabine women, is the one responsible for Amor's current brazen audacity at Rome. Virgil also implies foul play in his description of the seizure as *sine more* (*Aeneid*, 8.635). Livy's avoidance of any sexual dishonor thus appears deliberate, replaced by his focus on violated hospitality.

⁵⁴ Thus the potential husbands do profess desire (*cupiditate*) and love (*amore*) at 1.9.16, and certain women are singled out for leading senators because of their attractiveness (*quasdam forma excellentes, primoribus patrum destinatas*, 1.9.11), but these emotions are not what Livy presents as determining the course of events, and they are only acknowledged after the abduction has been accomplished.

⁵⁵ Since Livy speaks of some women being carried directly to individual homes (1.9.11), the sense of Romulus going around (*circumibat*) and speaking to the women is perhaps literal, and we should imagine that Romulus gave his speech on several occasions in succession. Note also the definite characterization of Romulus himself as the leader of the whole plot: he himself goes to the women and does the talking, while the hopeful husbands wait in the wings. Thus the reader sees that Romulus is a skilled orator as well as a strong leader, a further addition to the list of his exemplary qualities.

the reader to accept it as well. The women can now be regarded as accepting brides and involved citizens.⁵⁶

Now the charge of violated hospitality needs to be countered, else Romulus will appear guilty of giving the gods cause for anger. When this charge leads to armed conflict, for the women's fathers actively stir up their communities against Rome (1.10.1), the first city to respond, too impatient to wait for the support of anyone else, is that of Caenina (1.10.2–3). In the ensuing battle, the first in which Livy describes Romulus fighting on behalf of Rome, Livy presents Romulus as teaching the Caeninenses that anger without strength is empty (*docet vanam sine viribus iram esse*, 1.10.4). What the Caeninenses needed to learn, and hence what Livy's audience of readers can learn as well,⁵⁷ is that anger over an injustice (e.g., violated hospitality) has no effect on the course of history unless it is backed up with strength. Preparations must be made in concert and without rashness, for righteous indignation alone does not determine justice. That is not to say that strength is the only arbiter of justice, for Livy has already elaborated the justice of the Romans' position, but that a justification backed by strength overcomes anger without strength, for power combines with justice as a shaping force of history. Romulus has understood this lesson from the very foundation of his city, hence he can teach it to others.

In the battle, Romulus himself kills the king of the Caeninenses and strips him of his armor. He then ascends the Capitoline bearing these *spolia opima* as a trophy and vows the first of Rome's temples (1.10.4–7). Livy describes Romulus's motivation in founding this temple as the result of the fact that he was as magnificent in his deeds as he was in his desire to remind people of them (*cum factis vir magnificus tum factorum ostentator haud minor*, 1.10.5), and he includes in Romulus's speech of dedication to Jupiter, whom he hails as Jupiter Feretrius, that all future commanders who earn the *spolia opima* are to follow his example and offer them to the god (1.10.6). The exemplary position of Romulus in this episode is prominent, and when Livy proceeds to explain how the *spolia opima* have been obtained only twice in all the years and all the wars between the time of Romulus and that of Livy (1.10.7), then

⁵⁶ Miles 1995: 181 notes that Livy does not actually describe the wedding ceremony, but that the speech of the Sabine women at 1.13.3, with its references to *adfinitas* and *conubium*, confirms his assumption of it.

⁵⁷ Chaplin 2000: 50–53, 70–72 addresses the means by which Livy employs *exempla* for audiences both inside and outside the narrative. Romulus has also just been said to have taught (*docebat*) the abducted women why their fathers were the ones responsible for their abduction (1.9.14).

Romulus's desire to promote his own deeds is validated by the truly extraordinary excellence of his achievement. Thus the first attempt to avenge the violated hospitality of the abduction leads to Romulus's most memorable military act and the dedication of Rome's first temple. Jupiter's acceptance of this temple sanctions Romulus's victory, and thereby powerfully answers the charge of the abducted women's parents that the Romans had abused the good faith of *hospitium* and so deserved divine punishment.⁵⁸

The battlefield now continues to be Romulus's proving ground, and Livy continues to intertwine Romulus's military leadership and his divine sanction. The Romans next defeat the Antemnates and the Crustumini (1.11.1–3), yet Romulus is not presented as vindictive, for when his wife Hersilia approaches him with a request from the abducted women, namely that he forgive their parents and offer them citizenship—for “in this way the state could unite through concord” (*ita rem coalescere concordia posse*)—Romulus readily grants the request (1.11.2).⁵⁹ The biggest military challenge still remains, however, for the Sabines to get possession of the citadel and test the Romans to a degree that Livy has not presented anyone doing before (1.11.5–1.12.10). As the Sabines are routing the Romans across what would become the Forum to the gate of the Palatine, Romulus calls upon Jupiter to stay the flight of his men, and he vows a temple to Jupiter Stator as “a monument to posterity that by your present aid the city was preserved” (*quod monumentum sit posteris tua praesenti ope servatam urbem esse*, 1.12.6).⁶⁰ Such recognition of both the need for divine aid and the value of vowing a temple to commemorate that aid accentuates the characterization of Romulus as a pious warrior. The context of Romulus's prayer is also fashioned to demonstrate his ability to lead in the midst of battle. After he finishes his prayer, he turns to his men

⁵⁸ Neptune's lack of intervention can be taken as his acceptance of, or at least his acquiescence to, Jupiter's endorsement of the Romans' actions.

⁵⁹ On Hersilia and the difficulties of understanding her story, see Ogilvie 1965: 73–74 and Wiseman 1983. The fact that the abducted women are given the ultimate credit for the idea (compare Dionysius 2.35 and 45) shows how they are presented as already seeking to bring peace and greater strength to Rome, suggesting the degree to which they have accepted their new role as Rome's founding mothers (see Vandiver 1999: 213–15). Moreover, Romulus's recognition of the value of *concordia* should be regarded as another positive aspect of his leadership, especially significant in a warrior-king (see Brown 1995: 302–3).

⁶⁰ The vow is in fact only partially fulfilled, as Livy reports at 10.37.15 that the site had been sanctified, but the temple itself was not built until it had been vowed a second time (at 10.36.11, in 296 B.C.E.). Jaeger 1997: 30–56 reads this episode with a focus on the *monumenta* within it.

and, “just as though he had perceived that his prayer had been heard,” declares that Jupiter orders them to end their flight and to fight again. The Romans, “as if ordered by a heavenly voice,” do just that, with Romulus fighting among the foremost (1.12.7),⁶¹ and the Sabines are pushed back to the middle of the valley between the two hills (1.12.10). Livy does not have Romulus wait for explicit confirmation of his prayer, but presents him as immediately seeking to transform his confidence in his prayer into the result desired by it, thereby proving its efficacy and creating the impression that Jupiter does indeed support his cause. The historian does not claim to know if Jupiter did in fact hear Romulus’s prayer, but Livy’s shaping of the story links Romulus’s piety to his successful action, for Romulus’s claim that Jupiter heard him leads to the Romans’ resurgence.⁶² The reader is left to conclude that the aid of the divine is a vital element in human achievement, and that the presentation of an awareness of the gods’ power at all times informs effective leadership.

The Romans are just gaining the superior position (1.12.10) when the daughters of the Sabines dramatically separate the two armies with the result that a joint monarchy is established over a Roman population doubled in size (1.13.1–6). The intervention of the Sabine women brings to a perfect conclusion the greatest series of events in Livy’s narrative of Romulus’s life. His daring response to his neighbors’ insulting depiction of his city’s virtue is not only justified in its own right, but it also results in a series of outcomes that

⁶¹ 1.12.7: *Haec precatus, veluti si sensisset auditas preces, ‘Hinc,’ inquit, ‘Romani, Iupiter optimus maximus resistere atque iterare pugnam iubet.’ Restitere Romani tamquam caelesti voce iussi: ipse ad primores Romulus provolat.* The force of the *tamquam* is ambiguous. Is the reader to understand *tamquam iussi*, “as if ordered,” i.e., as if ordered by Jupiter? Or is the reader to understand *tamquam caelesti voce*, “ordered by his voice, as if divine,” i.e., as if the divine voice is actually Romulus’s? I find it more likely that the episode would emphasize Romulus’s piety toward Jupiter rather than the soldiers’ piety toward Romulus, but perhaps we should imagine Jupiter speaking through the voice of Romulus, so that the men are right to regard the command as divine, while Romulus is clearly marked out as favored by the god. See Davies 2004: 58–61 for the argument that Livy’s use of *velut* in episodes such as this marks only “the necessary distance between evidence and deduction” (60).

⁶² Feldherr 1998: 51–81 explores the “interdependency between power and truth” (55) when a holder of *imperium* interprets *auspicium*. His conclusion concerning Livy’s narrative of the Battle of Aquilonia (10.38–41) also neatly summarizes Livy’s depiction of Romulus, both in this battle against the Sabines and throughout: “Livy’s account . . . provides almost a catalogue of the techniques of a successful Roman commander, inspirational rhetoric, scrupulous piety, and clever strategy, and relates them all to an underlying capacity to construct credible and effective representations” (63).

further vindicate his plan for the reader. Not only does his city gain the wives it so desperately needs, but those wives then demonstrate their commitment to Rome and turn a difficult war into a productive peace. Moreover, Neptune does not punish Romulus or his city for misusing his rites, but Romulus attains great victories and the city is augmented by the vowing of its first two temples. Romulus's piety toward the gods proves greater than that of his enemies, and his success proves that anger without strength is empty. What first provoked indignation in the abducted women and their parents—and perhaps also in Livy's readers—is turned by the larger shape of Livy's narrative into an act that so contributes to the growth of the city that it is to be regarded as among the greatest of Romulus's exemplary achievements.⁶³

A further episode in which criticism of Romulus is perceptible but answered within the text is Livy's description of Romulus's reaction to the murder of Titus Tatius (1.14.1–3), the Sabine king with whom Romulus ruled jointly after the intervention of the Sabine women. Livy reports that Romulus was thought to have borne Tatius's death with less difficulty than was worthy of him (*eam rem minus aegre quam dignum erat tulisse Romulum ferunt*, 1.14.3), and he offers two reasons for this reaction. The first is an unfaithful partnership of royal power, the second is Romulus's belief that Tatius was killed justly (*seu ob infidam societatem regni seu quia haud iniuria caesum credebatur*, 1.14.3). The first reason, if accepted, would imply that Romulus so relished sole power that he too openly enjoyed being restored to such power, but this reason is rebutted through its context. Not only is it openly denied that there was any lack of harmony between the two kings (*non modo commune sed concors etiam regnum duobus regibus fuit*, 1.13.8), but the sentence in which criticism for Romulus is expressed is surrounded with a narrative that leads the reader to challenge that criticism. Livy begins the episode by explaining that Tatius's kinsmen mistreated some ambassadors of the Laurentes, and when the Laurentes took legal action by the right of nations (*iure gentium*), Tatius gave the influence of his kinsmen more weight than the Laurentes' claims (1.14.1). "Therefore he turned their punishment onto himself" (*igitur illorum poenam in se vertit*, 1.14.2), and he was surrounded and killed while in Lavinium for a sacrifice.⁶⁴ The clear indication that punishment was due

⁶³ Ogilvie 1965: 65 comments: "There is no apologetic tone in [Livy]. For him it is a noble and inspiring story in keeping with the importance and size of Rome. Where the scale is noble, the events cannot be unworthy." For the importance of motive and outcome in assessing the deed, note also Dionysius 2.32.1.

⁶⁴ With Luce 1971: 273, compare the actions of the Fabian ambassadors *contra ius gentium* at 5.36.6, and how Livy turns their guilt into a contributing cause for the Roman defeat at the Allia.

for the mistreatment of the ambassadors, but that Tatius had failed to act, brings the reader to understand how Tatius's death is the result of his own irresponsible decision. Thus when it is only now explained that the possible reasons for Romulus's lack of grief over Tatius's death were either that Romulus preferred sole power or that Tatius had been killed justly, the reader has already been guided to validate the second reason, and if Tatius's death was justifiable, then it is acceptable that Romulus was not demonstrably concerned about it. Again we find that the manner in which the account has been constructed acknowledges but ultimately resolves a moral ambiguity in favor of Romulus's choice of action.⁶⁵

Moreover, Romulus's response to the death of Tatius is not to pursue war, but to renew the pact between the cities of Rome and Lavinium so that he might expiate both the injuries to the legates and the killing of Tatius (*ut tamen expiarentur legatorum iniuriae regisque caedes*, 1.14.3). The pairing of the two misdeeds places them on equal footing, and their combined expiation seals the impression that one was in retaliation for the other, but that now, with the gods' approval, the cycle of violence should end. These acts of Romulus lead to an unexpected peace (*insperata pax*, 1.14.4) that also turns out to be advantageous because the Fidenates at that very moment begin a campaign against the Romans. A war to avenge Tatius would not have been in the city's best interests at that time, and once more we find that the end result of Romulus's judgment supports the reasons that Livy's account offers for why that judgment was exemplary.⁶⁶

The final two episodes in the account of Romulus's deeds enforce what is his most fundamental exemplary lesson, namely that one should be powerful in war. One should display leadership in battle, and one should combine strat-

⁶⁵ The much longer account of Dionysius 2.51–2, by comparison, not only does not contain any criticism of Romulus, but clearly validates his actions against those of Tatius (e.g., 2.52.1). Plutarch's account (*Romulus* 23.1–4, and note 24.1–2) is more similar to Livy's, for it explains why Romulus's lack of concern over Tatius's death seemed suspicious to some, but then undermines that suspicion.

⁶⁶ For a different view, see Miles 1995: 203–11. Brown 1995: 318 undermines his larger argument through his willingness to accept the validity of Livy's reference to an *infida societas* between Romulus and Tatius without considering the way in which Livy presents it as only one alternative, and indeed an alternative that directly contradicts the *concordia* asserted in 1.13.8. If Brown is right that Livy has organized chapters 9–13 as a parable that climaxes with that *concordia*, an argument I find compelling, then I believe the reader who perceives the significance of that climax would be even more likely to reject the implication of an *infida societas* in favor of Livy's endorsement of the second alternative, Romulus's recognition of the justice of Tatius's death.

egy with strength in the pursuit of victory. These lessons emerge consistently, but they are neatly confirmed in these last two episodes, campaigns against the Fidenates (1.14.4–11) and the Veientes (1.15.1–5). Romulus responds decisively in both cases, but with different methods. He sets an ambush for the Fidenates, and the manner in which they are drawn into it (1.14.7–8), as well as the implementation of the attack that occurs at the moment they reach the site of the ambush (1.14.9), reflect well on the Roman commander. Romulus then defeats the Veientes in a set battle because of the strength of his veteran army; on this occasion force was not aided by strategy (*ibi viribus nulla arte adiutis, tantum veterani robore exercitus rex Romanus vicit*, 1.15.4). The two episodes together concisely demonstrate how Romulus's success as a military leader is presented by Livy as the product of both strength and strategy, as informed by his own judgment about when to use each.⁶⁷

ESTABLISHING ROME IN STRENGTH (1.15.6–16.8)

It is only after Romulus's exemplary qualities have been demonstrated through the account of his deeds that Livy makes his own judgment explicit (1.15.6–7):⁶⁸

Haec ferme Romulo regnante domi militiaeque gesta, quorum nihil absonum fidei divinae originis divinitatisque post mortem creditae fuit, non animus in regno avito recipiendo, non condendae urbis consilium, non bello ac pace firmandae. Ab illo enim profecto viribus datis tantum valuit ut in quadraginta deinde annos tutam pacem haberet.

These were the significant things done at home and abroad by Romulus during his reign, none of which was inconsistent with the belief in his divine origin and in the divinity credited to him after his death—neither his spirit in recovering his grandfather's kingdom, nor his plan for founding the city and establishing it in war and peace. It was from him, truly, that the strength was given to make the city so healthy that it experienced a secure peace for the next forty years.

Livy's method of praising Romulus's achievements and legacy is to comment that Romulus displayed spirit, planning, and especially strength on such a scale that he makes historically credible the belief in his divinity that accrued to him after his death. Livy does not say whether he himself believes in Romulus's

⁶⁷ Ogilvie 1965: 81 notes that these two battle descriptions are conventional in ancient historiography and he finds Livy's narration of them to be flat and without embellishment. Neither their flat style nor their stock elements, however, reduce their clear value as examples of military leadership to be imitated.

⁶⁸ For Livy's practice in making such summary remarks, see Walsh 1961: 85, who notes Seneca, *Suasoriae* 6.21. Compare Dionysius's endorsement of Romulus at 2.18.

divinity, but he gives the reader ample reason to do so, for he does not disguise his own judgment that Rome's lasting strength after Romulus's reign is the consideration that best determines his legacy.⁶⁹ As in *pref.* 7, Livy exhibits the inherent connection between Rome's strength and the belief in Romulus's divinity, for such a successful legacy as Romulus's surely had divine sanction. Thus even though all Livy says is that he has no reason to deny Romulus's divinity, he still endorses the idea that the achievements of Romulus are so transcendent that they can suggest a destiny greater than human,⁷⁰ as he already intimated through his linking of Romulus to Hercules at 1.7.15.

This placement of Livy's implicit endorsement of Romulus's divinity also affects the perspective with which the reader comes to the final scene of the account, the circumstances surrounding the end of Romulus's mortal life. Romulus is reviewing the army when suddenly a storm arises, hiding him from view, and the senators standing next to him say that he was taken on high (1.16.1–2). Livy does not himself claim that Romulus underwent an apotheosis (just as he himself never claims that Romulus's father was divine), but only that the senators who were nearest to him at the time said so, and that the soldiers, after recovering from the shock of losing Romulus, believed the senators well enough (*satis credebat*, 1.16.2). Then by a few, but ultimately by all, Romulus is hailed as “a god born from a god, the king and parent of the city of Rome” (*deum deo natum, regem parentemque urbis Romanae*, 1.16.3),⁷¹ and he is entreated always to protect his Roman offspring. Such a scene seems a worthy end for the man whose deeds Livy has just praised as not inconsistent with divinity, and Livy could well have ended his account of Romulus with this patriotic finale.

But once again the reader finds that Livy's account is not so morally simple, for just as we saw regarding the death of Remus, Livy now provides a second version of these events that complicates the reader's understanding of the first version (1.16.4):

Fuisse credo tum quoque aliquos qui discerptum regem patrum manibus taciti arguerent; manavit enim haec quoque sed perobscura fama; illam alteram admiratio viri et pavor praesens nobilitavit.

⁶⁹ See Penella 1990: 208–10. The forty years of peace that followed Romulus's death roughly correspond to the reign of Rome's second king, Numa Pompilius (see 1.21.6).

⁷⁰ Contrast Sailor 2006: 352: “refusal to confirm is itself to take a skeptical position (otherwise, why *not* confirm?) while refusal to deny is not at all to take a position of belief.”

⁷¹ On the significance of this series of titles, see Miles 1995: 123, though note also 139–141.

I believe that even then there were those who silently charged that the king had been torn to pieces at the hands of the senators, for this story, though very obscure, has also leaked down; admiration for the man and the state of fear at the time have increased the renown of the other story.

Though Livy acknowledges that only a minority accepted this second version, and were very quiet (*taciti*) about doing so, nevertheless the very fact that Livy chose to include it does not allow the reader to accept with complacency the honorific tradition of Romulus's apotheosis, but rather challenges that reader to confront and think through the possibility that Romulus suffered violence at the hands of his own citizens.⁷² The reader might then pay particular attention to Livy's comment at 1.15.8, immediately following his explicit endorsement of Romulus in 1.15.6–7, that Romulus was more pleasing (*gratior*) to the multitude than to the senators, and especially well received by the soldiers, from whom he had formed his bodyguard. Since a bodyguard is a potentially ominous indicator of a despotic ambition, its maintenance not only in war but also in peace (*non in bello solum sed etiam in pace*, 1.15.8) is the sort of act that would cause the senators to find fault with Romulus while the soldiers found honor. Hence perhaps the senators did feel they had cause to kill their king, and so Romulus did not experience apotheosis, but violent betrayal.⁷³

Significant questions therefore face the reader studying Livy's two versions of Romulus's end for its exemplary value. Did Romulus become a god? More importantly, did he deserve to be? Was he a leader whose achievements

⁷² As with the "more commonly known story" (*volgatior fama*) of Remus's death at 1.7.2 above, the popularity of a story should not inherently affect its credibility, for that would undermine the task of the historian in researching what happened. The validity of competing versions is to be assessed by contextualizing them, and it is the reader's job to examine how the historian has done so (see Damon 1997 for a revealing test case). Fox 1996: 110–12 stresses that Livy attributes the second version to contemporaries at the time (*tum*, 1.16.4), "a good example of how a particular conception of political activity can be used to create historicity" (110); compare Cicero, *De Re Publica* 2.17–20. Forsythe 1999: 48, discussing 8.18.1–3, presents Livy as dedicated to presenting the full tradition, even when he himself declares his preference for "the less scandalous explanation."

⁷³ By comparison, no such concerns are found in the description of the bodyguard's creation in Dionysius 2.13, but several other reasons (unmentioned by Livy) for Romulus's murder are offered at 2.56.3, where Dionysius also rejects the possibility of apotheosis on the grounds of probability. Plutarch, *Romulus* 26.1–27.5, openly presents Romulus as increasingly despotic, thus when he then relates the story of Romulus's apotheosis and follows it with the charge that the senators had killed him (26.6–8), the reader is more disposed to accept the senators' action. Plutarch himself presents the moral of the story at *Comparison of Theseus and Romulus* 2.

were of such extraordinary exemplarity that he became one of the very few mortals honored by the granting of immortality? Or was he a king tending toward despotism and so worthy of assassination? Or perhaps some combination of the two?⁷⁴ Much as he did in his account of Romulus's birth and exposure, Livy provides both a divine and a human explanation for the end of Romulus's mortal life, and he does not openly declare to his readers that one story is more likely than the other. Indeed, his structuring and language appear deliberately evocative, as if he seeks to bring the reader to confront the challenges of the exemplarity of Romulus's legacy. At the same time, however, Livy has already significantly influenced how the reader is to respond to the challenges of Romulus's exemplarity through the overall tenor of his own account. His favorable presentation of Romulus's deeds in establishing the strength of the city from its foundation, and his manner of internally answering the potential criticisms of Romulus which his account has itself raised, have well prepared the reader to decide that between the two accounts Livy offers Romulus deserved apotheosis more than tyrannicide. The reader already knows, for example, that Livy allows the beginnings of cities to be august (*pref.* 7), that Livy believes the origin of Rome and its empire to be owed to the fates (1.4.1), that Livy presents Romulus's fates as leading him to an immortality produced by virtue (1.7.15), and that Livy judges Romulus's deeds to be not inconsistent with belief in his divinity (1.15.6–7).⁷⁵ In offering this last judgment, moreover, he has incorporated not only Romulus's potential for despotism symbolized through his bodyguard, but also his potential culpability for killing his brother and his potential courting of divine displeasure through the violation of *hospitium*. Hence this judgment demonstrates to the reader that Livy's ultimate understanding of the exemplary legacy of an individual encompasses the intentions with which the person acted, the value of the individual's deeds for the good of the city, and the ultimate outcomes to which those deeds led.

⁷⁴ Livy's account of Romulus's end is highly redolent of the controversies surrounding the assassination and deification of Julius Caesar: see further Bremmer 1987: 46, Levene 1993: 134, and Miles 1995: 153. It is particularly significant that Caesar's end demonstrates how one does not ultimately have to choose between assassination and apotheosis, since Caesar was believed to have experienced both.

⁷⁵ What I read as Livy's endorsement of Romulus's worthiness for apotheosis does not equate to a denial that Romulus was assassinated. The important question for Livy is exemplary, i.e., not whether or not Romulus was actually assassinated, but whether or not he deserved to be. See Liebeschuetz 1967: 46–47 and Levene 1993: 133–34, who argue that Livy reveals by his structure that he did not believe in the historicity of Romulus's apotheosis, yet could still find Romulus worthy of divinity; Sailor 2006: 345–46 remains sceptical.

Livy now reinforces such an understanding of Romulus's exemplarity by presenting one final exemplary act before he moves on to narrate the *interregnum* following Romulus's disappearance. When the population of the city is still anxious about the fate of their founder, "belief is said to have been added" to the assertion of Romulus's apotheosis "by the plan of one man" (*consilio etiam unius hominis addita rei dicitur fides*, 1.16.5). This man, Proculus Iulius, who is described as a man of reputed authority, however great the matter (*gravis, ut traditur, quamvis magnae rei auctor*, 1.16.5), comes forward to speak to the people.⁷⁶ He reports that Romulus came down from heaven at dawn that morning and bid him to tell the Romans that the gods wished Rome to be the capital of the world and thus that they should cultivate the military arts and demonstrate to posterity that no one can resist Roman power (1.16.7). Livy is explicit about the results of Proculus's speech: "it is amazing how much belief there was in that man reporting these things, and how the longing for Romulus among the plebs and the army was lessened once belief in his immortality had been established" (*mirum quantum illi viro nuntianti haec fides fuerit, quamque desiderium Romuli apud plebem exercitumque facta fide immortalitatis lenitum sit*, 1.16.8). Proculus's combination of strategy and action—a combination that fits well with the very model of Romulus that Livy has set—thus reestablishes concord between the army and the senators at a crucial moment in the city's history by increasing the belief (*fides*) in Romulus's divinity, a belief Livy has already said he too has found not to be inconsistent with Romulus's achievements (1.15.6).⁷⁷ As is the case with the other reported supernatural phenomena involving Romulus, Livy does not vouch for the truth of Proculus's speech himself, but even if Proculus did not speak the truth, his deception nevertheless achieved ends that were good for the future of the city,⁷⁸ which further follows the paradigm that

⁷⁶ Ogilvie 1965: 85 argues that the story of Proculus Iulius was likely invented by the Julian family and strengthened in the aftermath of Julius Caesar's assassination (though see Evans 1992: 92 and Sailor 2006: 347). Plutarch, *Romulus* 28.1–3, also relates the story, but Dionysius does not. See Classen 1962: 192–201 and Weinstock 1971: 175–99 for the argument that Caesar had specifically tried to associate himself with Romulus the god.

⁷⁷ The appearance of *fides* twice in 1.16.8, as well as in 1.16.5, shows how Livy conceives of this episode as illustrating the power and importance of *fides* (so Ogilvie 1965: 85). On the range of *fides* in Livy, see Moore 1989: 35–50. Chaplin 2003 suggests how it is Livy's "narrative habit" to enact his perception of events within his narrative of those events rather than state his perception in his own authorial voice.

⁷⁸ Drawing from Wiseman 2002: 334, Sailor 2006: 346–48 (and see further 358–59 and 367–68) stresses Livy's emphasis on, and approval of, Proculus's success in averting an outburst of civil strife (see also 341–44 on Numa).

Livy's exemplary Romulus has established. Such patriotism need not always be morally unambiguous in order to provide a meaningful and favorable *exemplum*, for as we saw with the killing of Amulius and the abduction of Rome's founding mothers, even duplicity can sometimes achieve the best outcome for one's city.

FOR THE GOOD OF ROME

At the beginning of Book 2, when in his narrative the kings have just been expelled and the Republic founded, Livy reveals that he conceives of Rome as defined by the *libertas* of the Republic more than by the *regnum* of Romulus and the subsequent kings. Livy claims that liberty brought with it a new perspective, one that respected the power of laws more than the power of men (*imperioque legum potentiora quam hominum*, 2.1.1). The kings had nurtured a population of shepherds and strangers (2.1.4) to the point that they could handle the fruits of liberty, since their strength was by then developed (*ut bonam frugem libertatis maturis iam viribus ferre posset*, 2.1.6). Strength is thus presented as the precursor to liberty, and through its display of strength the Roman national character could develop to the point that it could fully express itself through *libertas*.⁷⁹ This preface to Book 2 suggests that Livy views the monarchy of Romulus as a reflection of an earlier age, one that was necessary for the initial survival of the city but could be put aside when the people were ready for *libertas*. The Republic is presented as a more mature form of government, and it will be the form of government that guides Rome to its greatest moral and imperial heights (see *pref.* 9, 11).

Thus Livy's Romulus is a model for Rome at its origins, vulnerable in its infancy, and he emerges in Livy's *History* as a natural leader whose skills as a military commander, whose piety toward the gods, and whose respectful creation of institutions of authority, all characterize him as an exemplary figure worthy of imitation by Livy's readers, for the qualities of Romulus's effective leadership are the basis for Rome's great future. His military successes, his vowing of Rome's first temples, his establishment of laws and the senate demonstrate the combination of power, divine sanction, and institutional tradition that will become the foundation of Rome's success as a Republic. Yet the very effectiveness that Romulus displayed as Rome's founder also establishes him as an appropriate *exemplum* for any subsequent era of Rome's history when *libertas* had been undermined and the survival of the state was again reliant upon strength. Thus when Livy claims in his preface that Rome in its current circumstances had lost the defining qualities that the *mores* of

⁷⁹ Note 1.17.3 and see further Luce 1977: 243–49.

libertas instilled (*pref.* 9), he reveals the degree to which he feels that his present needs the guidance of the *exempla* of the past. Writing in the shadow of Actium, he presents his Romulus in this spirit.

The means by which the victor at Actium would consolidate his power and govern Rome's empire were yet to be known, but they were likely not anticipated with much optimism,⁸⁰ for the process by which power had shifted from Caesar to his heir had been the most horrible and destructive episode in all of Roman history. Yet the ends for which Rome's new ruler should strive—namely a lasting peace with a power structure that could define the limits of men while revealing the sanction of the gods—were clearly so necessary that the means to secure those ends would have to be endured. The only real possibility for hope was that the means to those ends would be implemented in a patriotic fashion that would consistently focus not on the personal needs or the personal power of the victor himself, but on the larger needs of the state and the glory which the gods had for so long granted to Rome.

These circumstances suggest the tenor with which Livy's characterization of Romulus could resonate in the very moment of its composition.⁸¹ In Livy's account, Romulus's great successes are the products of a virtue that would earn him immortality (*immortalitatis virtute partae*, 1.7.15), a virtue that always put the future greatness of the city ahead of any other consideration.⁸² Livy's account of this virtue demonstrates how it is tested in challenging ways when the needs of the city and the ideals of morality come into competition, yet Romulus passes these tests in Livy's eyes by vitally and undeniably establishing the strength of the city, thereby ensuring the greatness of Rome's legacy for centuries to come. It is not the manner in which Romulus acquired power, but the manner in which he established Rome's power that is the basis for

⁸⁰ See Woodman 1988: 133–34, who notes Nepos, *Atticus* 20.4, yet see also Chaplin 2000: 200–2. See further Osgood 2006.

⁸¹ Conte 1994: 371: Livy “feels the pressure of history, the weight of the influence that the images of the past exercise upon the consciousness of the present time. . . . The mythology of the past, in short, not only *has* meaning for contemporary men but also *gives* meaning to their actions, in that it can illustrate through examples their own ideological needs.” Yet note the caution of Badian 1993: 21: “Any attempt to trace the historian's attitude in his use of the contemporary experience must proceed with extreme caution and will generally be inconclusive.”

⁸² Moore 1989: 5–14 demonstrates how *virtus* in Livy designates primarily excellence shown in serving the state, especially in battle, of which Romulus is an ideal *exemplum*. *Virtus* is “that which is responsible for a general's success” (7), but “it does not lead to success unless it is accompanied by divine favor” (13).

Livy's endorsement of him.⁸³ Romulus's actions reveal the moral difficulties of establishing such power, but those difficulties do not hinder his guidance of Rome toward its destined greatness, and thus there is no reason why another Romulean figure could not overcome the complexities of his acquisition of power and demonstrate an exemplary leadership that would renew Rome's greatness. Through his presentation of Romulus, Livy proposes a standard by which the victor at Actium could be measured.

That is not to say, however, that the question of how to judge, or even how to accept, the victor at Actium was Livy's primary concern when crafting his account of Romulus. Livy would no doubt have been pleased for his contemporaries to find in the opening pages of his *History* a model of immediate relevance, and he might even have hoped that the victor himself would have perceived the patriotic duty involved in living out the claim that he was another Romulus.⁸⁴ But Livy's deeper concern would have been to substantiate his own claim that exemplary history has value for his readers both as individuals and for their states. On the individual level, Romulus's displays of leadership by his linking of piety and purpose through the exercise of his mental and physical strength provide the reader a model of virtue in action. Yet Romulus's ultimate worthiness as an *exemplum* is revealed through Livy's presentation of him as a highly successful leader consistently and exclusively concerned with strengthening his city and securing the best possible future for it. Thus the last of the exemplary lessons of Livy's Romulus is that the impact of the individual upon the good of the state is the definitive measure of an individual's exemplary value on the monument of history.

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⁸³ Kraus 1997: 80n111: Livy "is interested above all in the exercise of power." Note the difference in scholarly perspective from the previous generation, i.e., Walsh's earlier contribution to the same *Greece and Rome New Surveys* series (1974: 11): Livy's voice is that "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." Yet as Vasaly 1987: 205 points out, the attributes of character with which Livy is so concerned are often most clearly revealed through the techniques with which power is exercised.

⁸⁴ Kraus 2005: 182n2: "If history is written by the winners, it also helps define the winning side; and, as in panegyric, what looks like purely descriptive praise may actually be the tactful, parainetic projection of an image to look up to."

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