

Introduction: Livy and Domestic Politics

Was the first pentad of Livy's history of Rome a politically didactic text? And, if so, what lessons did it teach? Early in the last century many scholars were confident that the answer to the first question was yes, and argued that, if read carefully, the pentad could be shown to promote the political and moral agenda of Augustus. After all, the early books contain two passages of seemingly unambiguous praise for the princeps (1.19.3; 4.20.7), while other passages might reasonably be thought to contain less explicit allusions to Livy's "patron." H. Dessau, for instance, argued in 1903 that when Livy stated in the preface that "we can bear neither our ills, nor their cures" (9: *nec vitia nostra nec remedia*) the passage referred to Augustan moral legislation, introduced in 28 BCE but soon withdrawn amidst widespread resistance to its provisions.¹ Others interpreted Livy's use of forms of the word *augustus* in the pentad as commenting favorably on the title assumed by Octavian in 27 BCE,² and many believed that Camillus' speech in Book 5 arguing against a Roman move to Veii reflected Augustan propaganda presenting the princeps as defender of the ancient capital in contrast to Antony, who had supposedly intended to abandon Rome in favor of Alexandria.³ In fact, the entire depiction of Camillus – *parens patriae conditorque alter urbis* (5.49.7) – became a key aspect of this kind of reading, since it was thought to represent Livy's attempt to mirror the heroic self-image promoted by Augustus.⁴

Not everyone was convinced, however, of the validity of reading sections of the early books as a kind of *roman à clef* in which a one-to-one relationship could be posited between specific events and individuals in Livy's present and his narrative of the distant past. Ronald Syme, while conceding that Livy's Camillus was "a link between Romulus and Augustus," cautioned that "it does not follow that Livy, extolling Camillus, had his eye on the present all the time – or even very much."⁵ Especially influential were two works published in the 1960s: R.M. Ogilvie's magisterial commentary on the first pentad and P.G. Walsh's study of Livy's "historical aims and methods."⁶ Ogilvie's remarks on the great speech of Camillus at the end of Book 5 contradicted earlier interpretations:

The message of the speech is simple. Not propaganda for the policies of Augustus ... [b]ut an appeal for peace, for the defence of civilization as he knew it with its tradition and ceremony, its custom and grandeur, for concord and, above all, for the preservation of Rome. Only in so far as Augustus shared the same aims can the speech be said to be Augustan in outlook or in sympathy.⁷

Ogilvie's overall verdict on the author's engagement in contemporary politics was unequivocal: Livy was "a small man, detached from affairs, who [wrote] less to preach political or moral lessons than to enshrine in literature persons and events that [had] given him a thrill of excitement as he studied them."⁸ Similarly, Walsh disagreed strongly with what he called the "symbolists" and characterized Livy as "a 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."⁹ Although the two differed as to the role of moral didacticism, they were alike in ruling out early Augustan politics as crucial to understanding Livy's narrative of the distant past.

In the years since Ogilvie and Walsh wrote these comments Livian scholarship has undergone a transformation that has radically recast this entire discussion. Earlier judgments that tended to focus on (and indict) Livy's methods and ability as historian while acknowledging his gifts as storyteller and prose stylist have given way to approaches that integrate Livy's historical project in the early books with the literary-rhetorical means by which he carried it out, and in this integration of medium and message a new form of broad political engagement has been detected.¹⁰ A forerunner to the development of this approach was the work of Erich Burck, whose 1934 study of the first pentad demonstrated Livy's control of sources and thus his achievement of thematic coherence and a carefully premeditated structure within the episode, the book, and the pentad as a whole.¹¹ More recently, T.J. Luce challenged the position of such major figures as Collingwood and Syme that Livy was "a gullible moralist and a political innocent ... unable to interpret historical phenomena or visualize historical change" by asserting that Livy's history was informed by an artistically executed vision of historical and political development over time.¹²

Among those building on such work has been Gary Miles, who reads the first pentad as a meditation on the theme of foundation, decline, and refoundation. The arc of events within Book 5 – in which Roman greed and impiety lead to military defeat and the occupation of Rome by the Gauls, while the Roman recovery of *virtus* and the leadership of Camillus lead to its salvation – is seen as a microcosm of Rome's beginning, growth, and ultimate moral decline over the *longue durée* of its history. According

to Miles, Camillus' heroic rescue of a Roman people morally chastened by its struggles provided a model for a hoped-for refoundation of the city in Livy's own time under Augustus.¹³ In Miles, then, we revisit arguments closely connecting Camillus and Augustus, but reinterpreted as part of a complex vision of historical progression on Livy's part, rather than simply an effort to praise the person and political goals of the princeps. Closely tied to this thesis is the assumption that Livy created the early books at a time when the character of the new regime was still very much in doubt.

The question of chronology is important not only to Miles reading but to any attempt to interpret the political aspects of the early books.¹⁴ A passage from Book 1 (19.2–3) was once thought to date that book securely to the period between 27 and 25 BCE since it mentions the title Augustus, assumed by Octavian in January of 27, and also refers to the closing of the Temple of Janus that occurred in 29 BCE, in apparent ignorance of Augustus' subsequent re-closing of the temple in 25 BCE. Livy's repetition of Octavian's title of Augustus in his discussion of the *spolia opima* of A. Cornelius Cossus in Book 4 (20.7) also seemed to assure us that the entire first pentad was written subsequent to 27 BCE. Jean Bayet, however, suggested in 1940 that a number of passages were later additions, an idea that has met with support in recent decades.¹⁵ T.J. Luce's identification of both passages mentioning Augustus as later insertions has won acceptance from many scholars. His analysis of the Cornelius Cossus passage at 4.20.5–11, which occurs after and before other passages that contradict without comment the explicit conclusion of the passage that Cossus won the *spolia* as a consul rather than as a military tribune, is particularly compelling.¹⁶ Strongly supporting Luce's argument that the original formulation of the pentad took place *before* 27 BCE, and perhaps even before the battle of Actium in 31 BCE, is the patently pessimistic tone of the preface, whose thinly veiled allusions to civil conflicts endangering the very existence of the state are strikingly different in tone from that of the first passage mentioning Augustus, in which the author gratefully acknowledges the gods' bestowal of peace after the *bellum Actiacum* (1.19.3).

If we accept a date in the late 30s or early 20s we must rethink previous assumptions about the validity of earlier, and especially political, readings, for – as Luce remarks – the first pentad “can scarcely be termed ‘Augustan’ either in inspiration or execution” if, as he believes, “it was written in the years before the title was given to Octavian and before most of his policies and programs had been enacted.”¹⁷ And even those supporting the traditional date of publication (between 27 and 25) must acknowledge that the earliest books were conceived in a world gripped by political upheaval.¹⁸

If reading the first pentad with the assumption that it was the product of a settled and peaceful period subsequent to the establishment of the Augustan principate has led in the past to misunderstanding of its political import, reviewing both the political events of Livy's formative years and especially those around the time of the battle of Actium – when he probably conceived the plan for the early books – should make us more sensitive to a distinctly different range of political concerns. Creating a detailed picture of the world in which Livy came of age and began his great labor, however, is not a straightforward task. Despite the popularity of his history, both during his life and later, we know surprisingly little about him.¹⁹ Even the dates of his birth and death are not secure. Our one ancient source on the matter, Jerome, assigns them to 59 BCE and 17 CE, respectively, but Ronald Syme and others have argued that both dates should be assigned to five years earlier.²⁰

That he was born in Patavium (modern Padua) is agreed.²¹ While the first pentad furnishes ample evidence of an author with an advanced rhetorical education and an intimate acquaintance with the topography of Rome, we have no firm evidence about the wealth and status of his family, when and where he was educated, or when he came to Rome and how long he remained there. A passage in the first pentad – probably, as mentioned earlier, inserted after its completion – implies that Augustus had conveyed to Livy a correction to the latter's account of Cornelius Cossus in Book 4 (20.5–11).²² Other anecdotes also suggest his presence in the capital late in his career, and several passages in Seneca the Elder connect him to the activity of the rhetorical schools of Augustan Rome.²³ Drawing on the implications of such meager scraps of information, later historians have assumed (1) Livy's presence in Rome, at least at the time the first pentad became known to the princeps and also toward the end of his career; (2) Livy's involvement in the world of declamation; (3) a close relationship between Livy and the princeps; (4) the pro-Pompeian tendency of Livy's account of the civil war between Caesar and Pompey; and (5) Livy's widespread celebrity. We cannot be certain, however, of the truth of any of the Livian anecdotes or of the validity of the implications drawn from them, and even evidence derived from the text of the *AUC* is open to various interpretations. The idea that a close relationship must have existed between Livy and Augustus, for instance, has been subjected to particular skepticism in recent years.²⁴

Whether he was born in 64 or 59, there is no doubt that Livy came of age in a world defined by the events following the assassination of Julius Caesar in 44 BCE, many of the most critical of which took place in

Livy's home region of northern Italy.²⁵ In the first stage of the conflict following Caesar's death, Decimus Brutus Albinus – who had fought under Caesar in Gaul and against Pompey, but later joined the assassins – refused to surrender to Mark Antony the province of Cisalpine Gaul (assigned to Brutus for the years 44–43 by Caesar), thereby precipitating armed conflict between the two. Clearly all of the *municipia* of the province would have been under pressure from both sides to furnish men and materiel for this conflict, since the region had long been a fertile recruiting ground for soldiers.²⁶ While Cisalpine Gaul had strong connections both to Pompey and Caesar,²⁷ there is evidence of the region's support for Brutus and his senatorial allies in this period. In March of 43, when Antony was besieging Brutus in Mutina, Cicero speaks in the Twelfth Philippic of "Gallia" (i.e., Cisalpine Gaul) as taking the lead in "repelling, conducting, and sustaining this war" by providing Brutus with weapons, men, and money.²⁸ Cicero states that this exposed the region to the "cruelty" of Mark Antony, by whom it was "drained, laid waste, burnt" (*Phil.* XII.9). The orator goes on to single out for praise the actions of Patavium, which had ejected ambassadors from Antony and had provided money, soldiers, and arms to "our leaders," referring both to Brutus and to the relieving forces commanded by the consul Hirtius and Octavian (soon to be joined by the other consul, Vibius Pansa, and his troops).

In the battles around Mutina, Antony was twice defeated, thereby allowing his siege of Brutus to be lifted and occasioning a fifty-day thanksgiving in Rome. The rejoicing was tempered, however, by the deaths of both consuls shortly after the battles, and the mourning in Rome brought about by this shocking and ill-omened event would have been replicated throughout the region, which must have suffered devastating losses among those who fell on both sides. Asinius Pollio wrote at the time from Cordoba in Spain to Cicero in Rome that the results of the battle were a "calamity," and he goes on to refer to the "devastation" of Italy, in which the "strength and flower of the soldiery has perished" (*Fam.* 10.33.1: *robur et suboles militum interiit*).²⁹ We have no evidence that Livy, then a young man of sixteen (or twenty-one, if we follow Syme), took any part in the fighting; these events, however, occurring so close to Patavium and involving many soldiers drawn from the area, would have had a profound impact on his life and the lives of his friends and family.

These battles were only the beginning of more than a decade of unrest in the region. The formation of the "Second Triumvirate" by Lepidus, Antony, and Octavian in October of 43 (subsequently given legal form by an intimidated senate) set in motion a ruthless proscription taking in not

only opponents of the triumvirs but also many whose only crime was their prosperity. A series of stringent tax laws soon followed the proscriptions, as the triumvirs attempted to wring from Italy the vast resources needed to pay their soldiers and to prepare to confront the forces of M. Junius Brutus and C. Cassius Longinus, who had fled to the east.³⁰ Patavium, an extremely prosperous city that had apparently supported the senate against Antony and was home to 500 men who qualified for the status of *eques* in the early principate, must have suffered both from the proscriptions and the taxation.³¹

After the defeat of the tyrannicides at Philippi in October of 42, a new fiscal imperative arose. The soldiers who fought for the triumvirs had done so with the expectation of receiving farmland in Italy once their service was over, and Octavian, who would control much of the western Mediterranean, was assigned the invidious task of seizing land from current owners and awarding it to the veterans. Although the lands of eighteen towns had originally been designated as liable to confiscation, including some of the most fertile in the Po River valley, in fact the confiscations regularly extended into the territory of neighboring towns. Patavium was apparently not one of the eighteen, but exactions of various types would seriously have affected the city. According to Macrobius (*Sat.* 1.11.22), Asinius Pollio, then governing the region for the triumvirs, attempted to force the Patavians to provide money and arms by an offer of a cash reward and freedom to any slave willing to turn over a master who had gone into hiding to avoid his demands. Like Vergil's Mantua, some seventy-seven miles away, the landowners and merchants of the city would have shared in the sufferings of the period.³²

Once the demise of Brutus and Cassius removed a force unifying the triumvirs, fissures in the triumvirate appeared. A rebellion led by Mark Antony's wife Fulvia and his brother Lucius Antonius broke out in 41, and their forces attracted a number of the former landowners of the north, as the two presented their cause as championing those dispossessed by Octavian. Antonius and Fulvia survived the terrible conclusion to the siege mounted against them by Octavian at Perugia in 40, but thousands of their soldiers and upper-class supporters did not, adding to the suffering of the Italians, especially northern Italians, during this period.³³ An immediate war between Octavian and Antony was avoided by the pact made at Brundisium in September of the same year, but the peace was an uneasy one. If Livy at about this time – nineteen years old, according to the traditional account, twenty-four according to the alternate dating – had made his way to Rome and thereby escaped the widespread misery and violence

of northern Italy, he would still have encountered conditions in the capital that were far from settled. Rome in the early 30s would have been filled with volatile crowds, including demobilized soldiers and the countless victims of various kinds of triumviral exactions. The latter, especially those who had been forced from their lands, would have been looking desperately for redress of their grievances.

While the population of the capital swelled, severe crises continually curtailed the food supply on which it depended.³⁴ Sextus Pompeius, the youngest son of Pompey the Great, had fought Caesar and his lieutenants in North Africa and Spain after the defeat of his father at Pharsalus in 48 BCE. In the period after Caesar's death, he ultimately established Sicily as his base of resistance to the triumvirs, and between 44 and 36 he developed both an army and a powerful naval force there, using the latter to cut grain shipments to the city. The blockade of 40 resulted in severe famine and, in the accompanying unrest, Antony and Octavian were stoned by city mobs, eventually forcing them to conclude a peace treaty with Sextus that was signed at Misenum in 39. It was, however, soon abrogated by Octavian's attack on Sicily, and Sextus responded by renewing his blockade of grain shipments to Rome, resulting in a famine doubtlessly exacerbated by the upheaval the land confiscations produced in Italian farming during this period. Only in 36 was Sextus finally defeated by Octavian's admiral, Vipsanius Agrippa, in the battle of Naulochus off the northeastern coast of Sicily.³⁵

A terrible calculus confronted Italian towns during this period in deciding whom to support and whom to oppose. Even if a *municipium* threw its lot in with the winning side at one point, the rapid changes in alliances and fortunes in this period meant that the winners of today were often the losers of tomorrow. Ancient sources speak consistently of Patavium's support of the senatorial cause, no doubt exposing it to the wrath, first of Antony, then of the agents of the triumvirs during the period of the post-Philippi land confiscations.³⁶

There is no way of knowing the political affinities of Livy and his family – although Augustus' description of him as “Pompeianus” makes it unlikely that he was a partisan of Caesar – or whether Livy shared any of the social or political propensities of the stereotypical Patavian, known both for old-fashioned probity and for republican sympathies.³⁷ Pollio wrote of his *patavinitas*, the meaning of which has been endlessly debated.³⁸ Given Pollio's hostile dealings with the *municipium*, it could hardly have been a compliment, whether it referred to some lack of urbanity detected in Livy's style or to Pollio's belief that Livy's history betrayed a provincial cast of

mind. What we can say with certainty is that Livy grew to manhood in a world convulsed by civil war and its aftermath. Even if the period in the late 30s during which time the first pentad probably began to take shape was free from outright combat in Italy, it was hardly free from anxiety, as many would have realized that it constituted but a brief hiatus until the eruption of a new war would range the forces of Octavian against those of Antony. And even after the defeat of the latter at Actium, who could have predicted the long survival of the sickly Augustus or the stability and prosperity inaugurated by his victory?

I begin this exploration of the political implications of the first pentad, then, with the assumption that the momentous, frightening, and violent events that formed the backdrop to the first third of Livy's life would have left a deep impression on the historian, particularly as he composed the earliest books of his history. In this period the great political-philosophical questions of the day would have revolved around the origins of those cycles of internal violence that had plagued the state for a century and the means whereby the body politic, fractured by civil war, might be reconstituted morally, spiritually, and institutionally. In the chapters that follow we will see that Livy begins his work by indicating that he, too, will contribute his efforts to this labor of rebuilding the state – ironically, through recreating in words an image of the *res publica* of the distant past.

1 | The Historiographical Archaeology

The ancient historians . . . were keen to make a kind of work that had not been seen before, to survey what was available, and to try to compose something that would fill a gap as they saw it.¹

It is often thought that a quarrel existed among late Republican historians over how to write history and that in this quarrel, method and subject matter went hand in hand; in other words, how you wrote history depended in no small part on what period you chose to write about. On the one hand were the heirs of Thucydides, whose dedication to eyewitness evidence led them to create monographs covering the recent past; on the other were writers such as Livy, who wrote *ab urbe condita* – accounts stretching back to the very founding of Rome and earlier. Motivating the former group was supposedly a desire to discover the actual truth of events, together with their causes and consequences, while Livy gladly included in his history “any legendary episode from early historical writings which bore on [his] theme of the ancient greatness of Rome,” as Robert Graves has him declare to his antagonist, Asinius Pollio, in *I Claudius*.²

In Chapter 2 I propose to consider the implications of Livy’s decision to write about the semilegendary past as the author represents that decision within the preface, for it is precisely Livy’s inclusion of this material that has regularly led to the assumption that his history, and especially this part of his history, can claim neither historiographical sophistication nor political insight. I begin in this chapter, however, not with Livy’s own text, but with certain treatments of the distant past by a number of Livy’s predecessors, several contained in the histories of the very authors whose methods were ostensibly most opposed to Livy’s. For despite the black-and-white terms in which the debate has often been cast, Thucydides, Polybius, and Sallust also speculated on the distant past in passages referred to as “archaeologies.”

In antiquity the term “archaeology” was used to refer to various treatments of early history – both written and oral, prosaic and poetic – and included such diverse genres as genealogies, foundation stories, and mythology.³ Charles Fornara has argued that the inclusion of these

“indispensable preliminaries” within political/military histories was an innovation of early Greek Sicilian writers such as Antiochus, Philistus, and especially Timaeus, and one that strongly influenced Fabius Pictor and others in writing *ab urbe condita*. Dionysius of Halicarnassus employed the term in the title of his entire history (Ῥωμαϊκὴ ἀρχαιολογία), which stretched from the earliest period to the first Punic War.⁴ Like the ancients, then, I am here using the term broadly, as I intend to discuss various encapsulated histories of the distant Roman past found in several quite different kinds of historical works: Thucydides’ history of the Peloponnesian War; Sallust’s monograph on the Catilinarian conspiracy; and Polybius’ so-called *pragmatike historia* (1.2.8) of Rome’s rise to world domination. I will begin, moreover, not with a work of history at all, but with an archaeology contained in a political treatise, Cicero’s *De republica*. As will be seen in Chapter 2, striking aspects of the content and characterization of all of these passages correspond in significant ways to Livy’s presentation in the preface of his own approach to Rome’s early history, thereby supporting the idea that a fruitful approach to the first pentad is to think of it as a kind of “archaeology writ large.”

Cicero’s *Republic* and the Archaeology of Early Rome

In the autumn of 54 BCE Cicero wrote to Atticus that “we have lost not only all the sap and blood of the state, but even its former color and appearance. There is no republic in which to delight, in which to find pleasure.”⁵ Rome in this period continued to be dominated by the triumvirate of Caesar, Crassus, and Pompey, who had renewed their political alliance in 56. Factional leaders such as Clodius and Milo kept the city convulsed in violence and bloodshed, and the death in 52 of the former at the hands of the latter and of Crassus in Parthia a year earlier brought no resolution to factional strife, but rather moved the state closer to the civil war between Pompey and Caesar that would erupt in 49. Cicero himself had by this time abandoned hope of recovering the political status he held before his exile in 58–57 and was even reduced to the indignity of defending certain of his former enemies in court at the bidding of Caesar and Pompey.⁶ It was surely no coincidence that in this very period (54–51) Cicero sought solace in literary production by creating what he saw as his political magnum opus, the *De republica*, inspired by Plato’s dialogue of the same name. In it the orator attempted to define, in the midst of the ongoing crisis in Roman politics, the qualities both in a state and its citizens that could ensure justice