Eulogy of the Lost Republic or Acceptance of the New Monarchy? Livy’s *Ab Urbe Condita*

For Edwin Judge’s 80th birthday

For a century and a half, since at least the appearance of probably the first general monograph on Livy, Hippolyte Taine’s *Tite-Live*, in 1856, scholars have argued over one of the most fundamental questions which can be raised about the character of the historian: was he a ‘Republican’ or an ‘Augustan’ writer? The answers have been much more varied than might be expected, but have mostly relied on an endless discussion of the same few pieces of ‘evidence’: Livy’s few mentions of Augustus and the usually quite misquoted reference in Tacitus (*Ann.* 4.34).

It must instantly be admitted that most of the best known scholars in the field have viewed Livy as an Augustan: Henri Bornecque, Eric Burck, Lily Ross Taylor, Ronald Syme and James Luce, to give examples. The best known of these studies is probably Syme’s 1959 article. Here he stated that ‘Livy’s annals of Augustus were written in joyful acceptance of the new order, in praise of the government and its achievements.’

R. Syme, ‘Livy and Augustus’, *HSCP* 64 (1959) 27-87, at 75. Syme also describes the history as ‘the enduring monument of the spirit and the majesty of the Augustan court’ (57) and Livy as the ‘official Roman historian’ (64) – but his analysis of the triumviral history, to the official version of which he claims Livy had access, is simply a replay of the *The Roman Revolution*, adducing no text of Livy. H. Bornecque, *Tite-Live* (Paris 1933) 7, places Livy in the emperor’s literary circle which favoured historians no less than poets. E. Burck, ‘Livius als augusteischer Historiker’, *WS* 1 (1935) 448-87 = *Wege zu Livius* (Darmstadt 1967) 96-143, does not examine the question, but rather assumes that Livy was Augustan: his poor opinion of the Greeks, his supposed connections with Vergil, his rejection of Hellenistic theories of fate and chance. The Preface is dismissed as deriving from the circle of Scipio Nasica. L.R. Taylor, ‘Livy and the Name Augustus’, *CR* 32 (1918) 158-61, at 158: ‘Livy was a warm supporter of the emperor and his policies’ (noting the three mentions of him). T.J. Luce, *Livy: The Composition of his History* (Princeton 1977) 290-4, described Livy as ‘“Augustan” in temperament and sympathies’, citing his approval of moral legislation, the Augustan peace and the repair of temples. Much is subsequently admitted: that Livy looked forward to leaders who might introduce reform but not a lifelong monarchy which was then to be transmitted to relatives. And thirteen years later, in ‘Livy, Augustus and the Forum Augustum’, in K. Raaflaub and M. Toher (eds), *Between Republic and Empire* (Berkeley 1990) 123-38, at 128: ‘it is doubtful that he believed Augustus to be the last and greatest in a long line of great men of the Republic.’ Mary Jaeger, *Livy’s Written History* (Ann Arbor 1997) 183: ‘it appears that Livy welcomed Augustus as the *vir unus* who can restore the state.’ Bernard Mineo, *Tite-Live et l’histoire de Rome* (Paris 2006), argues passio that Augustus was the man to whom Livy looked to restore the state – although he disapproved of the dynastic nature of the régime, clear by 17 BC (159). Gary Miles, *Livy: Reconstructing Early Rome* (Cornell 1995), probably fits here: Augustus is the ‘refounder’ (94, 97, 126, 132), but Livy’s attitude to him is ‘complex’ (93), even ‘impossible to determine’ (109). See also Anthony Woodman, *Rhetoric in Classical Historiography* (London 1988) 136 ff.;
Rather more numerous, it must be admitted, are those who see Livy as not Augustan but Republican – not that counting heads is meant to be understood as solving any problems. Under this heading appear Wilhelm Weissenborn, Hippolyte Taine, Max Laistner, Wilhelm Hoffmann, Peter Walsh, Hans Petersen, Antonio La Penna, Raban von Haehling, Mark Toher, Ernst Badian, John Gluckier and Christina Kraus. Taine noted that Livy barely mentions Augustus in the surviving books and that he was ‘daring’ about Caesar (Sen. NQ 5.18). He summed up thus: ‘si son histoire n’est pas la satire du nouvel empire, elle est l’éloge del l’ancien république.’ One of the most important contributions was Hoffmann’s insightful and moving analysis showing how the Augustan régime broke the nexus between politics and history: historiography could never be the same. Many of the historians from Cato on had been aware of the growing gap between the present and the past, but now with Livy it was beyond recall. Livy was the voice of that class which had found meaning and fulfilment in a state which was now abolished. Livy had had to change his concept of history from a means to political action to a monument to past greatness. Walsh wrote of Livy’s ‘uncom-promising senatorial outlook’, and while admitting that his fundamental attitudes, such as patriotism and morality, found comfort in the early years of the Principate, he explicitly identified ‘his scepticism of a return to Republican greatness’. Petersen went so far as to suggest that Livy’s depiction of Tarquin (1.49.67) reflected Octavian in 29-27 BC, and that Tullia’s crimes and marriage for power were inspired by Livia. Toher was blunt: ‘Livy had no personal investment in the new régime beyond the welcome peace and prosperity it offered to all engaged in letters.’ Glucker emphasised that Livy was out of step with the propaganda of the ‘golden age’ found in his fellow-artist, Vergil. Kraus noted that Livy ‘never explicitly compares Augustus to any Republican hero.’


A special word should be said about Fritz Hellmann, Livius Interpretationen (Berlin 1939), who described Livy’s history as an ‘interpretatio Augustea’ (4, 25) – although there are the rarest mentions of Augustus (77, 79, 103). Hellmann goes much further: Livy’s aim in a post-Actium world was to arouse those aspects of the power of the people and state which remained sound by examples from the past – but also to render harmless whatever in the history of the Republic could provide material for opposition to the monarchy.

And there are more subtle ways of revealing allegiances, although the analyses have not always agreed in their results. Ladislaus Bolchazy showed how important *hospitium* was to Livy as a civilising influence. He also analysed the four virtues of the Augustan shield (*RG* 34) and found that, while *virtus* and *iustitia* are frequently mentioned by Livy, *clementia* and *pietas* are not, and all four were more restricted in application than *hospitium*. Timothy Moore, on the other hand, claimed that Livy paid little attention to any Augustan virtue: *virtus* he used in the old sense of courage or political excellence. His use of *iustitia* was ‘severely restricted’. *Clementia* is used in a pre-Caesarian sense (exercised by Rome, not an individual, and to foreigners, not fellow citizens), and *severitas*, its opposite, is highly praised. *Pietas*, on the other hand, whether to gods, relatives or the state, plays an important role. In short, there is ‘very little evidence in Livy of a progression toward the terminology of imperial propaganda’. 3

The above discussions demonstrate that most scholars agree that it is possible to describe Livy as either ‘Augustan’, writing ‘in joyful acceptance of the new order’, or writing ‘a eulogy of the ancient Republic’, and that these two categories are exclusive. What more could be meant by these two labels? On the one hand, enthusiastic acceptance of a single ruler, the ‘necessary man’, to maintain peace and to solve Rome’s problems so close to Livy’s heart. On the other, the idealisation of the Republic, epitomised above all by its *libertas*, but also the political system based on an annual rotation of collegiate magistracies, with the overall and more continuous direction of the

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3 L. Bolchazy, *Hospitality in Early Rome. Livy’s Concept of the Humanizing Force* (Chicago 1977); T. Moore, *Artistry and Ideology: Livy’s Vocabulary of Virtue* (Frankfurt 1989). It was rightly pointed out by one of *Antichthon*’s readers that Bolchazy relies on appearances of these words in the text, disregarding the many sections where they are implied.
state vested in the body combining the experience of all magistrates past and present, and an underlying confidence that even the greatest man of any time might perish, but that there would always be many others to take his place.

The categories of judgement are far from exhausted. One could suggest that Livy was aloof from politics. The major supporter here is Robert Ogilvie. ‘All he asked was peace and quiet, to prosper and pursue his literary career . . . There is no sign of his attempting to justify or to attack the policies and aims of Augustus.’ Hans Nesselrath stressed that, since we lack Livy’s history for the Augustan period, we can only speculate about his views.

It might be suggested, as another possibility, that Livy’s attitude changed over time. The peace after Actium allowed Livy to proceed, but as he worked he saw that the régime became ever more autocratic and that the Republic and Augustus were incompatible. This was the view of Hans Joachim Mette. His method, however, was a dangerous one. He accepted the view commonly held since it was enunciated by Eduard Schwartz in 1899 that Livy was Dio’s source in Books 45-51, and that he was still the ‘basic’ source of Dio in Books 52-54. He then proceeded to offer a few examples, such as the exoneration of Octavian in the proscriptions (47.7). This sympathy, however, had already turned the other way by the time he narrated Philippi (47.39), and he certainly became very critical in his account of 27 BC (53.2-16).

The fatal flaw in all this is primarily that these conjectures are made where one of the two sources to be compared does not exist. More particularly, in this case, apart from how far Livy underlies Dio, when the former came to these last books he would have been more than well aware of the nature of the régime.

The whole debate, finally, has been undercut and subverted. Karl Galinsky claimed that Augustus himself was a Republican, whose ideas conformed to those of a vast Italian middle class. In short, there was no problem!

There is a fundamental question of method here, which has been identified by no one better than Ernst Badian. How certain is it that what we find in an historian’s account reflects either contemporary matters or his own views on them? ‘The historian, no matter how remote from the actual political scene of his day, will respond to it in his writing – and this need not reveal anything about his personal or political attitudes.’ It seems, however, that Badian has gone to the other extreme, making it virtually impossible to deduce anything about an historian’s personal views. Historians often reveal their attitudes not only to the past but also to its meaning. Livy, in fact,

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8 Badian (n. 2) 19 f.
frequently intervenes with a comment of his own (a topic too long to treat here). And in authoritarian régimes, it is a well-tried device to criticise the present by comparisons or contrasts implied in the description of the past. Equally telling can be a silence when flattery might be expected (see below).

And one must protest against another feature of Livian scholarship which pertains to the present discussion of method. Apart from the time-honoured practice of accusing Livy of committing every crime in the historian’s book (he is totally uncritical, slavishly following the worst sources, and muddled about everything vital to a Roman historian, such as political and military history, and so on), when he does seem to make a personal comment it is dismissed as a cliché or a topos, and therefore of no value. To the contrary, he makes it perfectly clear when he expresses a personal view, as the extracts below will demonstrate. It would be basic manners, as well as sound method, to believe that he means what he says.

For many, the only source required is the notorious ‘statement’ that Livy was a Pompeian but that it did not affect his friendship with Augustus (Tac. Ann. 4.34). This is not a statement of historical fact at all. The guidance needed was given by Syme in 1958: Tacitus may be paying ‘a handsome compliment to Livy’, but he in fact ‘renders, or rather invents, this man’s (Cremutius Cordus’) eloquent vindication of the historian’s rights.’ In other words, what no one had pointed out until then is that the ‘statement’ occurs in Tacitus’ speech which he puts into the mouth of the historian Cordus as he fought for his life. Or as Badian put it, this represents what was commonly thought about Livy in Tacitus’ day and perhaps in AD 25. It is certainly what Tacitus in the early second century thought that people thought in 25. One must admit, on the other hand, that it would not be unreasonable to surmise that Tacitus, as an historian of the Principate, may well have made some investigation of the relationships between literary figures, especially historians, and the régime in the past. Syme’s caution, however, is in no way undermined.

It is time to do what has rarely been done: to read the whole of Livy’s surviving history, alert to possible allusions to his own world. There are many existing studies – indeed articles entitled ‘Livy and Augustus’ are legion – but they do not go beyond a few well-known quotations, or they study a particular personality or even word, or limit themselves to the first decade or even pentad. Nesserlraith’s sense is accepted: the obvious but often overlooked fact is that we can analyse only what we have. The Augustan books are lost – although they would have told us much. Within the surviving books, however, as wide a net as possible is cast: better not to miss a possible allusion, even if not all will receive unanimous acceptance.

9 Syme, Tacitus (Oxford 1959) 1.337, 2.517. For earlier cases of the statement of this ‘fact’ without the merest mention of a speech by Cremutius Cordus, see Alfred Klotz, RE 13 (1927) 817; Borneecque (n. 1) 7, who even embellishes: ‘l’empereur en riant’. For later examples, Walsh, Livy (n. 2) 12; Gavin Townend, CAH 10 (1996) 909.
10 Badian (n. 2) 11.
There is one preliminary matter: Livy’s date of composition. We must have some idea of when the various surviving books were written and published, in order to give context to the following references. This is an old conundrum. Weissenborn dated Book 1 to after 27 BC (from the reference to Augustus, 1.19.3), Book 4 to after 28 (Cossus, 4.20), and Book 20 to after 19 (Agrippa in Spain, 20.12.12). Klotz refined the date of Book 1: written 27-25, because the second closing of Janus in the latter year goes unmentioned (1.19.3), and thought Books 120-142 were written after AD 14 – but the text says published (Epit. 121). He laid down the basic idea of three books a year.

The twentieth century attempted to push things back. According to Jean Bayet, Book 1 was published c. 31-29, implying a start to composition in the later 30s, Books 6-10 were published 27-25, and 11-30 by 19. Syme dated Livy’s beginning to work shortly after Actium, so that 1-5 were published 27-25, but paradoxically thought that Livy reached Book 20 by 26-25, taking the reference to Spain not to Agrippa in 19 but to Augustus (20.12.12). What is now commonly quoted is Luce’s contribution in 1965: Livy began composition c. 31, and 1-5 were finished by 27. Badian finally assigned the composition of Book 1 to 30, and 2-5 to early 29-late 28, and reasserted the rate of three books a year.\footnote{Weissenborn-Mueller (n. 2) 1.1.9; Klotz (n. 9) 81 8; J. Bayet (ed.), \textit{Tite-Live} (Paris 1940) 1.xvii f; Syme (n. l) 42 f; Luce, ‘The Dating of Livy’s First Decade’, \textit{TAPA} 96 (1965) 209-40; Badian (n. 2) 17 f.}

We have obviously very few indications of the date of writing: 1.19 (29), 3.78, 4.20 (28), 1.19 (27), and 28.12 (19). The date of beginning ‘research’ and then writing and then publication are very different things. And what if all the dates mentioned were ‘insertions’ – as some have argued? The whole debate is a storm in a teacup. The central question is whether Livy began thinking about writing or actually began writing before the end of the civil wars (29). But the Augustan peace appears as early as 1.19. All that can safely be maintained is that after getting under way, Livy must have maintained that average of about three books a year, so that if he died virtually pen in hand in AD 17, we have the following approximate guide: 1-5 by 27, 6-19 by 25, 11-20 by 22, 21-30 by 19, 31-52 (covering 200-146) by 12, 53-70 (145-92) by 7, 71-89 (91-78) by the turn of the century, 90-108 (78-50) by AD 6, 109-133 (49-30) by 15, and 134-142 (Augustus) by 15.

\textbf{Livy’s Augustan References}

Livy, it is well known, refers to Augustus by name only three times in the surviving quarter of his history. This has been interpreted, however, in quite contradictory ways. ‘Only twice in the first pentad’, noted Walsh; ‘he could easily have avoided mentioning the emperor by name altogether’, stated Luce.\footnote{Walsh, ‘Livy and Augustus’ (n. 2) 29; Luce, ‘Livy, Augustus and the Forum Augustum’ (n. 1) 128. Mineo (n. 1) 160 suggested that Livy was following Dionysios’ reticence, avoiding ‘showy propaganda’.}
1.19.3: The gate of Janus had been closed only three times in history, lastly *ab imperatore Caesar Augusto pace terra marique parta* ("when peace was achieved on land and sea by Imperator Caesar Augustus"). No one could be in any doubt of Livy’s gratitude that the frightful wars had ended. He had, however, no absolute need to mention the other two cases when he cited the case of Numa. Von Haehling is the first to stress that we must not truncate the extract. The Augustan closure *quod nostrae aetati dederunt ut videremus* ("which the gods gave to our age for us to see") – in other words, Augustus was only the instrument of the gods.\(^{13}\) The words could, however, equally well be taken as a sign of divine favour.

4.20: I shall not attempt to survey the literature – that would be a small book – but single out only what seem to me the unassailable points which can be deduced from Livy’s account, and that also without attempting to identify ‘layers’ (additions, editing) but simply taking the text as we have it.

1. Cossus won the *spolia opima* in 437 while military tribune under the dictator, Aemilius.
2. This was the unanimous version of all Republican historians.
3. A tradition claimed that only a Roman commander could win these spoils – so Cossus should have been consul.
4. Livy heard that Augustus had found Cossus’ linen breastplate in the temple of Jupiter Feretrius and that this stated that Cossus was consul (which would date the event to 428).\(^{14}\)
5. That consulship, however, fell in a triennium without war.
6. Yet the spoils themselves, hardly forgeries (*haud spernendos falsi tituli testes*), state that he was consul.

One turns then to Cossus’ consulship in 428 (4.30.5-11) and there is no sign of a battle, let alone spoils, and Livy repeats the original story unchanged in 426 (4.32.4).

To this analysis of the text we can add little:

1. The dating of Cossus’ spoils to either 437 or 428 was not the end of the uncertainty. In the imperial age Cossus’ exploit was assigned to his service as *magister equitum* (426) (Val. Max. 3.2.4, Front. *Strat*. 2.8.9, *vir. ill*. 25.1). This is doubly significant: Augustus was not believed by these sources either.
2. The idea that somehow Augustus misread the breastplate, taking the *cognomen* Cossus as an abbreviation for *cos.* (consul) was thrown out by Jacob Perizonius in 1684.\(^{15}\) *Cognomina* were not abbreviated.

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\(^{13}\) Von Haehling (n. 2) 180.

\(^{14}\) See Badian’s careful analysis of this (‘Livy and Augustus’ [n. 2] 14), proving that there was no personal communication. A desperate attempt to save Augustus has claimed that only he as pontiff could enter the *adyton* where the spoils were kept: Filippo Cassola, ‘Livio, il tempio di Giove Feretrio e l’inaccessibilità dei santuari in Roma’, *RSI* 82 (1970) 5-31. See Miles (n. 1) 40-7 for an excellent analysis: Livy is ‘devastatingly subversive’.

28.12.12: Spain was Rome’s first province on the ‘continent’ but the last to be conquered, not indeed until now, *ductu auspicioque Augusti Caesaris* (‘under the command and auspices of Augustus Caesar’). This is also a quite unnecessary comment, in that Livy is describing campaigns in 206, and the Romans had been fighting in Spain since the beginning of the Hannibalic War. The comment would have been more apposite in 197. This was the formal declaration that Rome no longer regarded Spain simply as a theatre of the Hannibalic War, but as a formal province to be governed by elected magistrates able to celebrate a triumph, not *privati* with extended commands. This was a major change. The simplest answer is that Livy composed this book in about 19 – which nicely fits most calculations of his progress.

As many have noted, three references in thirty-five books do not seem to be the proof of a supporter of the régime. For the attentive, however, there is much more.

1.7.9: Hercules is *augustior* than a mortal. 1.8.2: Romulus is *augustior* because he has twelve lictors; 8.6.9 and 8.9.10: Decius (cos. 340), devoting himself in battle against the Latins, is *augustior* in appearance than a mortal. These are the only three individuals to whom Livy applies this adjective: the hero, the first king and the mortal hero. The word had very particular associations after 27 BC, which no reader could have missed.

Augustus himself is one matter. By contemporary propaganda he was the greatest of the Julii. Their part in Livy’s history must also be a barometer of his attitudes. In one of the boldest chapters of his history (1.3) Livy paraded his doubts on the identity of Aeneas’ son on whom the legitimacy of the Julii depended. This son was left under age on his father’s death, under Lavinia’s regency; this was their son Ascanius (1.1.11). Livy mentions, however, an alternative: an elder brother, born of Creusa, called Julius, from whom the Julii claimed (*nuncupat*) to be descended. Livy leaves the whole question undecided – but then, as with Cossus, the sequel makes everything clear: Silvius was Ascanius’ son (1.3.6), and he was the ancestor of the Alban kings. Vergil and Dionysios had similar problems. Given the mess, as Syme put it, Livy was left with little choice. Nesselrath judged Livy’s account to be ‘amazingly subtle’, while Glucker thought that Vergil was safe, but that Livy was ‘far from safe’, and Miles regarded Livy as undermining Augustus’ claims. Bayet is the most direct: Livy shows a ‘scepticism dédaigneux et

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16 Glucker (n. 2); Ogilvie, *Commentary* (n. 4) 60 accepts the Augustan allusions.
17 According to Dionysios, Aeneas was succeeded by his son Euryleon, who in the flight from Troy had been renamed Ascanius (1.65.1). He was succeeded by Silvius, son of Lavinia, who was born after his father’s death (1.70.1), although he was challenged for rule by Ascanius’ eldest son Julius, who became *pontifex maximus* (1.70.4-5) – an office still held by them. According to Vergil, Ascanius, now called Iulus (*Aen.* 1.267), was the son of Aeneas and Creusa (2.677), who escaped from Troy and came to Italy where he founded Alba (8.48), but Aeneas’ son in old age by Lavinia was the ancestor of the Alban kings (6.760 f).
presque frondeur’.\textsuperscript{18}

Leaving behind the contested lines of descent, Livy then had to deal with the Julii during the Republic. Taylor saw the conclusion to be drawn:

The ten or eleven Iulii who reached high office in the fifth and fourth centuries hardly average a line apiece in the six books that Livy devoted to their period – books crowded with vivid stories of great families like the Fabii, the Manlii and the Valerii.\textsuperscript{19}

Such are the direct references to Augustus or his family. There are others which are clear, or at least suggestive, possible allusions.

1.4.1: \textit{fatis tantae origo urbis maximique secundum deorum opes imperii principium} (‘the Fates had decided on the founding of this great city and the beginning of a very great [or, the greatest] empire’). This seems to be a description of the situation in Livy’s own day\textsuperscript{20} and seems much more positive than the Preface.

1.6.2: Numitor’s title and power as king are confirmed \textit{ex omni multitudine consentiens vox} (‘by the assenting voice of the whole multitude’). Consensus was one of the key Augustan slogans (cf. \textit{RG} 34) from as early as 32 (\textit{RG} 25.2). On the other hand, Numitor was a tyrant (1.5.2).

1.7.8: Evander rules more by \textit{auctoritas} than \textit{imperium}. Livy’s readers did not have \textit{Res Gestae} 34 until after AD 14, but again that document enshrined slogans long paraded.\textsuperscript{21}

1.7.15: Romulus honours Hercules, whose labours for mankind brought him immortality, an immortality to which his own destiny was leading. Three connections would have recalled Augustus to Livy’s readers: his work for the empire which was the justification for his own deification (Dio 65.36.4; Tiberius to Gytheion = \textit{E&J} 102: ‘in keeping with the greatness of my father’s services to the whole world’), the recent discussion of Romulus in regard to the \textit{princeps}, and the fact that his adopted father had been deified. And what put Augustus apart from all the Republican heroes, despite their achievements, were two things: not even Camillus or Scipio could be compared with Augustus, to whose care the entire empire was now committed, and none of them had, in fact, been immortalised. If Livy is already alluding to such notions, he is very early. Vergil had, however,

\textsuperscript{18} Syme (n. 1) 48; Nesselrath (n. 4) 159; Glucker (n. 2) 90; Bayet (Budé) lxviii. Mineo (n. 1) 158 offers the excuse that Livy was at this stage trying to establish his credentials as a critical historian – even his impartiality.

\textsuperscript{19} Taylor, ‘The Rise of Julius Caesar’, \textit{G&R} 14 (1957) 10-18; Syme (n. 1) 49 rejoined that ‘there is no evidence that Augustus (or anyone else) bothered about the Julii of the fifth century.’ Modern parallels suggest otherwise; unkind allusions to the madness of King George still cause a ripple in his distant descendants.

\textsuperscript{20} Von Haehling (n. 2) 82.

\textsuperscript{21} Ogilvie, \textit{Commentary} (n. 4) 58 refers to the \textit{RG}, but von Haehling (n. 2) 54 claims that there is ‘no intended allusion to Augustus because the \textit{RG} was not yet published.’ Mineo (n. 1) 156 stresses the connection.
anticipated him (Ecl. 1).

1.21.5: *omnium tamen maximum eius operum fuit tutela per omne regni tempus haud minor pacis quam regni* ('Numa’s greatest service throughout his reign was his guardianship of peace no less than of his kingdom'). This was the achievement of the Augustan régime which even its enemies would have to concede.

3.70.1: Agrippa Furius Fusus as consul (446) defers to his colleague, Quinctius Capitolinus, with the result that, despite his inferiority, he is treated as an equal. This recalls the relations between the consuls, Octavian and Agrippa, in 28 (Dio 53.1-2). The best discussion of this passage is by von Haehling.22 In 28 Agrippa played a very subordinate role to his colleague, Octavian, and was honoured for it. The mere similarity of names is not enough. We must ask how much Livy found in his sources. Von Haehling suggests that Livy has misunderstood the usual alternation of high command as Agrippa’s modesty. That the interpretation is Livy’s own, however, is clear from the present tense (*saluberrimum est*). Von Haehling goes too far in claiming Livy’s own willingness to approve sole command in a crisis as a political and constitutional view: it is limited to military command (4.31.2, 22.41.2). That Livy is referring to the contemporary Agrippa is shown by the fact that he refers to the consul of 446 four out of five times extraordinarily by his *praenomen*, exactly corresponding to the *cognomen* alone which Octavian’s colleague preferred. He also wins the victory on the left (3.70.10-11) – just as Agrippa did at Actium. Does that make Quinctius Augustus? Quinctius held six consulships. He is noted for his *auctoritas* (4.10.9), he is a *consul togatus* (4.10.8), a conciliator, and *vindex maiestatis Romanae* (4.69.3); compare Octavian as *vindex libertatis populi Romani* in 28 (E&J 58), a title which Livy reserved for Brutus (2.1.8). Augustus, like Quinctius, was the guardian of civil harmony.

4.4.4: Canuleius, in supporting inter-marriage between patricians and plebeians, stresses the endless flexibility of the Romans: *quis dubitat quin in aeternum urbe condita, in immensum crescente nova imperia, sacerdotia, iura gentium hominunque instituantur?* ('Who can doubt that in a city founded for eternity and with immense potential for growth, new powers, priesthoods and rights for families and individuals will be introduced?'). Syme suggested *nova imperia* might refer to Octavian’s ‘avowed monarchy’ rather than his ‘primacy . . . in the restored Republic’. Livy was writing, in other words, as an apologist for the régime. Walsh countered that the phrase had been taken to refer to administrative developments between the fifth and first centuries,

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22 Von Haehling (n. 2) 191-212. Hellmann (n. 1) 53 accepted the reference to 28 BC, taking it even as a justification of Agrippa’s position. Ogilvie, *Commentary* (n. 4) 522 was less certain: ‘There may be an allusion to the status of Agrippa in 28 BC.’
or the ‘settlement’ of 27, but stressed Livy’s aversion to monarchy. All of Augustus’ powers were traditional, not new, but it was the way he held them and their cumulation which was so new that it signalled the end of a government which had lasted for half a millennium. Developments during that Republic, however, will be enough to explain Livy’s reference.

6.4.12: in 388 the Capitol was given a substructure of square stone, *opus vel in hac magnificentia urbis conspiciendum* (‘a work to be viewed even in the present magnificence of the city’). This is the first of a number of admissions of Livy’s pride in the Augustan city.

9.19.17: *mille acies graviore quam Macedonum atque Alexandri averteretur, modo sit perpetuus huius qua vivimus pacis amor et civilis cura concordiae* (‘a thousand armies stronger than the Macedonians and Alexander’s have the Romans driven off – and will drive off – if only the love of this peace, which we enjoy, and care for civil harmony endure’). This may be characteristic of writers who have lived through civil war, such as Cicero and Horace, but it is another clear admission by Livy of his prime debt to the new government.

9.36.1: writing of Fabius and the Cimminian Forest, Livy states that it was more impassable and terrifying than recently (nuper) the German saltus. He presumably refers to campaigns across the Rhine by Caesar in 55 and 53 and by Agrippa in 38, or the brilliant campaigns by Drusus (12-9) and Tiberius (9-7). The last two, however, are ruled out by the date of composition of Book 9, so the references must be pre-Augustan.

40.5.7: Rome in 182 was not yet beautified in its public or private places (or buildings, *locis*). This is another comparison with the splendour of the city in his own day.

These are the Augustan references which may be gleaned. Attention must now be turned to where especially one might have expected such allusions and where the *argumentum ex silentio* is striking.

6.4.1: Camillus’ triple triumph. In fact his triumph was for triple victories over the Aequi, Volsci and Etruscans in three simultaneous wars, so that he celebrated one triumph. It was his third (*Inscr. Ital.* 1.3.3, no. 61) out of four. By anyone’s calculation, Book 6 has to be composed after 29 BC. Might we not expect a comment along the lines of: ‘not equalled until – or even

23 Syme (n. 1) 47; Walsh, ‘Livy and Augustus’ (n. 2) 31; Ogilvie, *Commentary* (n. 4) 536 sided with Syme against Walsh. Miles (n. 1) 134 claims that 4.4.2-3 are a major key to Livy’s own political values.
surpassed by – the triple triumph of Augustus Caesar’?  

7.17-18: the Romans and Alexander. The silence is all the more striking because in a source which was well known to Livy there is the immediate juxtaposition of Alexander and Octavian (Cic. Phil. 5.48). Augustus himself is quoted as saying that Alexander did not understand that it was harder to organise an empire than to conquer one (Plut. Mor. 207D). And the Alexandrian connections are legion: coin types, portraits, Augustus’ seal (Suet. Aug. 50), and Apelles’ painting in Augustus’ Forum (Plin. NH 35.93-94). Even more to the point, 

Augustus is the world conqueror, the heir to Alexander. As such he projected himself especially in his endeavours to subdue the Parthians, the successors of the Persians.27

And there is a reference to the present in Livy. At the very end of the digression, he sums up by asserting that the Romans have beaten off many enemies more formidable than Alexander, and will continue to do so, if only the current pax and concordia are maintained (9.19.17).28

This must mean that Rome can overcome foreign threats as long as its strength is not destroyed by internal divisions. There is, however, a much more cogent question. Livy has been surveying the late fourth-century Roman generals who might have been matched against the Macedonian. Where now is the dux of genius? Why does Livy not reassure his readers by invoking ‘the command and auspices of Augustus Caesar’ as he did with Spain? Why, rather, does he express less than complete confidence in Rome’s present capacity to confront the East? Every contemporary understood.

44.1.3: the praetor Marcius Figulus in 169 reached Actium in the Third Macedonian War. Might we not expect a relative clause along the lines of: ‘later to be made famous by the illustrious victory of Imperator Caesar Augustus’?

AUGUSTUS AND ROMULUS

‘It would be strange if the young Caesar did not annex and exploit the myth of Romulus’ (for example, the twelve vultures, Suet. Aug. 95). ‘The formula applied to Romulus by Livy is solemn and even liturgical.’ Such was Syme’s judgement.29 Everyone knew that Augustus had been very intent on taking the name of the first king, and was dissuaded only when he realised that this caused him to be suspected of desiring kingship. (Suet. Aug. 7, Dio 53.16.6f.). There have been, however, two diametrically opposed interpretations of Livy’s portrait of Romulus. Karl Weeber claimed that Livy’s

27 Galinsky (n. 7) 48, 163.
28 Oakley (n. 24) 3.261 detected a topos in the danger of internal discord during a foreign threat. That has been one of Livy’s themes during the Conflict of the Orders, but now that he is assessing Rome’s military capabilities as a citizen of the Augustan empire, it is irrelevant.
29 Syme (n. 1) 55.
picture was basically positive: Livy plays down the death of Remus (1.7.13); Romulus admits that the rape of the Sabine women was an injustice (1.9.15), which he tried to remedy; he was a good general; he was a good organiser of the new state (1.8.13). The final judgement (1.15.68), however, is guarded and not uncritical: the conflict with the senate and the need for a bodyguard form the conclusion. In the final matter of the deification (1.16) Weeber claims that Livy takes no sides, that he is an ‘outsider’, but he recognises that his account is hedged about with doubt (dicitur, traditur); it is all a device (consilium, 1.16.5). The chapter may be framed by references to immortality, but is shot through with Livy’s scepticism.

There was nothing of Augustus in Livy’s Romulus, according to Nesselrath. On the vital matter of the fratricide, in contrast to attempts to exonerate Romulus (Dion. Hal. 1.87), Livy does not prefer one version, but notes that Romulus’ guilt was widely accepted (1.7.2). That is preceded by something which no one else ever claimed: that both the twins had been greeted as king by their followers (1.7.1). Livy furthermore shows Romulus unconcerned by Tatius’ death (1.14.3) – as Pompey and Caesar were by that of Crassus. On the apotheosis, Livy makes no mention of Quirinus, who had been vital to the Julii since Caesar (Cic. rep. 2.20, leg. 1.3, nat. deor. 2.62, off. 3.51). Nesselrath sees Livy as wishing to counteract the Julii’s attempt to make the state their personal property. Livy’s portrait of Romulus possibly had Caesarian echoes: his speedy victories (1.10 etc.), his popularity with the people and the army, but not the senate (1.15.8), his display (1.8.2, 1.10.5), and his murder and deification.

Glucker added some fundamental points. The Fates founded Rome – by the rape of a virgin (1.4.1), and the verb used by Livy (comprimere) is commonly used by Plautus and Terence. Mars is introduced, but only as an excuse. Livy’s treatment of ‘the most solemn birth in Roman history’ is nothing short of astounding.

How is one to make sense of such contradictory interpretations? The answer is that, in reading Livy’s account (1.4-16) as a whole, the basic narrative, well known to every Roman, of Romulus as the founder of the state

31 Nesselrath (n. 4) 159 f. There is no comment on any of this in Ogilvie, Commentary (n. 4), save that in the apotheosis Livy was following Antias, who was favourable to Romulus (85). On Livy’s originality, see Miles (n. 1) 137-50, and parallels with Augustus, 164 f.
32 Glucker (n. 2) 93. On earlier versions, see C. Clasoon, ‘Romulus in der römischen Republik’, Philologus 106 (1962) 174-204. Mineo (n. 1) 163-75 cites Augustan connection with Romulus via the Palatine. Greek cults (Hercules for one, Apollo for the other); the recovery of ancestral kingdoms (1.15.6-7); and 1.10.7 as a justification for the refusal of the spoils to Crassus; but Concordia is hardly a virtue of either, and the temple of sto 10 is entirely misrepresented (cf. Platner and Ashby, A Topographical Dictionary of Ancient Rome [Oxford 1929] 139).
and its institutions is necessarily presented, ending with references to his divine origin and deification. At every crucial juncture, on the other hand, Livy has a critical comment: on his birth and rearing (1.4.2, 7), on the way he gained the kingship (1.6.4, 1.7.1, 3), on the growth of the population (1.9.13), on relations with his co-ruler (1.14.3), on his relations with the senate and need for a bodyguard (1.15.8), and on his death (1.16.4-5).

Augustus had paraded from 42 his divine connections, he had climbed to sole power by similarly murky means, and the comment about the senate is highly suggestive – obvious to all from 44 BC in Augustus’ case. The date of publication in the first half of the 20s cannot be disregarded. If a connection with Augustus is intended, it is very critical, or a caution, as the following case suggests.

AUGUSTUS AND CAMILLUS

The dominant figure in Livy’s early Republic is Camillus. One is perfectly justified, therefore, in asking what, if any, influence of contemporary history may be detected. Seeking later references in Livy’s picture of Camillus is an old game. Otto Hirschfeld saw Scipio Africanus; Jean Bayet detected Aemilianus; Eugen Taubler thought that Livy had Sulla in mind. Friedrich Münzer accepted all these – and added Achilles, Caesar and Augustus.33

A very sensitive discussion was provided by Erich Burck.34 He divided the story into three ‘blocks’: 5.1-32, 5.33-55 and 6.1-27. Guilt and expiation were common in the first two, recalling the civil wars and the Augustan ‘settlement’; also to be noted were his name Romulus (5.49.7), the restoration of temples (5.50.2) and prevention of the move to Veii (5.51f.). In the third section, more particularly, Burck noted the triple triumph, the colleagues ceding primacy to Camillus, the consensus civitatis (6.6.9) and Camillus’ reluctance to take power even when offered it (6.22).

Camillus can only be understood, however, against the competing figure of Manlius. Common to both was the problem of gaining and maintaining power. Burck believed that Livy saw in Augustus the hope of a regeneration of the Republic. His message in the depiction of Camillus and Manlius was not, however, crude propaganda for the princeps: it was a lesson directed at both Augustus and his rivals.

Burck’s interpretation that Livy is offering a model of two kinds of leadership was developed by Joseph Hellegouarc’h.35 He also distinguished

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35 J. Hellegouarc’h, ‘Le principat de Camille’, REL 48 (1970) 112-32. See also Miles (n. 1) 79-97. The parallels are never explicitly drawn, but would have been obvious. Mineo (n. l) 232-7 adds as elements for an ‘analogy’ with Augustus Camillus’ enthusiasm for his triumph (5.23.2-7), the senate’s begging of Camillus not to abdicate his dictatorship (sic) (5.50.8-9), and his attachment to Apollo (5.21.2, 23.8).
phases in Camillus’ career. At the beginning he is shown as arrogant, proud, even cruel. Later he is most scrupulous in the observance of law (5.46.11, 49.2), hesitant to take power (6.6.8f., 22.7), but is the saviour of Rome (5.49.8, 6.6.6f.) and parens patriae (5.49.8). Hellegouarch also takes up the contrast with Manlius, his rival for the Principate (6.11.3-4) and parens plebis (6.14.5), in fact the first popularis from the patricians (6.11.7). And all this was being written c. 27-25 BC.

The figure of Manlius is indeed evocative (6.14f.). He begins as the hero, the vindex libertatis (6.14.10), generous, the parens plebis (6.14.5), the patronus plebis (6.18.14), the servator patriae (6.17.5) – and is then accused of seeking a regnum. Given the way titles such as liberator had been claimed by both Caesar and Brutus and Cassius, Kraus states that ‘Manlius throughout is described with such ambiguous language.’ He does, however, spend the chief part of his patrimonium not on himself but on others (compare Octavian, Cic. Phil. 3.3). The title vindex libertatis is perhaps the most suggestive, but Cicero had already applied it to Scipio Nasica (Brut. 212).36

The most particular item in the Camillus story which has been thought to recall Augustus is the former’s prevention of a move from Rome to Veii (5.49.8-54) and the latter’s prevention of Antony’s supposed intention to move the capital of the empire to Alexandria. The main proponent of this view was Syme, quoting Dio 50.4.1, but also noting rumours of Caesar’s intentions (Suet. Jul. 79.4). Petre Ceausescu explained Augustus’ claim to the title Romulus as based on his defeat of this danger.37 Others have simply rejected the notion: ‘Not propaganda for the policies of Augustus,’ stated Ogilvie, but he went on to add: ‘Only in so far as Augustus shared the same aims can the speech he said to be Augustan in outlook or sympathy.’38 This is to overlook that Antony celebrated a triumph at Alexandria in 34 as if it were Rome (Plut. Ant. 50). Given the hysteria of the propaganda directed at Antony as an ‘easterner’, the threat of a move of capital would long have remained vivid in contemporaries’ minds.

In sum, there is much in the depiction of Camillus which to an Augustan reader might recall the princeps. This is made more plausible by the date of the composition of these books. Camillus cannot, however, be understood without Manlius. Two contrasting types of leadership are juxtaposed. This is not, then, a text adulatory of the princeps, but a cautionary lesson in politics, a speculum principis.

36 See Kraus (n. 2) 174, 176, 177. Jaeger (n. l) 57-93 is interested only in topography.
38 Ogilvie, Commentary (n. 4) 742. The matter is not discussed by Hans Buchheim, Die Orient-politik des triumvir M. Antonius (Heidelberg 1960).
It is time to turn to the extensive evidence which can be adduced from his pages to show Livy’s attitude to the Republic. Books have been written on the Preface, but its basic assertions cannot be omitted, at least those that throw light on his attitude to his own times. In ‘modern times’ (haec nova) the strength of a long superior people is exhausting itself (4); our age (nostra aetas) has seen evils for so many years: he will thus devote himself to antiquity (prisca illa) (5); in these times (haec tempora) we can suffer neither our vices nor their remedies (9); and recently (nuper) riches have introduced greed, and abundant desires (abundantes voluptates) have produced a longing for extravagance (luxus) and a desire (libido) to perish and destroy everything (12). How anyone could ever have been in doubt about the vitia is a puzzle: Rome has lost its sanctitas, its bona exempla, and is possessed by avarice and luxury: all to the point of destruction. In the annals of historiography, few historians have presented their readers at the outset of such an enormous undertaking as Livy’s with as stark an introduction. And few contrasts could be as sharp as that with Vergil’s ‘golden age’ (Aen. 6.789-95), ‘prophecy’ though it be.

The only supposed ground for optimism that some have postulated is the purpose of history in providing examples to avoid or imitate, as if the latter suggested a way forward. This rationale, however, was too obvious an attraction to historians: so Polybios (1.1.2, 2.61.3) – admittedly different to the claims of Thucydides (1.22.4), Sallust (Jug. 4.5) and Tacitus (Ann. 3.65.1).

1.17.3: on Romulus’ death, men still wanted a king: they had not yet tasted the sweetness of freedom (libertatis dulcedo). Already the stage for the great drama of Livy’s annals is introduced: the state epitomised above all by its freedom (but more, of course, at the opening of Book 2).

1.48.9: Livy quotes those who thought that Servius Tullius planned to resign id ipsum tam mite et tam moderatum imperium (‘mild and moderate as his power was’), because it was a monarchy, and thus to liberate his country. This is commonly seen as a reflection on Augustus after 31 (Suet. Aug. 28) and in 28/27 – how else, given the burning debates of the time? Suffice to say, Augustus did not free his country.

1.49.2: Tarquin II hedged his body about with armed men. It was notorious

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39 That Livy cannot be referring to an Augustan marriage law of the early 20s was definitively proven by Badian, ‘A Phantom Marriage Law’, Philologus 129 (1985) 82-98. Propertius 2.7.13 is referring to the repeal of triumviral legislation, such as a tax on the celibate. Yet Mineo (n. 1) 111 still sees Livy as referring to Augustus’ immediate attempts at moral reform. The extreme Augustan interpretation of this phrase was probably offered by Charles Cochrane, Christianity and Classical Culture (New York 1940) 108: ‘a situation has arisen which calls for nothing less than the intervention of a second [sic] founder. And, finally, it is to point to Augustus Caesar as the man.’

40 Ogilvie, Commentary (n. 4) 194.
that Caesar would not have a bodyguard, but Augustus did – and needed it (Suet. Aug. 19). He thus conformed to models of tyrants.\textsuperscript{41}

2.1: \textit{liberi iam hinc populi Romani res pace belloque gestas, annuos magistratus, imperiaque legum potentiora quam hominum peragam}. This is Livy’s hymn to the Republic: its \textit{libertas}, its annual magistrates, and the rule of law. Von Haehling rightly defined this as a ‘fundamental’ passage. Freedom depended on certain conditions, now unfavourable after the civil wars.\textsuperscript{42}

2.6.8: \textit{decorum erat tum ipsis capessere pugnam ducibus} (‘in those days [509] it was to a general’s credit to take part personally in battle’). It was expected, indeed, throughout the Republic that, whenever a serious war broke out, the general would be one of the consuls – or both, if needed. And Caesar’s personal generalship was legendary. Augustus had the most inglorious career of any Roman military leader up to that date. At Philippi he was guarding the camp – and could not even manage that – not leading the line (Suet. Aug. 13); the commander at Naulochos was Agrippa (Dio 49.4.1) – Octavian was on shore (5.1); Agrippa commanded again at Actium (Vell. 2.85.2); note Dio (50.31.1-2) on tactics, and Velleius on position, but at least Octavian was present. That was the situation against which Livy was writing. (Augustus took part in war for the last time in 26-25 in Spain, as ingloriously as ever. He was \textit{dux in absentia} for the last forty years of his reign).\textsuperscript{43}

2.7.7: Valerius (cos. 509) lowers his \textit{fasces} before the people. In the first year of the Republic, Livy gives political lessons: the people’s majesty and power (\textit{maiestas visque}) were superior to that of the highest magistrate. No one under the Principate (adopting Augustus’ own term for his rule: \textit{RG} 13) could have applied such a principle to that régime.

2.9.7: during the siege of Rome by Porsenna (508), \textit{regium nomen non summni magis quam infimi horrerent} (‘the highest did not shudder at the name of king more than the lowest’). The complement to Livy’s eulogies of Republican freedom is his constant criticism of monarchy.\textsuperscript{44}

2.15.3: \textit{non in regno populum Romanum sed in libertate esse}. Again, the Romans declared to Porsenna that they were not living under a monarchy, but were free. The day that saw the end of that freedom would also see the end of the city.\textsuperscript{45}

2.40.11: life in 488 was free of envy of the glory of others (\textit{sine obrectatione}

\textsuperscript{41} Why does Ogilvie search for Greek precedents (ibid. 197)?

\textsuperscript{42} Hellmann (n. 1) 48 sees this passage as having Augustan references, but does not explain. Von Haehling (n. 2) 163; for the unfavourable conditions, 211.

\textsuperscript{43} Von Haehling (n. 2) 182, 203, detects the criticism of the Augustan present.

\textsuperscript{44} Walsh, ‘Livy and Augustus’ (n. 2) 30.

\textsuperscript{45} ‘Sentiments typical of the Republican attitude to monarchy’: Ogilvie, \textit{Commentary} (n. 4) 271, comparing Sall. Cat. 33.4.
Livy – ‘Republican’ or ‘Augustan’?

The criticism may be ‘implicit rather than explicit’, but it is criticism nonetheless.\textsuperscript{46}

2.47.11: *spreta in tempore gloria interdum cumulatior redit* (‘glory rejected in time returns increased’): Fabius declined a triumph in 480, because of losses which blighted the laurel, but *omni acto triumpho depositus triumphus clarius fuit* (‘the declined triumph was more famous than any actually celebrated’). This would have been composed about the time of Octavian’s triple triumph in 29, in which case it was hardly a comment in a vacuum.\textsuperscript{47}

The most famous *recessatio* of the Augustan age was significantly that of Agrippa, who refused triumphs in Sicily in 37 (Dio 48.49.4) and in Spain in 19 (54.11.6). Livy could not, of course, here have known of the later example. How revealing that it was not the commander-in-chief who modestly declined military glory but his closest collaborator, in order not to thrust Augustus into the shade.

3.20.5: *sed nondum haec quae nunc tenet saeculum neglegentia deum venerat* (‘there was not yet that neglect of the gods which possesses the present age’). *Impietas* was to be added to the *vitia* of the early Augustan age. Note also 10.40.10, without reference to the current generation. To dismiss this kind of statement as simply ‘typical of Livy’ is to ignore its outspokenness in an age of officially sponsored piety (Augustus’ restoration of temples in 28: \textit{RG} 20.4; the celebration of his own piety: \textit{E&J} 59) and optimism (e.g. the \textit{Ludi Saeculares} and Horace’s \textit{carmen}).\textsuperscript{58}

3.21.3: the plebeians re-elected the tribunes, and the patricians then wished to re-elect Quinctius as consul, until he dissuaded them. This was after the senate had declared that for the same magistrates, including tribunes, to be directly re-elected was *contra rem publicam*. And this was written while Augustus was being re-elected consul for no fewer than nine years, 31-23!\textsuperscript{48}

3.21.7: Quinctius in refusing to stand for the consulship declares *gloriam spreti honoris auctam* (‘my glory has increased from the office refused’). This might be seen by some to be a reflection of the events of 28/27, but Augustus, in fact, refused nothing and lost none of his powers. He had to accentuate minor *recesationes* (\textit{RG} 4.1, 5.1, 5.3, 6.1, 10.2).

\textsuperscript{46} Oakley (n. 24) 1.506. Von Haehling (n. 2) 30f. omits the passage because there is no temporal adverb. 2.43.10 might be thought appropriate for discussion: excellent minds are more likely to be lacking the skill to govern fellow citizens than to conquer the enemy. Hellmann (n. 1) 68 took this as a comment on the last century bc. It can hardly be contrasting Marius, Sulla, Pompey and Caesar with Augustus (as Ogilvie, \textit{Commentary} [n. 4] 351) – because, whatever his political skills, the last thing Augustus was was a brilliant general.


\textsuperscript{48} Dismissed as typical of Livy by Hellmann (n. 1) 30; Walsh, ‘Livy and Stoicism’, \textit{AJP} 79 (1958) 355-75, at 358; Ogilvie, \textit{Commentary} (n. 4) 431. The passage is referred to only in passing by Iiro Kajanto, \textit{God and Fate in Livy} (Turku 1957) 36.
3.26.7: the story of Cincinnatus merited attention from *qui omnia praedivitiis humana spernunt neque honoris magno locum neque virtutis putant esse*, *nisi ubi effuse affluent opes* (‘those who despise all human qualities except riches and think that there is no room for great honour or virtue except where there is a flood of wealth’). This could be dismissed as vague moralising common to Roman literary figures, but it now had a new focus. Not even the grandest of the Republicans, such as a Lucullus or a Crassus, could compete with the wealth of the *princeps*, who was ‘in control of most money’ (Dio 56.39.41).

3.39.8: in the aftermath of the decemvirs Livy defines *libertas* – and for that matter, the Republican constitution – as *ius*, *comitia*, and *annui magistratus* who practise *vicissitudo imperitandi* (‘alternation of rule’), the one guarantee of equal freedom. The Principate was based on a permanent head of state which made rotation of office meaningless in Republican terms.

3.65.11: *adeo moderatio tuendae libertatis, dum aequari velle simulando ita se quisque extolli ut deprimat alium, in difficili est* (‘It is difficult to be moderate in the defence of freedom. Everyone pretends to desire equality, but in fact elevates himself so that others are crushed’). Far from being dismissable as usual as a cliché, this is, as Ogilvie saw, ‘one of Livy’s most articulate judgements’, but he is not simply making sense of the fifth century. This is his highly discerning definition of the dangers presented by none other than the *vindex libertatis*.

4.6.12: *hanc modestiam aequitatemque et altitudinem animi ubi nunc in uno inveneris, quae tum populi universi fuit?* (‘Where can you now find in one man the modesty, fairness and loftiness of mind which was then the mark of the whole people?’). This is, as von Haehling noted, ‘an emphatic judgement’. Livy had no need to specify one man and the present.

4.12.6: *regno prope per largitionis dulcedinem in cervices accepto* (‘men almost accepted the yoke of monarchy on their necks because of the pleasure of largesse’: 440, Sp. Maelius). Cincinnatus repeats the lesson even more forcefully:

4.15.6: *bilibris farris sperasse libertatem se civium suorum emisse, ciboque obiciendo ratum . . . populum in servitutem perilci posse* (‘Maelius had hoped that, for a few pounds of grain, he had purchased the freedom of his fellow citizens; he imagined that by flinging food at them he could entice

49 Von Haehling (n. 2) 172 notes that the same comments appear in Dionysios (10.17.6), but also recognises that Cincinnatus is Livy’s prototype statesman.

50 Ogilvie, *Commentary* (n. 4) 516. Von Haehling (n. 2) 163 similarly sees the sentiment as Livy’s conviction, but blames him for not offering a more profound analysis of the causes of the Conflict of the Orders.

51 Weissenborn-Müller (n. 2) 2.2.17 thought that this only came from Livy’s source, Von Haehling (n. 2) 177 more properly saw it as an ‘emphatic judgement’. Hellmann (n. 1) 62 f. drew attention to the vocabulary: *modestia, not moderatio, and altitudo, not magnitudo animi*, because he was referring to the whole people and not the aristocracy.
them into slavery . . .'). We now have the advantage of knowing RG 15-18 and Tac. Ann. 1.2.1: *populum annona . . . pellexit*, but the bribery began in 44 (RG 15). It thus became clearer to Livy’s readers with each year that corruption was one of the most powerful supports of the Augustan monarchy. Taine was speechless: has Livy forgotten that he is living under Augustus?52

4.57.6: the tribune, Servilius Ahala, chides his colleagues for their jealousy, and appoints a dictator – by whom he is appointed *magister equitum*. Livy makes the moral clear: *gratia atque honos opportuna interdum non cupientibus essent* (‘favour and office are more ready to hand for those who do not covet them’). This is the third such reference (cf. 2.47.11, 3.21.7). No one monopolised influence and office more than Augustus, as he boasted in the *Res Gestae* – and that was clear from 28/27 on.

5.13.7-8: Livy describes the *lectisternia* in 399: open doors, food set out, everyone welcomed, enmities set aside, and prisoners released. He does not offer here his usual, explicit contrast with practices of the Augustan age, but contemporary readers would have been amazed at such simple honesty, now unthinkable.

6.12.5: *in eis locis quae nunc vix seminario exiguo militum relictio servitia Romana ab solitudine vindicant*: old Italy was populated by freemen, whereas now (*nunc*) it is saved from being a desert only by gangs of slaves. Oakley rightly notes that this is another example of Livy’s pessimism. The real point is made by Peter Garnsey and Richard Saller: ‘agricultural slavery was at its peak in the last two centuries of the Republic, at least in central and southern Italy,’ and little changed under the reign of Augustus.53

6.20.5: *quae et quanta decora foeda cupiditas regna non ingrata solum sed invisa etiam reddiderit* (‘what great and glorious achievements a vile desire for kingly power rendered not merely thankless but hated!’). This is Livy’s summation of Manlius Capitolinus.

7.2.13: Livy ends his history of drama at Rome by stating that he has told this to show *quam ab sano initio res in hanc vix opulentis regni tolerabilem insania venerit* (‘from what a healthy beginning the matter had reached the present madness, scarcely supported by rich kingdoms’). Oakley cites Caelius’ infamous pestering of Cicero in Cilicia for animals, and the *ludi Romani* extended to sixteen days after 33.54 Not to be overlooked are 39.22.2

52 Taine (n. 2) 196. Hoffmann (n. 2) 85 saw Gracchan parallels (as Ogilvie, *Commentary* [n. 4] 555) and an allusion to Caesar’s assassination.


54 Oakley (n. 24) 2.71.
and 44.9.4 (see below). The most apposite commentary, however, is surely RG 9, 22-23. Livy is fully aware of the corrupting influence on the people of one of Augustus’ most fundamental methods of political control.

7.25.9: the Romans are said to have raised ten legions in 349. *si qua externa vis ingrata, haec vires populi Romani, quas vix terrarum capit orbis, contractae in unum haud facile efficiant; adeo in quae laboramus sola crevires, divitas luxuriamque.* (‘If any external power threatened, the assembled strength of the Roman people, which the world scarcely contains, could not now easily raise this new army, so seriously are we afflicted by wealth and luxury, which are the sole results of the growth of our power’ trans. Watts, adapted in Oakley).

This is dismissed by Oakley as ‘a sententious remark’. Bayet and Bloch complain that Livy did not take account of the Augustan army’s being ‘almost reserved for the protection of the frontier’. Von Haehling noted the plural verbs (*laboramus, crevires*) so that Livy includes himself; he takes up themes from the Preface. True, but the basic point is misunderstood: what Livy is drawing attention to is not the twenty-eight legions left to guard the empire’s frontiers after 29, but the notorious inability of Rome at this time to raise or pay for further troops to meet a serious emergency – as demonstrated by the inability to replace even the three legions lost in AD 9. He receives support from an unexpected source: ‘The crisis of the years 6-9 revealed a deplorable weakness; and an intelligent contemporary has drawn a melancholy comparison with the reserves of men that Rome had been able to command in an earlier age.’

7.29.2: Livy is beginning the narrative of the Samnite wars, which will be followed by that with Pyrrhos and those with Carthage: *quotiens in extrema periculorum ventum, ut in hanc magnitudinem quae vix sustinetur erigi imperium posset* (‘How many times did we incur ultimate danger, in order that the empire might be raised to its present magnitude, which can scarcely be maintained’). Weissenborn-Müller and von Haehling rightly recall the Preface; Oakley compares 30.44.8. It is again, however, the stress on contemporary problems which counts.

8.11.1: inspired by Decius (340), Livy provides an antiquarian essay on *devotio*, regarding it as apposite, although *omnis divini humanique moris memoria abolevit nova peregrinaque omnia priscis ac patriis praeferendo* (‘the memory of every divine and human custom has been destroyed by preference for the new and foreign over the old and native’). Weissenborn-Müller remarked simply that ‘precisely under Augustus and already earlier many foreign cults entered Rome.’ Von Haehling ingeniously saw a reference to the *devotio* of Sex. Pacuvius (M. Ampulius) according to Spanish ritual

55 Ibid. 2.235; Bayet-Bloch (Budé) 7.43; von Haehling (n. 2) 178; Syme, CAH 10 (1934) 379.

56 Weissenborn-Müller (n. 2) 3.1.166; von Haehling (n. 2) 212; Oakley (n. 24) 2.273.
The Republic’s reaction to foreign cults may be seen in 213 (25.1), 204 (29.37) and 186 (39.8-19). To read his *Res Gestae* one would think that Augustus’ attention were devoted solely to traditional deities, and we know that, although he was initiated into the Eleusinian Mysteries (Suet. *Aug*. 93), he forbade the worship of Egyptian deities within the *pomerium* in 28 (Dio 53.2.4), a measure strengthened by Agrippa in 21 (54.6.6), and that he forbade any citizen to be a Druid (Suet. *Claud*. 25). Very closely related to Augustus on the Palatine were paradoxically two foreign deities, although long accepted in Rome: Apollo (to whom Augustus built the first temple within the *pomerium*) and Magna Mater (who crowns Augustus on the Great Cameo now in Vienna). On both of these note *RG* 19. His age saw, however, the greatest innovation of all in traditional Roman religion, and a foreign importation to boot: the ruler cult, beginning with his adopted father in 42 (Dio 47.18) and continuing with himself – and no reader of the *Res Gestae* could be surprised.

9.18: in comparing Alexander with the Roman generals of his time, Livy’s central message is clear: Alexander’s greatness was that of one man alone (9.18.8); while Rome had many commanders, each of whom could have lived or died without endangering the state (19). Rome, in short, was even in Alexander’s time the product of four centuries of leaders, not of any single individual. The focus now was on one man – and he did not command after 25 BC and looked on the competent generals of his time with a jealous and nervous eye.58 Again Livy hammers the level of current morals.

10.9.6: the penalty for disregard of *provocatio* was *improbate factum*; such was the *pudor* of those times (300); *nunc vix serio ita minetur quisquam* (‘now one hardly threatens anyone seriously in this way’).59 Again the sorry level of contemporary morals is stressed.

26.22.15: young men consult their elders in an election in 211. Today that would seem incredible, Livy asserts, *parentium quoque hoc saeculo vilis levisque apud liberos auctoritas* (‘given the disregard and slight authority of parents over their children in our time’). The sentiment was copied by Florus (1.22.26). This is dismissed by Jal as Livy’s ‘ton moralisateur qu’affectionne

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57 Weissenborn-Müller (n. 2) 3.1.229; von Haehling (n. 2) 187.
58 Luce saw the point in another way: ‘Under Augustus the old feeling of the community of Rome as a function of the achievement of successive generations of men in her service became impossible to maintain’: ‘Livy, Augustus and the Forum Augustum’ (n. 1) 151.
59 Von Haehling (n. 2) 178 saw the remark as throwing light on the contemporary ‘moral deficit’: Oakley (n. 24) 4.135 f. is occupied with the reading. One should note here 22.12.12, where Livy comments on the abuse of Fabius by his *magister equitum*: this ‘most evil technique has increased by the all too successful outcome for many.’ As Weissenborn-Müller (n. 2) 4.2.34 note, the reference is not so much to his own times; the outstanding example was Marius’ defamation of Metellus (Sall. *Cat*. 64). And at 22.54.10 Livy states that no other people would not have been overwhelmed by the disaster at Cannae. At this point we are tempted to recall reactions, especially by Augustus himself (Suet. *Aug*. 23.2), to events of AD 9. The historian himself, however, was writing in the 20s BC.
l’auteur dans les grands moments historiques.” By any calculation, this text was written in the early years of the second last decade BC, when Augustus was initiating his moral legislation (RG 6). In that case, a new beginning is hardly announced. The pessimism of the Preface has not abated.

27.19.4: when the Spaniards hailed Scipio as king, the title, Livy declared, alibi magnum, Romae intolerabilis (‘elsewhere great, was intolerable at Rome’). Here is yet another anti-monarchical salvo from Livy.

28.21.9: two Spaniards contending for control of a city engage in single combat, despite Scipio’s attempt to arbitrate: quantum cupiditas imperii malum inter mortales (‘so great an evil among men is the desire to rule’). That the real purpose of the combat was to raise morale – as pointed out by Jal – only emphasises Livy’s dedication to this theme of the evils of monarchy.

28.28.10-13: in dealing with the mutiny of 206, Scipio stresses that the state does not rely on him alone (meo unius funere elata esset res publica?), and lists all the great generals who have perished in the Hannibalic War. This resumes the theme of 9.18 (see above).

29.37: the conflict of the censors, Livius and Claudius, in 204 was shameful (29.37.11, 16: foedum / pravum certamen) but Livius’ rebuke to the people for their inconstantia in condemning him in 218 for peculation and then electing him censor, was consonant with the gravitas of those times. That gravitas, presumably, was not a characteristic of Augustan Rome.

34.1-8: the abrogation of the lex Oppia (195). Cato makes a very patronising and misogynistic speech (2-4) to which Valerius replies (5-7). The speeches are almost exactly the same in length, but are totally different in character. Valerius is cogent on history and law. And he reveals the basic shortcoming of Cato’s: it is irrelevant. Hellmann suggested that this was written in 16 and reflected Augustus’ moral legislation, begun in 18. This was rightly rejected by Briscoe, but he strangely doubted that Livy’s attitude could be discerned, although he went on to admit that Valerius ‘appears the more attractive person.’ Valerius, in fact, won the debate hands down – and the law was repealed. Since the speeches were Livy’s creation, however, they were not, of course, the reason for that repeal. In sum, there is no evidence here for Livy’s support for Augustan legislation – far from it.

34.54.4f: for the first time (194) segregation of senators from the rest of the population at the games was seen. Livy, as often his wont, presents here two conflicting interpretations: those who opposed (in eight words) and those who supported (in sixty). If that does not make his own position clear, he comments as well: this was concordiae et libertatis aequae minuendae . . .

60 Jal (Budé) 16.13.
61 Ibid. 18.121.
62 Hellmann (n. 1) 81; Briscoe (n. 25) 2.42.
novam, superbam libidinem (‘dangerous to harmony and equality of freedom . . . a novel and arrogant whim’), practised by the senate of no other nation. Ancient custom should not be varied, Livy asserted. The only difficulty is that Augustus was a stickler for social hierarchies, especially in the theatre (Suet. Aug. 40.1). The lex Roscia (68) was confirmed by a lex Julia (Plin. 33.32).53

35.10.6: Scipio had been in the public eye for a decade by 193. Such exposure minus verendos magnos homines ipse satietate facit (‘makes great men less respected by its very surfeit’). One is tempted to repeat Taine’s crit: had Livy forgotten that he was living under Augustus? The comparison is made the more pointed because Scipio had been ‘in the public eye’ for about the same time as Augustus had been princeps.

36.17.14-15: the consul, Glabrio, heartens his troops before the battle of Thermopylae (191) by holding out the conquest of Asia and Syria, ‘to the rising of the sun’: the empire will stretch from Gades to the (eastern) sea. This is precisely its Augustan limits, as Hellmann noted. Briscoe cited RG 26.2.64 This anticipation seemingly reveals Livy’s pride in the extent of the empire in his own time. Rather, it heralds the eager and fatal crossing to Asia and the endless expansion in that direction which brought the empire to its condition of unsustainability. This is one of Livy’s preoccupations.

39.22.2: Fulvius’ games in 186 prope huius saeculi copia ac varietate ludicrum celebratum est (‘were in number and variety celebrated almost as in the present age’). This must not be taken as a positive judgement. Weissenborn-Müller rightly adduce Preface 12.55

43.13.1-2: Livy defends the listing of portents, not because he is necessarily religious, but out of respect for quae illi prudentissimi viri publice susceptienda censuerint (‘what those [past] wise men considered publicly deserving of attention’) – whereas ab eadem neglegentia qua nihil deos portendere volgo nunc credant (‘because of carelessness people now believe that the gods foretell nothing’). Weissenborn-Müller pointed to the basic distinction here between Nichtglauben and Nichtmelden. Jerzy Linderski, insightful as always, stated: ‘When he complained that prodigies are not reported, not recorded, not heeded, he did not think of the era of Cicero, but of his own time, the time of the Augustan restoration. In religion, as in every other department of public life, the hallowed Augustan restoration was a perversion

63 Andrew Feldherr, Spectacle and Society in Livy’s History (Berkeley 1998) 177, is interested in the contrast between Republic and Empire, not between historian and princeps.
64 Hellmann (n. 1) 103; Briscoe, Commentary (n. 26) 2.247.
65 Weissenborn-Müller (n. 2) 9.1.44. Anne-Marie Adam, Tite-Live (Budé) 29.31, gives the wrong flavour completely with her translation ‘avec une richesse et une variété presque dignes (sic) de notre époque.’
of the Republican system."\(^{66}\)

44.9.4: *hac effusione inducta bestiis omnium gentium circum complendi* (‘this [i.e. present] extravagance of cramming the circus with animals of every kind’). This is the third and last surviving of Livy’s disapproving comments on the circuses of his own day. One can only imagine what he said in his narrative of the late Republic – and the state-sponsored shows of the Principate.

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We may sum up as follows. What Livy gave Augustus credit for primarily was peace (1.19.3, 1.21.5, 9.19.17). There are several gratuitous compliments to the *princeps* (1.19.3, 28.12.12). Some important slogans seem to be alluded to: *auctoritas* (1.7.8), *consensus* (1.6.2). There are echoes of the title Augustus (1.7.9, 1.8.2, 8.6.9, 8.9.10). Some have argued for parallels between Augustus and some early Republican figures: Quinctius (3.70), Camillus in Books 5 and 6. And the splendours of the new urban policies seem to be approved (6.4.12, 40.5.7). That is all.

The balance is heavily weighted to the other side. The origins (1.3) and later history of the Julii are doubtful and inglorious. Everyone knew of Augustus’ hankering to be the new Romulus, but the king in Livy is a very ambiguous figure. Monarchy, indeed, is denigrated relentlessly by Livy (2.9.7, 6.20.5, 27.19.4, 28.21.9) after his parting credit to it for laying the groundwork of the Roman state (2.1) – but all that was five centuries and more ago. Kings will not share power (1.48.9) and they have bodyguards (1.49.2).

The Republic as the best form of government is paraded: its principles were freedom (1.17.3, 2.15.3), annual magistrates and the rule of law (2.1, 3.21.3, 3.39.8). It represented the majesty and power of the people (2.7.7). The magistrates took the field as commanders (2.6.8), and yet none of them was indispensable (9.18, 28.28.10). Favour and office were not supposed to be coveted (2.47.11, 3.21.7, 4.57.6). Modesty was important (35.10.6). Buying of support was a crime (4.12.6, 4.15.6). All of these ideals, one will hasten to object, were more honoured in the breach than in the observance. That misses the point entirely. These are Livy’s ideals of the past by which the present could be measured.

Against these ideals there stands a profound and broad condemnation of his present age. The empire is unmaintainable (Preface, 7.29.2, 36.17.14-15), and Rome is militarily on a knife-edge (7.25.9). Agriculture is in crisis (6.12.5). Religion is no better, with neglect of the gods (3.20.5) on the one hand, and a mania for foreign cults (8.11.1) on the other. The social breakdown is even worse: Livy cites wealth, luxury and avarice (Preface,
3.26.7, 7.25.9), the madness of the theatre, a subject of great interest to him (7.2.13, 39.22.2, 44.9.4), and poor relations between generations (26.22.15). All this might be dismissed – and almost universally has been – as the moralising for which Roman historians were notorious (Sallust was a famous example). Such moralising would be innocuous under the Republic, but now with the state controlled by a single figure, and a ‘moral reformer’ at that, the comments take on a much more pointed criticism. There is, nevertheless, no evidence that Livy supported Augustus' reforms (34.1-8, 34.54.4f.). More than that, Livy offers critical observations about two of the most fundamental aspects of Roman life: the army and agriculture. What more he may have said in the other lost three-quarters of his history can only intrigue and frustrate us.

Most striking of all, of course, is Livy’s dilemma over Cossus. Whatever other impression one receives, Livy makes crystal clear that the word of the emperor is not enough. He even reveals that Augustus on the matter is in a minority of one, with the entire weight of Republican historiography against him.

The custom of dismissing Livy’s comments as clichés or tropes is entirely wrong-headed. By this method nothing said by any writer is of any significance. Livy, to the contrary, means the reader to take these remarks as his own commentary linking past and present, because they are entirely unnecessary for the narrative.

We may further observe that Livy did not suggest that the Republic had been a perfect state which the new monarchy had overthrown. That overthrow was a process, the charting of which was a major concern for all Republican annalists.

**HOW THINGS WENT WRONG**

There were many actions in the first three centuries of the Republic which were improper and unethical; there were even those depicted by Livy as criminal: Appius Claudius the decemvir, Manlius Capitolinus and Flaminius, for example. The sensitive reader has the sense, however, that Rome’s conquest of Italy and survival of its greatest tests in the first two Punic wars marked a peak in its history. Following this, in contrast, is an entirely different mood, signalled by Livy’s stress on things that are done for the first time. The following may be suggested as milestones in the overthrow of the Republic in Livy’s mind and narrative: the first claim for a fictitious triumph, 197, although it was not granted (33.22); the first case of unauthorised war, Manlius in 187 (38.45.5) – for which a triumph was granted; the trial of the Scipios, all motivated by invidia (38.60.10), compared with Scipio’s upholding of the highest Republican ideals in his refusal to deal with Antiochos (37.36); the first imports of Asiatic luxury in 187 (39.6.7); the Bacchanalian conspiracy (39.8-19); Hannibal’s contrast of Roman behaviour in the third and second centuries: they warned Pyrrhos to beware of poison, whereas he, unarmed, was forced to commit suicide (39.51.10-11); the
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appalling extortion of the aedile, Sempronius Gracchus, in Italy and the provinces in 182 (40.44.12); the conduct of Claudius (cos. 177) in Istria (41.12); the first demands made on the Italian cities by Postumius (cos. 173) (42.1.7); the attack on the surrendered Ligurians and their sale as slaves by Popillius (cos. 173), even though the senate reversed everything (42.8-9), and Popillius’ return to his province to attack the same people, and the collapse of the investigation (42.21-3); the deception by the Roman envoys of king Perseus over hopes of peace in 172 (42.47); the illegal invasion of Macedonia by Crassus (cos. 171) (43.1.4 f.); massacre and enslavement in Greece by Hortensius in 171 (43.4.8 f.); in the Alps by Cassius (cos. 171) (43.5.1 f.); and the outrage of Lucretius (pr. 170) in Greece, although he was condemned (43.7.8 f., 8.10).

There was no one alive at the time in which Livy was writing who did not understand that the world had fundamentally changed. There were few worlds in which a choice was more a matter of life and death than the years 49-30. Roman historians had always nailed their colours to the mast, and Livy was, it may be suggested, a man of conviction, not the colourless provincial as orthodoxy likes to depict him. The choice is clear then: was Livy writing in joyful acceptance of the new order or as the heir of the Republican annalistic tradition, and in nostalgia for the old régime of freedom and power – at least for the ruling élite? There will surely be disagreement about some of the examples chosen above, but the intention is to collect as many as possible. The respective weight of the two sides, even contesting some cases, seems telling.

We have seen the clash between the historian and the princeps over the facts of Cossus and the spolia opima. We may conclude with two further examples. It is notorious that in the matter of the Ludi Saeculares, which should have been celebrated in 46, Augustus recalibrated them, inventing a 110 year cycle instead of the century used until then, in order to stage the missing games in 17 BC. Livy knew the true dates (Epit. 49). His traditionalism would have been outraged, it may be suggested, by the claim that the previous celebrations had been based on a misunderstanding. And the true calculation was restored by Claudius, with whom Livy had some acquaintance.

Most telling of all, however, is a case where we can compare Livy’s history with Augustus’. We do not have to repeat the details here, because Luce has provided an exemplary analysis. He has shown how the elogia of the great figures of the past in the Augustan Forum differ substantially and in many points from Livy’s account. He has also drawn out the implications. The elogia were derived from the annales maximi, published in the years following 12 BC. The compilers of the elogia were members of Augustus’

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67 Luce, ‘Livy, Augustus and the Forum Augustum’ (n. 1). Feldherr (n. 63) 35, discussing the elogia, still attempts to see ‘analogies’ here, while Mineo (n. 1) 138 claims a ‘strict correspondence’, despite a long discussion trying to reconcile the differences.
own historical and antiquarian commission. These texts seem to be making deliberate corrections or ripostes to Livy’s version of events. In sum, Livy’s history was treated with ‘calculated indifference’. This was the official reaction to the greatest historical undertaking of classical antiquity. We begin to wonder how much credence can really be given to Tacitus’ understanding of the relations between the two men.  

68 The author especially wishes to thank most warmly the two anonymous readers for the journal, who between them disbelieved almost every word of the original version, and in so doing saved him from many errors, ambiguities and oversimplifications.