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THE NUMAN TRADITION AND ITS USES IN THE LITERATURE OF ROME'S 'GOLDEN AGE'

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ABSTRACT

This dissertation presents a critical analysis of literary texts that recount fully or briefly the life and legend of King Numa Pompilius. Focusing on the 'Golden Age', it comprises the Numan accounts of Cicero, Livy, Dionysius of Halicarnassus and Ovid. These authors lived at a time when Rome was trying to reconcile for herself and for her subjects the price of her military world domination with the belief in her foreordained supremacy. This reconciliation was to be achieved by a reacquaintance with the Roman ancestral values whose observance had merited Rome her dominion and whose neglect had driven the state to civil war. The question of Roman national identity is at the heart of the Numan accounts of the chosen prose-writers. In his portrayal of Numa, who combines the civilizing virtues of classical Athens with native Roman virtue, Cicero offers a rebuttal for Greek critics who questioned Rome's supremacy because of her lack of civilizing virtues. Livy investigates the leading causes of Rome's world domination and identifies the national values and institutions that many generations of leaders forged. Numa is one such leader, having established laws, religious rite and a peaceful way of life. Dionysius represents Numa as the Greek ideal of kingship in order to establish for the Greek world the excellence of the Roman national identity founded on Greek virtue. The Numan accounts of Livy and Dionysius, composed in Augustus' principate, do not draw direct parallels between Numa and Augustus, although the narration sometimes suggests a special relevance to Augustan rule. Finally, Ovid, the only poet, recounting traditional Numan tales, offers analogies and allegories of certain Augustan ideas and measures that may be seen to flatter the ruler.

RÉSUMÉ

Cette dissertation présente une étude exégétique de textes littéraires racontant pleinement ou en partie la vie et la légende du roi Numa Pompilius. Contenue dans la période de l' 'Âge d'Or', cette étude s'intéresse aux récits numaïques de Cicéron, Tite-Live, Denys d'Halicarnasse et Ovide. Ces auteurs vivaient à une époque où Rome tentait de réconcilier pour elle-même et ses sujets le prix de sa domination mondiale par les armes avec sa croyance en sa prédestination au règne. Il s'agissait alors de retrouver les valeurs ancestrales dont la préservation avait valu à Rome son empire et dont l'abandon l'avait conduite à la guerre civile. La question de l'identité nationale romaine est au coeur des récits numaïques de nos prosateurs. Dans sa représentation de Numa qui allie les vertus civilisatrices de l'Athènes classique à la vertu romaine autochthone, Cicéron donne la répartie aux critiques grecs qui mettent en doute la validité de la domination romaine à cause de son manque de vertus civilisatrices. Tite-Live enquête sur les causes principales qui ont porté Rome au sommet du monde et croit en voir une dans les valeurs et institutions nationales forgées par plusieurs générations d'hommes éminents. De par son établissement de lois, de rites religieux et d'un mode de vie paisible, Numa compte parmi ces hommes. Denys d'Halicarnasse représente Numa sous les traits du roi idéal grec en vue d'établir pour le monde grec l'excellence de l'identité nationale romaine fondée sur les vertus grecques. Les récits numaïques de Tite-Live et Denys, rédigés durant le principat d'Auguste, n'établissent pas de comparaisons directes entre Numa et Auguste, bien que la narration rappelle quelquefois certains traits typiquement augustéens. À travers sa narration de légendes numaïques traditionnelles, Ovide, notre seul poète, propose des analogies ou des allégories d'idées et de politiques augustéennes flatteuses.

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INTRODUCTION

The accounts of Roman origins and of its royal period, as recorded in literature, replete with tales of motherly wolves and twin founders, of kings and heroes good and bad, have long engaged the world's imagination, and have had a special charm for peoples whose institutions were modeled in some part on those which that famed city, ensconced in those seven hills along the Tiber, established so very long ago. This then is a study of one of fledgling Rome's most likeable figures, Numa Pompilius, second king of Rome, legislator, philosopher, founder of institutions, lover of peace, priest and consort of divinities.[1]

Numa has received, over the centuries, less attention than the prestigious founder of Rome and his immediate predecessor. Indeed, the subject of Numa has usually been introduced as a secondary topic linked to the main discussion, as an element against which to compare Romulus. Yet, Numa himself has still generated enough interest among scholars of Roman origins in various disciplines – archaeology, anthropology, history, literature, linguistics –, to warrant a new examination of Numa's life and legend, precisely because of his unique position as a successor to Romulus of opposite yet complementary nature.

A handful of scholars has amiably dissected the stories pertaining to Numa, setting out to prove or disprove their reality by measuring tradition against the yardstick of historical fact, according to the scientific methods of philology, epigraphy and archaeology.[2] Did our man ever exist ? Schwegler had assessed Numa to be a purely mythic figure (as Romulus had been), the founder of Roman religion and ceremonial law,

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1 An account of the traditions relating to Numa is given in the Appendix.

2 Grandazzi (1991, *La fondation de Rome. Réflexion sur l'histoire*, Paris) surveys the ideological and methodological trends which have influenced the scholarship pertaining to the origins and foundation of Rome. His conclusions apply to all research dealing with the Roman Regal period and early Republic.

in which function is comprised the whole of his persona.[3] In contrast, Dyer, in his dissertation, affirms his belief that a Sabine Numa Pompilius did indeed reign in Rome between Romulus and Tullus Hostilius and that he may have established a certain number of religious institutions.[4] Glazer sums up the historicity of Numa in these few words : « Historisch ist an der Überlieferung über Numa kaum viel mehr als der Name ».[5] Carter, who wrote on ancient Roman religion, also agrees that Numa for us « can merely be a name » to whom has been attributed the founding of Roman religious institutions, some of which historical research has proven to be anachronistic.[6] Rose feels that all one can say of Numa Pompilius was « that he bore a good Italian name and so may have been a real person before he was buried under a heap of edifying stories of Greek origin ».[7] Ogilvie, in his commentary of Livy's first book, concludes that « the only historical fact about the second king of Rome, Numa Pompilius, is his name ».[8] Cornell concedes that Numa may have been a historical figure but that the accounts of his reign are « a mixture of legend and conscious antiquarian reconstruction ».[9] It seems, then, that scholars have not resolved the question of Numa's historicity, one which we cannot but deem an enterprise in futility, considering the paucity of trustworthy source material at one's disposal.

Buchmann, whose dissertation still remains the only comprehensive work devoted specifically to the study of Numa, does not even address the question of Numa's historicity, apparently taking its uselessness for granted.[10] Buchmann aims rather at identifying the sources from which the tradition ensues and whose ideas are responsible for its development. He commences his investigation with a critical examination of the relevant

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3 A. Schwegler, (1869), *Römische geschichte*, Vol. 1.2, Tübingen, p. 551-552.
4 T.H. Dyer, (1868), *The History of the Kings of Rome*, Diss. London, p. 152,156-8.
5 K. Glaser, *R.E. s.v.* Numa Pompilius, col. 1242.
6 J.B. Carter, (1906), *The Religion of Numa and Other Essays on the Religion of Ancient Rome*, London, p. 9.
7 H.J. Rose, (1949), *Ancient Roman Religion*, London, p. 16.
8 R.M. Ogilvie, (1965), *A Commentary on Livy Books 1-5*, Oxford, p. 88.
9 T.J. Cornell, (1995), *The Beginnings of Rome. Italy and Rome from the Bronze Age to the Punic Wars (c. 1000-264 BC)*, London, p. 119-120.
10 G. Buchmann, (1912), *De Numae regis Romanorum fabula*, Diss., Leipzig.

texts and their sources, with special attention to the role of Juba as a Plutarchian source. Buchmann then devotes his second chapter to the evaluation of Pais' hypothesis of Numa's original godship.[11] In the third chapter, he delivers an account of the elements which make up Numa's nature and legend as drawn from the available sources. In the following chapter, he reports the probable steps which led to the association of Numa with Pythagoras — accentuating the role of the Greek lawgiver — and how the Ancients, then the moderns, perceived these links. And in the final chapter he records how the sources recount the relationship between Numa and Egeria, and he draws a parallel with similar relationships within Greek mythology. Buchmann is more intent, especially in the last chapters, on researching the development of the Numan tradition, which he shows to be especially dependent on Greek culture.

Such an approach is consistent with that of scholarship pertaining to the birth and development of legends and traditions dealing with Roman origins. It was felt that providing answers to these questions would purge the stories of false information and later additions and help scholars rediscover the original state of the traditions. Consequently, Numan scholarship came to ask : was Numa really a Sabine, or rather an Etruscan, as his name seems to suggest ?[12] Was he truly a Roman king and the second one at that ?[13] Was

11 Indeed, Pais (1913, *Storia critica di Roma durante i primi cinque seculi*, Vol. 1, Rome, p. 440-452) interpreted the legend of Numa as mainly an invention of the pontifical families who claimed descendence from him, the founder of the pontifical college. Numa's links with divinities and places from the Latium area (he refers mainly to the divinites Vesta, Egeria, Juturna, Janus, Fons and to the sites of the Camena gate, Arician woods, lake of Nemorensis and river Numicius) had persuaded Pais that Numa was originally a river god whose myth later evolved into Rome's pious king.

12 Poucet (1967, *Recherches sur la légende sabine des origines de Rome*, Kinshasa, p. 138) has recognised the name Numa to be of Etruscan origin and the gentilice Pompilius of Sabellic origin. Glaser (col. 1242) quotes Etruscan inscriptions which bear the name Numa.

13 Those who detect the root 'five' in the name Pompilius postulate that he may have been the fifth king of Rome instead of the second one. See M. Grant, (1971), *Roman Myths*, New York, p. 134.

he related to Titus Tatius ?[14] Who was his wife ?[15] How many children did he have ?[16] What institutions and laws did he actually establish ?[17] More substantial research led Gjerstad to develop the surprising idea that Numa was in fact the original founder of Rome and that the mythological figure of Romulus was a later addition to the stories of Roman foundation.[18] And Martin (1982, p. 239-248) has scrupulously explored the function of kingship in Ancient Rome and has extrapolated from there the probable origins and evolution of Numa's life and legend.

Other scholars have followed a different path by turning their attention to the 'why' of the Numan tradition, and have attempted to find meaning to the existence of Numa's legend and to its developments and transformations. Among them, Dumézil has put forward the hypothesis that Numa was the second part of the religious and magical hierarchy according to his well known tripartite theory of Indo-european societies. Romulus thus represents the divine and violent dimension of power, while Numa incarnates the human and judicial dimension, founded on contract. Numa is « a completely human old man, moderate, an organizer, peaceful, mindful of order and legality ».[19] Hooker has explored the tradition of Numa as founder of Roman religion and has suggested that Numa's religious reforms were aimed at eliminating undesirable elements in the merged cults of the different peoples established on Rome's site and in the magical functions of the *rex*.[20] Poucet (1967, p. 138-154), after an analysis of the Sabine elements present in Numa's legend, has concluded that 'sabinity' was only incidental in Numan

14 Martin (1982, *L'idée de royauté à Rome. De la Rome royale au consensus républicain*, Orleans, p. 59) sees Tatius as a figure constructed on the character of Numa. Gjerstad (1962, *Legends and Facts of Early Roman History*, Lund, p. 42) considers Numa to be « the historic counterpart of the fictitious Titus Tatius ».

15 See J. Gagé, (1974), « Les femmes de Numa Pompilius » in *Mélanges Boyancé*, Rome, p. 281-298.

16 Martin (1982, p 13) inventories the sources who attribute to Numa four sons and, or only, one daughter. See also T.P. Wiseman, (1974), « Legendary Genealogies in the Late Republican Rome », *G&R* 21, p. 154-155.

17 Martin (1982, p. 240-241) writes that elements like the reform of the calendar and Numa' s links with Egeria and with lightning most likely date from the period of Etruscan rule at Rome.

18 E. Gjerstad, (1967), « Discussions Concerning Early Rome : 3 », *Historia* 16, p. 268.

19 G. Dumézil, (1966), *Archaic Roman Religion*, Vol. 1, trans. by P. Krapp, Chicago, p. 198.

20 E. Hooker, (1963), « The Significance of Numa's Religious Reforms », *Numen* 10, p. 87-132.

tradition and did not give it its *raison d'être*. Svenbro posits that Numa is the incarnation of the Greek Nomos, and that his legend was drawn up around the etymological relation by a Greek mythographer who was familiar with the legends of Lycurgus and Epimenides.[21] Deremetz has proposed, following Dumézil and Svenbro, that perceived etymological links (Numa-*nomos* and *pagus-pangere-pax*) may explain the presence of certain elements in the Numan legend.[22]

Finally, certain scholars were interested in examining the use of the Numan tradition by Romans of later generations. Gagé for one has studied extensively the links and the reasons for these links between the *gentes* claiming descent from Numa and the tradition associating the king with Pythagoras.[23] Evans has looked into a possible iconographical propaganda concerning Numa up until Imperial times.[24] Morel has examined the use of Numan themes on coins of the Republican era.[25] Grant (1971, p. 134-146) has given a survey of the evolution of Numa's figure and legend and has touched upon certain political influences present in the recounting of the legend. These and the other numerous works mentioned earlier in connection with the legend of Numa attest to the wide scope of research from which Numan scholarship has benefitted.

But to evaluate accurately the state of Numan scholarship and the extent of its progress, it is reasonable to compare it with the scholarship that exists concerning other historicized mythological figures in Roman culture. When one looks to the most well-known among them, Aeneas and Romulus, one finds a wealth of authors who have produced literature on practically every question concerning these figures : scholars have

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21 J. Svenbro, (1988), *Phrasikleia : anthropologie de la lecture en Grèce ancienne*, Paris, p. 137-160.
22 A. Deremetz, (1995), « La sagesse de Numa : entre l'oralité et l'écriture », *Uranie* 5, p. 33-56.
23 J. Gagé, (1955), *Apollon Romain. Essai sur le culte d'Apollon et le développement du « ritus Graecus » à Rome des origines à Auguste*, Paris, esp. p. 297-347.
24 J.D. Evans, (1992), *The Art of Persuasion. Political Propaganda from Aeneas to Brutus*, Ann Arbor, p. 135-144.
25 J.P. Morel, (1962), « Thèmes sabins et thèmes numaïques dans le monnayage de la république romaine », *MEFRA* 74, p. 7-59.

investigated the historicity of Aeneas and Romulus and of their respective tales,[26] they have researched, with the help of archaeological, historical and literary material, the origins, developments and transmission of their stories, and have identified and studied etiological elements within their legends.[27] Moreover, they have delved into the significance of these traditional legends and of the purpose behind allusion to or association with Aeneas and Romulus by political personalities in the iconography[28] and literature[29] of Republican and Imperial times. When one compares this with the available literature on Numa, which has been surveyed above, one finds that the areas of research have all been well represented except for the last one. That is not to say that the field has not been explored at all – we have already named Gagé, Evans, Morel and Grant –, but there has been little work devoted to the study of the literary texts which deal with the life and legend of Numa. We can name but a few : Buchheit has devoted an article to the study of the idea of Numa as a

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26 See A. Alföldi, (1966), *Early Rome and the Latins*, Ann Arbor, esp. p. 284-285 ; Gjerstad (1962, esp. p. 38-41) ; J. Poucet, (1985), *Les origines de Rome : tradition et Histoire*, Bruxelles.

27 Bremmer (1987, « Romulus, Remus and the Foundation of Rome », in *Roman Myth and Mythography*, ed. by J.N. Bremmer and N.M. Horsfall, London, p. 25-48) discusses the main episodes of the foundation myth ; Horsfall (1987, « The Aeneas Legend from Homer to Virgil » in *Roman Myth and Mythography*, ed. by J.N. Bremmer and N.M. Horsfall, London, p. 12-24) studies the transmission of the legend of Aeneas ; Classen (1963, « Zur Herkunft der Sage von Romulus und Remus », *Historia* 12, p. 447-457) looks at the origins of the myth of Romulus and Remus ; Grant (1971, esp. p. 44-133) basically surveys all the aspects concerning Aeneas and Romulus ; Perret (1942, *Les origines de la légende troyenne de Rome (281-231)*, Paris) studies exhaustively the question of the Trojan legend's origin, development and transmission. See also D. Briquel, (1977), « Perspectives comparatives sur la tradition relative à la disparition de Romulus », *Latomus* 36,p. 253-282 ; T.J. Cornell, (1975), « Aeneas and the Twins : the Development of the Roman Foundation Legend » *PCPhS* n.s. 21, p. 1-32 ; T.P. Wiseman, (1983), « The Wife and Children of Romulus », *CQ* 33.2, p. 445-452.

28 See T. Duncan, (1948-49), « The Aeneas Legend on Coins », *CJ* 44, p. 15-29 ; G.K. Galinsky, (1969), *Aeneas, Sicily, and Rome*, Princeton (On the iconographical representations of Aeneas) ; Evans (1992, p. 35-58) ; J.-C. Richard, (1966), « Enée, Romulus, César et les funérailles impériales », *MEFRA* 78, p. 67-78 ; J.P. Small, (1974), « Aeneas and Turnus on Late Etruscan Funerary Urns », *AJA* 78, p. 49-54 ; P. Zanker, (1988), *The Power of Images in the Age of Augustus*, trans. by A. Shapiro, Ann Arbor, esp. p. 203.

29 See F. Cairns, (1989),*Virgil's Augustan Epic*, Cambridge ; J.P.V.D. Balsdon, (1971), « Dionysius on Romulus : A Political Pamphlet ? », *JRS* 61, p. 18-27 ; R. Merkelbach, (1960), « Augustus und Romulus : Erklärung con Horaz *Carm.* 1.12.37-40 », *Philologus* 104, p. 149-153 ; A. Powell, (1992), « The *Aeneid* and the Embarrassments of Augustus » in *Roman Poetry and Propaganda in the Age of Augustan*, ed. by A. Powell, London, p. 141-174 ; R. Schilling, (1960), « Romulus l'élu et Rémus le réprouvé », *REL* 38, p. 182-199 ; K. Scott, (1925), « The Identification of Augustus with Romulus - Quirinus », *TAPA* 56, p. 82-105 ; S. Weinstock, (1971), *Divus Julius*, Oxford (Allusions to Aeneas through the ancestry of the Julii at p. 4-18, and comparison of Caesar and Romulus as founders at p. 175-177).

humanizing king in the texts of Cicero, Plutarch, and Livy,[30] and another to the importance of Numa in the text of Ovid and how this text may be interpreted.[31] Fox has also examined the figure of Numa in a literary context when studying the questions of imitation of predecessors in Livy, of history made mythical in Ovid, and of idealization of kings in Varro.[32] Yet there still lacks a work which analyses a body of literary texts in terms of structure and content, so as to draw out the political, literary, philosophical or personal ideas conveyed through full or partial recounting of Numa's life and legend. This study will attempt to fill that gap.

Before proceeding, however, I should make an inventory of the literary sources pertaining to Numa's life and legend, so as to define specifically how and inside what boundaries such a study is feasible. Many of the sources are fragmentary, as is the case for Dio Cassius (6.2 ; 6.3 ; 6.5B), Diodorus (8.14-15), Varro (*ap.* Aug. *C.D.* 7.34-35), Ennius (2.3S ; 2.113S ; 2.114S ; 2.116S ; 2.119S) ; and for the annalists : Calpurnius Piso (fr. 9P ; 10P ; 11P ; 12P ; 13P), Cassius Hemina (fr. 12P ; 13P ; 37P), Sempronius Tuditanus (fr. 3P), Cn. Gellius (16P ; 17P), and Valerius Antias (fr. 4P ; 5P ; 6P ; 7P ; 8P ; 9P ; 15P). Others, such as Stobaeus (*Anth.* 1.8.44), Augustinus (*C.D.* 3.9-10), Ammianus Marcellinus (14.6.6 ; 16.7.4 ; 21.14.5 ; 28.1.39), Lactantius (*Inst.* 1.5-9), Eutropius (8.8), Servius,[33] the anonymous author of the *Historia Augusta* (*Pius* 2.2 ; 13.4 ;*Carus* 2.3), Tertullian (*Spect.* 5), Festus (117.13 ; 204.12 ; 320.12), Aulus Gellius (4.3.3), Pliny the Elder,[34] Tacitus (*Ann.* 3.26.4), Martial (6.47), Juvenal (3.12 ; 3.138 ; 6.343 ; 8.156), Valerius Maximus (1.12), Persius (2.59), Propertius (4.2.60), Strabo (5.3.2), Horace (*Ep.* 1.6.27; 2.1.86) and Vergil (*A.* 6. 807-812), consist

30 V. Buchheit, (1991), « Plutarch, Cicero und Livius über die Humanisierung Roms durch König Numa », *Symbolae Osloenses* 66, p. 71-96.
31 V. Buchheit, (1993), « Numa – Pythagoras in der Deutung Ovids », *Hermes* 121.1, p. 77-99.
32 M. Fox, (1996), *Roman Historical Myths. The Regal Period in Augustan Literature*, Oxford, p. 112-115 (Livy), p. 202-205 (Ovid), p. 249-252 (Varro).
33 Serv. *Verg. A.* 6.808 ; 7.188 ; 7.607 ; 7.763 ; 8.285 ; 8.363 ; 8.664.
34 Plin. 2.140 ; 13.84 ; 14.88 ; 18.7 ; 18.285 ; 28.14 ; 32. 20 ; 33.9 ; 33.24 ; 34.1 ; 34.33 ; 35.159.

of a few lines, verses or words in passing reference. Passages in Eutropius (1.3), Florus (1.1.2 ; 1.2) and one in the *De Viris Illustribus*(3) summarize the life and legend of Numa. Longer extracts can be found in Ovid,[35] but the full and more lengthy accounts reside in Cicero (*Rep.* 2.23-29),[36] Livy (1.18-21),[37] Dionysius of Halicarnassus (2. 58-76)[38] and Plutarch (*Num.*).[39] The sources pertaining to Numa thus belong to a wide time frame, ranging from the third century BCE to the fifth century CE. A closer examination of these sources indicates that it is feasible, and indeed quite desirable, to narrow the time frame of our investigation. When, for example, one examines the numerically-rich references from the Republican period, one is disappointed to find that most of these exist in the very fragmentary works of the annalists, the only whole work for the period being that of the prolific Cicero. And when one takes a closer look at the sources for the Imperial period, from Tiberius and onward, with the exception of Plutarch, one is again confronted with very scant material, mainly passing references to Numa. The period most comfortably represented in lengthy accounts is that of the first centuries BCE and CE, sometimes called the period of the 'Golden Age'. It comprises full treatments by Cicero and by the major historians Livy and Dionysius of Halicarnassus, in addition to respectable extracts of varying length in the poetry of Ovid. In practical terms, therefore, it will be convenient to fix my study principally within the boundaries of the 'Golden Age', while informing the reader that my use of the expression 'Golden Age' in no way reflects a qualitative judgment on the authors' works or on the period in which they lived. It is simply a convenient means to mark temporal boundaries.

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35 Ov., *Am.* 2.17.18 ; *P.* 3.2.106 ; 3.3.44 ; 4.16.10 ; *F.* 1.43 ; 2.69 ; 3.259-262 ; 3.274 ; 3.285-392 ; 4.629-676 ; 5.48 ; 6.264 ; *M.* 15.4 -8 ; 15.478-487 ; *Tr.* 3.1.30.

36 References to Numa are also found in Cic. *Rep.* 5.3.10-14 ; *Dom.* 127.2 ; *Leg.* 1.4.13 ; 2.23.4 ; 2.29.8 ; 2.56.6 ; *ND* 1.107.9 ; 3.43.4 ; 3.5.23 ; *De Or.* 1.37.4 ; 2.154.6 ; 3.73.3 ; 3.197.10 ; *Par.* 1.11.6 ; *Rab. Perd.* 13 ; *Sull.* 22.9 ; *Tusc.* 4.3.2.

37 See also Liv. 1.31.7 ; 1.32.2 ; 1.32.4 ; 1.34.6 ; 1.35.3 ; 1.42.4 ; 4.2.10 ; 4.3.17 ; 4.4.2 ; 40.29.

38 See also D.H. 1.75.2 ; 2.23.6 ; 2.27.4 ; 3.1.1 ; 3.1.4 ; 3.6.1 ; 3.35.3 ; 3.36.2-3 ; 4.3.4 ; 4.10.3 ; 4.73.1.

39 See also Plu. *Cam.* 18.2.2 ; *Cor.* 39.11.2 ; *Marc.* 8.9.3 ; *Fort. R.* 318 b ; *Aet. R.* 267 c and 268 c.

In this manner I have therefore established the body of texts to be used for this study of the Numan tradition : works of Cicero, Livy, Dionysius of Halicarnassus and Ovid, which, presented in chronological order, shall each constitute a chapter. Within these chapters, I shall explore the literary, philosophical, political and personal ideas which may have influenced my authors' representations of Numa. Serving as guide, a preliminary chapter shall examine the Numan tradition, as it was known to Romans of the 'Golden Age', focusing especially on Greek influences at work within it.

The chosen authors happened to live at a time when Rome was trying to reconcile, for herself and for her subjects, the social, political, economic and demographic costs of her military world domination with the belief in her foreordained supremacy. This reconciliation was to be achieved by a reacquaintance with the Roman ancestral values whose observance had merited Rome her dominion and whose neglect had driven the state to civil war. The question of Roman national identity is at the heart of the Numan accounts of the chosen prose-writers. They sought their answers, it shall be shown, in the Graeco-Roman commonwealth of values as well as in native Roman ones.

Concurrently, the relationship of Numa to Augustus shall be given particular attention throughout the work, as most of my authors have written under his rule. Buchheit (1993, p. 99) believes that Ovid, for one, may have in some measure constructed his representation of Numa on the basis that « Augustus den Vorbildcharakter der Numagestalt für seine Reformbestrebungen einzubringen versucht hat ». A series of rare and unusual coins called the 'Numa asses' is put forward as the only evidence of the ruler's 'Numan propaganda'. These double-headed coins, bearing the head of Augustus on one face and that of Numa on the other, were issued, some by Piso, others by Piso and the members of his college, either in 23 or 17 BCE.[40] The identification of Numa is conjectural, based on

40 Grant (1953, *The Six Main Aes Coinages of Augustus*, Edinburgh, p. 102-105) argues that they were issued in 17 (or 16) BCE for the celebration of the Secular Games. Sutherland (1984, *The Roman*

iconographical precedents of the Republic, and especially on the Calpurnian claim of descent from Numa (Plu. *Num.* 21.3).[41] Scholars agree though that the coins, a blend of references and allusions, comment favorably on Augustus.[42] The use of Numa as a vehicle for an author's interpretation of Augustan rule is therefore worth exploring.

Imperial Coinage, Vol. 1, rev. ed., London, p. 71) suggests 15 BCE. Mattingly (1923, *Coins of the Roman Empire in the British Museum*, Vol. 1, London, p. 95.23) and Evans (1992, p. 143) date the coins in 23 BCE, the latter believing them to commemorate the closing of the temple of Janus that same year.

41 Apart from the family connection to the moneyer Piso, Numa was linked to moneyers themselves as a tradition attributed to him the foundation of coinage (Plin. 34.1 ; Isid. *Orig.* 16.17 ; Lyd. *Mens.* 1.210).

42 See A. Wallace-Hadrill, (1986), « Image and Authority in the Coinage of Augustus », *JRS* 76, p. 82-83 ; Grant (1953, p. 103-104) and Evans (1992, p. 143-144).

CHAPTER 1 : THE NUMAN TRADITION

Numa, the successor of Romulus, was essentially regarded as the religious founder of Rome ; to him is attributed the greater part of the institutions of rituals, cults and priesthoods that make up Roman religious activity.[1] Religious festivals, often related to agricultural activity, of which Numa was a promoter (Cic. *Rep.* 2.26 ; D.H. 2.76.2 ; Plu. *Num.* 16.4), are recorded in the Roman calendar which Numa is believed to have drawn up (Liv. 1.19.6-7 ; Plu. *Num.* 18-19). The Sabine king's legend also carries a number of stories in which scholars, ancient and modern, have sometimes detected non-Latin influences, especially Etruscan and Greek ones. Greek influences in particular have been adopted or rejected by authors recounting Numa's legend in accordance with the broader aims of their works. Nothing perhaps illustrates this as well as Numa's alleged Pythagorean associations, a tradition that was a source of contention between Roman writers such as Livy and Cicero who were intent on exposing Greek input which had invaded the excellence of original Roman material, and Greek writers such as Plutarch and Dionysius of Halicarnassus, who allowed these influences to symbolize their own superior culture. This chapter examines the relevant aspects of the tales of Jupiter Elicius, of the *ancile* and of Egeria within Numa's legend, and explores the stubborn tradition of Numa's alleged relationship with Pythagoras, with a view to identifying these ideas and influences that went on to affect the representation of Numa in literature.

[1] Sources report that Numa instituted the Fornicalia (Cass. Hem. fr. 12P), the Agonalia (Val. Ant. fr. 4P), a flamen for Jupiter , Mars and Quirinus (Cic. *Rep.* 2.26 ; Liv. 1.20.2-3 ; Plu. *Num.* 7.9). In addition, he built the temple of Vesta (D.H. 2.64.5) and appointed Vestals (Liv. 1.20.3 ; D.H. 2.64.5), he appointed the Salii (Liv. 1.20.4 ; Cic. *Rep.* 2.26 ; D.H. 2.70-1) and introduced games in Mars' honour (Tert. *Spect.* 5.8), he set up the temple of Janus (Liv. 1.19.2), and he instituted the Terminalia (D.H. 2.74.2-4) and the Robigalia (Plin. 18.285).

1. Jupiter Elicius

In the tale of Numa's encounter with Jupiter Elicius, the interaction between Numa and Jupiter revolves around Numa's abolition of human sacrifice : through clever word-play that subsitutes hair, an onion and a fish for a human life, Numa obeys Jupiter's commands.[2] The abolition of human sacrifice by substitution falls within the province of the Greek civilizers : Lycurgus of Sparta is said to have replaced human sacrifice with the blood from the whipping of ephebes (Paus. 3.16.9-10). Cecrops at Athens refused to sacrifice anything that had life in it, but instead burnt cakes on the altar (Paus. 8.2.3). At Rome herself it is reported that Hercules replaced the humans thrown into the Tiber in honour of Saturn with straw effigies (Ov. *F.* 5.625-632). Human sacrifice, although it permeated Greek myth,[3] was considered by the Greeks to be *Βάρβαρος καὶ παράνομος* (Plu. *Pel.* 21.5) ; only foreign and barbarian peoples practised it, such as the Gauls, the Scythians (Plu. *Superst.* 171 b) and the Carthaginians who considered it a lawful and holy custom (Pl. *Min.* 315 b-c).[4] Numa, then, by abolishing human sacrifice, proves himself a civilizer true to the Greek spirit.

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2 The story goes as follows : Numa wished to obtain the knowledge to expiate Jupiter's thunderbolts. Turning to Egeria for counsel, she advises him to catch the gods Picus and Faunus in order to obtain from them the proper ritual by which to elicit Jupiter to Earth. When the gods in restraints had complied and Numa found himself in Jupiter's presence, he made his request. But realizing that Jupiter's instructions entailed human sacrifice, Numa cleverly modified the ritual as Jupiter spoke : « "Caede caput" dixit : cui rex "parebimus", inquit // "caedenda est hortis eruta caepa meis". // Addidit hic "hominis" : "sumes" ait ille "capillos". // Postulat hic animam, cui Numa "piscis" ait » (Ov. *F.* 3.339-342). The god accepted Numa's trickery and guaranteed the king power to expiate the thunderbolt in the manner which Numa had established. See Ov. *F.* 3.285-348 ; Plu. *Num.* 15.3-10 ; Val. Ant. fr. 6P, *ap.* Arn. 5.1. Gagé (1954, « Pyrrhus et l'influence religieuse de Dodone dans l'Italie primitive », ***Revue de l'histoire des religions*** 146, p. 32-38) sees in these three substitutes traces of Dodonian cult practices.

3 To name but two famous examples : Iphigeneia and Polyxena.

4 See D.D. Hughes, (1991), ***Human Sacrifice in Ancient Greece***, London, p. 187.

2. The *Ancile*

As recounted by Ovid (*F.* 3.345-392),[5] the Elicius story culminates in the gift of a shield, a pledge of empire, from Jupiter to the Roman people. To foil a potential thief Numa had copies of the shield made and entrusted them to the Salii. According to Gagé (*RHR* 145, 1954, p. 164-167), the *ancile* that falls from heaven recalls the *oscilla* (little masks) that were hung from trees and are linked to the cult of the tree of Dodona. It would seem here that Greek influences are at work.

3. Egeria

A noteworthy element in Numa's legend is the presence of Egeria at the king's side. If the association between a god and a mortal is familiar to Greek lore (Plu. *Num.* 4.8-11), Martin (1982, p. 240) and Grant (1971, p. 142) look to Etruria to explain Egeria's role in Numa's legend : they establish a parallel between Egeria and the Etruscan 'prophets' Tages and Vegoia. Tages, it is said, revealed to the Etruscan people knowledge of rites and of things sacred that constitute the core of their religion. Vegoia, sometimes identified as a Muse, revealed to King Arruns Veltumnus of Clusium the laws pertaining to delimitation of land and hydraulic works as well as prescriptions for the interpretation of thunderbolts.[6] Let us note that delimitation of Roman land is one of Numa's accomplishments (D.H. 2.74 ; *inf.*, p. 127-128) and that his meeting with Jupiter Elicius involves the expiation of the thunderbolt (*sup.*, n. 2). Buchmann (1912, p. 54-55) reports that Wissowa saw Homeric precedent in Egeria's role within the story of Jupiter Elicius : the Nymph Edothea teaches Menelaus seeking a way home how to capture her father Proteus and thus compel him to give counsel for his return (Hom. *Od.* 4.351-463). Buchmann agrees that Greek

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[5] *Inf.*, p. 154 sq. Cf. Liv. 1.20.4 ; D.H. 2.71.1 ; Plu. *Num.* 13.1.3 ; Fest. 117.13-22 ; Serv. *Verg. A.* 8.664.

6 See J.-R. Jannot, (1998), *Devins, dieux et démons. Regards sur la religion de l'Étrurie antique*, Paris, p. 20-22.

influence pervades the story. But Martin (1982, p. 240-41) remarks that Menelaus' capture of Proteus is of Egyptian origin and that the theme of a seer's capture exists also in the Etruscan story of Cacus and the Vibennae, as represented on a bronze mirror from Bolsena (London 633).[7] The Greek features of Egeria are more easily discernible when she counsels Pythagorean Numa.

4. The Pythagorean Numa

The intriguing tradition of Numa's association with Pythagoras, his alleged teacher and master, had shown itself to be tenacious in spite of the fact that such an association had been proven chronologically impossible, as more than a century separated their respective lifetimes.[8] Cicero (*Rep.* 2.28-29) and Livy (1.18.2-3) were still refuting it some three hundred years after its first appearance. But the link between Numa and Pythagoras had not been a random one. It had resulted from the many similarities which existed between the two figures. Because the Pythagorean tradition – adopted by some, passionately refuted by others – plays such a controversial role in Numa's legend, I shall next provide an overview of Pythagoras' and Numa's respective legends to demonstrate, in view of the wealth and depth of the similarities, that the ancients' temptation to associate them as well as the persistence of the association seem at least understandable.

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7 The story of Cacus' capture by the Vibennae brothers is examined by J.P. Small (1982, *Cacus and Marsyas in Etrusco-Roman Legend*, Princeton, esp. p. 10-12).

8 According to Cicero in *Rep.* 2.29, Pythagoras came to Italy about 140 years after Numa's death, which is corroborated by Dionysius of Halicarnassus' calculations (2.59.2-3), which report that Numa began to reign in 713 BCE whereas Pythagoras resided in Italy after 580 BCE.

4.1. Similarities between Numa and Pythagoras

4.1.1. Philosophy and Way of Life

Plutarch's *Life of Numa* constitutes an appropriate starting point for this overview. In this work, the author makes note of similarities between the two figures : first of all, Plutarch writes, the king's policies attach much importance to the closeness of relations between gods and mortals, just as Pythagorean philosophy does (8.6).[9] Also, Numa increases his prestige by alleging an affair with a goddess and conversations with the Muses in the same manner as Pythagoras does when he gives miraculous signs of his intimacy with the gods (8.7-10).[10] In addition, Numa holds special reverence for the Muse Tacita in whom Plutarch sees a reference to the Pythagorean precept of silence (8.11).[11] Numa's interdiction to represent gods in human or animal form, Plutarch goes on, is akin to Pythagorean thought that conceived divinity as imperceptible and invisible (8.12-14).[12] Moreover, reminiscent of Pythagorean cult practices, Numa institutes mostly bloodless sacrifices that cost little (8.15).[13] In addition, Numa constructs a round temple of Vesta in imitation not of the earth but of the universe whose middle, according to the Pythagoreans, is occupied by fire (11.1).[14] Also, Numa orders silence and cessation from all activity

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9 Pythagoras prescribed close relations between mortals and gods because the latter are the only source of good, and the principle and doctrine of philosophy is to follow God (Iamb. *VP* 86-87, 137). An anonymous *Life of Pythagoras* (*ap.* Phot. 439 a) reports that, according to the Pythagoreans, one of the three ways a man may improve is by conversation with the gods and imitation of them, for none can approach them unless one abstain from all evil.

10 Pythagoras is said to have exerted influence over irrational animals (Iamb. *VP* 60-62, 142 ; Porph. *VP* 23-25), to have given accurate predictions (Iamb. *VP* 136, 142 ; Porph. *VP* 25, 28, 29), to have tamed the elements (Iamb. *VP* 135 ; Porph. *VP* 29), to have remembered his former lives (Iamb. *VP* 63, 134 ; Porph. *VP* 26), to have been seen in two places at once (Iamb. *VP* 136 ; Porph. *VP* 27 ; Apollon. *Mir.* 6), to have been hailed by a river (Iamb. *VP* 134 ; Porph. *VP* 27), and to have possessed the golden thigh of Hyberborean Apollo (Iamb. *VP* 135, 140 ; Porph. *VP* 28 ; Apollon. *Mir.* 6).

11 Pythagoras would impose perfect silence upon his disciples, urging them to suppress their tongues for years at a time to fortify their temperance (Iamb. *VP* 68, 225).

12 Pythagoras imitated the Orphic mode of honouring the gods, by representing them in images and in brass not resembling human form, but the divine receptacle of the Sphere, which is of nature and form similar to the universe (Iamb. *VP* 151).

13 Pythagoras adored altars undefiled with blood (Iamb. *VP* 108 ; D.L. 8.13, 20, 22). He sacrificed without offensive profusion, offering no more than barley bread, cakes and myrrh (Porph. *VP* 36).

14 The Pythagorean Philolaus locates the fire which he calls Hestia in the centre of the sphere of the universe (Philol. *ap.* Stob. *E. Phys.* 1.22.1, p. 488).

during religious ceremonies, in accordance with the Pythagorean precept that prescribed total commitment in any act of worship (14.3-5).[15] Moreover, Plutarch believes, secret meanings are hidden in certain institutions of Numa as is also the case with some Pythagorean prescriptions (14.6).[16] Finally, Numa orders that the sacred books he had written be buried with him, considering it improper to commit secret teachings to lifeless writing, in accordance with the traditional oral transmission of Pythagorean doctrines to the worthy few (22.2-3).[17]

In all these instances Plutarch links a specific Pythagorean belief or practice to Numa's policies. But two other Pythagorean reminiscences exist in Plutarch's account which the author has not singled out. In *Num.* 4.1, the author relates that Numa used to walk alone in the groves of the gods, in sacred meadows and in deserted spots. It is attested that Pythagorean communities prescribed a solitary morning walk to achieve inner serenity before engaging with anyone ; temples and groves were prime destinations for quiet (Iamb. *VP* 96). In *Num.* 22.2, Plutarch reports that Numa prohibited the incineration of his body ; incineration was also forbidden by Pythagoras who judged that divine fire should not be mingled with mortal nature (Iamb.*VP* 153).

Material from other sources as well allows one to draw further similarities between Pythagoras and Numa. Firstly, both institute a new way of life in their respective cities : in Italian and Sicilian cities rife with sedition and discord, Pythagoras' teachings and legislation promote justice, temperance and concord within the individual as well as within

15 Pythagoras prescribes that divinity should not be worshipped carelessly (Iamb. *VP* 85).
16 The Pythagoreans would communicate obscurely, through symbols, so as not to divulge anything to the 'uninitiated' (Iamb. *VP* 227).
17 Pythagorean principles were committed to memory and transmitted orally to successors ; they were unwritten. (Iamb. *VP* 226).

the city (Iamb. *VP* 34, 41, 45 ; Porph. *VP* 22). Numa, having diverted the Roman citizens from war and plunder, fosters peace and justice in their hearts and in the state.[18]

4.1.2. Link with Law

A second similarity between Numa and Pythagoras is that both figures are lawgivers : Pythagoras had served in that capacity for Italian cities (Iamb. *VP* 33, 172) and for the community he himself founded (Porph. *VP* 20), while Numa had served in Rome.[19] It is in fact suggested that Numa's role as lawgiver of the Romans is what first associated him to Pythagoras.[20] The philosopher Aristoxenus of Tarentum, in the late fourth century BCE or early third, wrote a biography of the admired Pythagoras in which he claims that many Italians sought out the wisdom of Pythagoras and among them Romans.[21] Furthermore he asserts that the illustrious lawgivers Charondas the Catanian and the Locrian Zaleucus received instruction from Pythagoras.[22] It could not be otherwise that the association with Pythagoras of both terms 'Roman' and 'lawgiver' would eventually conjure the name of Numa, the Roman lawgiver *par excellence*. Buchmann (1912, p. 34) judiciously points out that it was the custom to make disciples out of philosophers and lawgivers and to assign masters to them, each according to his own 'school of thought'. Ephoros therefore made Minos, the Cretan king, a disciple of

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18 Cic. *Rep.* 2.25-27 ; Liv. 1.19.2, 21.1 ; D.H. 2.60.4, 75.4, 76.3 ; Ov. *F.* 3.277-282 ; Plu. *Num.* 20.3-4.

19 For Numa as lawgiver, see Cic. *Rep.* 2.26 ; Liv. 1.19.1 ; D.H. 2.74.1 : Ov. *F.* 3. 278-279 ; Plu. *Num.* 20.4.

20 See E. S. Gruen, (1990), *Studies in Greek Culture and Roman Policy*, Leiden, p. 160.

21 *Ap.* Porph. *VP* 22 : « προσῆλθον δ' αὐτῷ, ὡς φησὶν Ἀριστόξενος, καὶ Λευκανοὶ καὶ Μεσσάπιοι καὶ Πευκέτιοι καὶ Ῥωμαῖοι. ἀνεῖλεν δ' ἄνδρην στάσιν οὐ μόνον ἀπὸ τῶν γνωρίμων, ἀλλὰ καὶ τῶν ἀπογόνων αὐτῶν ἄχρι πολλῶν γενεῶν καὶ καθόλου ἀπὸ τῶν ἐν Ἰταλίᾳ τε καὶ Σικελίᾳ πόλεων πασῶν πρός τε ἑαυτὰς καὶ πρὸς ἀλλήλας». Cf. D.L. 8.14 : « τοιγὰρ καὶ προσεκαρτέρουν αὐτῷ καὶ τῶν λόγων ἕνεκα προσῆεσαν καὶ Λευκανοὶ καὶ Πευκέτιοι Μεσσάπιοί τε καὶ Ῥωμαῖοι ».

22 D.L. 8.16 : « ὥς φησιν Ἀριστόξενος (...) ἄλλους τε πολλοὺς κατὰ τὴν Ἰταλίαν ἀπεργάσασθαι καλούς τε καὶ ἀγαθοὺς ἄνδρας, ἀτὰρ καὶ Ζάλευκον καὶ Χαρώνδαν τοὺς νομοθέτας ». The tradition is also attested in Porph. *VP* 21 and in Iamb. *VP* 172. The latter adds the names of Timaratus, who legislated for the Locrians, and those of Theaetetus, Helicaon, Aristocrates and Phytius, who legislated for Rhegini : « πρῶτον μὲν Χαρώνδας ὁ Καταναῖος, ἔπειτα Ζάλευκος καὶ Τιμάρατος οἱ Λοκροῖς γράψαντες τοὺς νόμους, πρὸς δὲ τούτοις Θεαίτητος καὶ Ἑλικάων καὶ Ἀριστοκράτης καὶ Φύτιος οἱ Ῥηγίνων γενόμενοι νομοθέται ».

Rhadamanthus, son of Zeus the lawmaker (Str. 10.4.8). Minos in turn was master to Thales, and Thales to Lycurgus (Str. 10.4.19).

And indeed it does seem that Hellenic tradition regarding revered legislators influenced the Greek historians' portrayal of Numa, consequently bringing him even closer to Pythagoras. Szegedy-Maszak, in studying the legends of Greek lawgivers (Lycurgus, Solon, Zaleucus, Charondas), has recognized certain *topoi* in their respective legends.[23] He notes how the Greek lawgiver invariably steps into a situation of crisis in the city-state, and how his education, acquired through extensive travel and tutelage by one of the great philosophers, and his remarkable character, usually described as exceptionally virtuous, make him uniquely suited to resolve any existing conflict.[24] The author also points out that some lawgivers benefitted from divine assistance, as Lycurgus, who is said to have received laws from Apollo, as Minos from Zeus and as Zaleucus from Athena. The lawgiver, the author goes on, once in office, puts his experience and knowledge to work and promulgates a code that will put an end to the conflict. Finally, when the code has proven its worth, provisions are made for its permanence.

As put forward by Dionysius of Halicarnassus, who delivers one of the most extensive accounts, the legend of Numa undeniably fits the Greek lawgiver's type, as drawn by Szegedy-Maszak. Hence, Numa is said to have travelled to Southern Italy and to have studied with Pythagoras before being selected by the Romans to rule their city and thus put an end to internal strife (2.59.1). Numa is also said to have received from Egeria advice which he incorporated into the religious and social laws he gave to the Romans (2.61.1), laws which he put down in writing and entrusted to the pontiffs for safekeeping in view of future need for consultation (2.63.4). In only two respects does the good Roman

23 A. Szegedy-Maszak, (1978), « Legends of the Greek Lawgivers », *GRBS* 19, p. 199-209.

24 Thales and Pythagoras were favourite mentors of lawgivers because they had themselves practised statesmanship.

king's legend seem to stray from the Greek lawgiver's pattern : his code goes unchallenged, which is consistent with the conservative Roman mentality, and he remains in the city after implementing it, which seems only natural for a reigning king.

4.1.3. Link with Divinity

A third similarity between Pythagoras and Numa lies in their association with divinities. Pythagoras is prominently linked to Apollo, his very name allegedly commemorating that he had been promised to his father by Pythian Apollo (Iamb. *VP* 6). A legend reports that his demeanor led the people to believe that he was the son of the god himself (Iamb. *VP* 10). It is furthermore attested that the Crotoniates called him 'Hyperborean Apollo' (*Ἀπόλλωνα Ὑπερβόρειοι*) (Ael. *VH* 2.26, cf. Iamb. *VP* 140 ; Porph. *VP* 28) and that the Pythagoreans celebrated him as 'Pythian' (*τὸν Πύθιοι*), 'Hyperborean' (*τὸν ἐξ Ὑπερβορέων*), or ' Paeon' (*τὸν Παιᾶνα*) (Iamb. *VP* 30), all epithets of Apollo.[25]

Numa is also linked with a divinity : Egeria.[26] According to tradition, Egeria is a nymph, companion of the Camenae, wife and counsellor to Numa.[27] A review of the sources for her legend shows that water plays a vital role in it : indeed, Egeria is said to have consorted with Numa in a place watered by a spring (Liv. 1.21.3 ; Juv. 3.13). Ovid

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25 We shall shortly see that Pythagoras is also associated with Demeter and the Muses.

26 See D.H. 2.60.5 ; Plu. *Num.* 4.2, 8.10 ; Cic. *Leg.* 1.4.13 ; Liv. 1.19.5, 21.3 ; Ov. *F.* 3.262, 275 ; *M.* 15.482.

27 For Egeria's identification as a Nymph, see : D.H. 2.60.5 (*νύμφην γάρ τινα*) ; Varr. *ap.* Aug. *CD* 7.35 (*nympham Egeriam*) ; Ov. *F.* 3.261-62 (*nympha, Numae coniunx*) ; *M.* 15.482 (*coniuge qui felix nympha ducibusque Camenis*) ; Plu. *Fort. R.* 321b (*νυμφῶν μίαν δρυάδων*) ; Serv. *Verg. A.* 7.763 (*nympha*) ; Auct.*Vir. Ill.* 3.2 (*Egeriae nymphae*). As companion of the Camenae, see : Liv. 1.21.3 (*Camenis eum lucum sacravit, quod earum ibi concilia cum coniuge sua Egeria essent*) ; Ov. *F.* 3.275 (*Egeria...dea grata Camenis*). The Camenae were worshipped near the porta Capena where their springs were located. Due to the curative and divinatory powers of their waters, the Camenae were believed to possess healing and prophetic abilities, prevailed upon especially by birthing women. (*Dictionnaire des antiquités grecques et romaines, s.v. Camenae*, p. 857-58). As wife of Numa, see : Varr. *ap.* Aug. *CD* 7.35 ; Liv. 1.21.3 ; Ov. *F.* 3.261-62 ; *F.* 4.669 ; *Met.* 15.482 ; Mart. 6.47. As counsellor of Numa, see : Liv. 1.19.5 ; D.H. 2.60.5 ; Ov. *F.* 3.154, 276, 294 ; *F.* 4. 669 ; Plu. *Num.* 13.2.

(*F.* 3.275 ; *M.* 15.549-551) tells that she supplied water and that she was turned into a spring by Diana. Plutarch (*Num.* 13.2-4) reports that Numa designated to the Vestals a sacred spring from which to draw their ritual water, a spring that ran in territory consecrated to Egeria and her companions. Martial (6.47) evokes how Egeria's water cured Marcus and prays that her spring will bring him health also. Varro (*ap.* Aug. *CD* 7.35) contends that Egeria became associated to Numa because the king used to carry water out (*egerere*) to practise hydromancy. Water in dry lands such as Greece and Italy had naturally invited the devotion of their inhabitants very early on. Rivers that dried up in a summer drought, streams that burst forth from volcanic rock and rivers that disappeared under the earth or seemed to issue from it were phenomena that had encouraged the association of water with the underworld and with Earth. Springs and lakes were often considered as gateways to the underworld while water cooperated with Earth to ensure fertility of man and land. Contact with the divine power of water was an important aspect of divination as water could fertilize, strengthen, purify and heal, and induce prophecy or madness.[28] It comes as no surprise then that water-nymphs were associated with healing and were believed to possess prophetic abilities.

The presence of water in Numa's relationship with Egeria is not without meaning. Water plays such an important part in it that Pais considered Numa to be an ancient water god.[29] Detienne has observed a series of associations concerning Nereus, the Old Man of the Sea, that, I think, are also relevant to the story of Numa.[30] Detienne notes that Nereus holds mantic powers which allow him to discern truth, and armed with this truth, enable

28 See W.R. Halliday, (1967), *Greek Divination. A Study of its Methods and Principles*, Chicago, p. 116-128 ; A. Bouché-Leclercq, (1963), *Histoire de la divination dans l'antiquité*, Vol. 1, Paris, p. 186-187 and Vol. 2, p. 252

29 Pais (1913, p. 449-452) posited that Numa and the river Numicius were originally one and the same being on the grounds that Numa can be associated with divinities (Vesta, Egeria, Juturna, Janus, Fons) and places from the Latium area (Camena gate, Arician woods, Lake Nemorens) that are linked to water. Furthermore, the institution of purification ceremonies are attributed to Numa. These conjectures have been strongly denounced as unfounded by Buchmann (1912, p. 16-21).

30 M. Detienne, (1973), *Les maîtres de vérité dans la Grèce archaïque*, 2nd ed., Paris, p. 29-50.

him to dispense justice.[31] In the most ancient times the king was responsible for dispensing justice and, as shepherd of his people, for dispensing riches. His privileged relationship with the gods guaranteed abundance and prosperity for him and his community. Nereus, Detienne goes on, seems to be linked to sovereignty through his daughters who bear the names of political virtues and through his own epithet (*ἤπιος*) which usually qualifies the father and the king.[32] Sovereignty, justice, fertility, divination and sea-divinities are also found in Numa's legend : he is a king, described as a legislator preoccupied with justice. He encourages agriculture as a viable means of subsistence and prosperity and receives advice from a water-nymph, by nature endowed with prophetic ability.

Another element in Numa's story links him to divination : the fact that he converses with Egeria in a cave (Liv. 1.21.3 ; Juv. 3.12-13, 17 ; Mart. 6.47). Caves, it is true, were favourite abodes of the Nymphs and art has very often represented them as home to these goddesses.[33] But more telling is that caves were privileged places to communicate with the supernatural. Incubation, – divination through sleeping visions –, could take place there[34] and, Halliday notes (1967, p. 130-131), its triple association with heroes, the dead and Earth, was one which water also happened to share. A text of Neopythagorean and Neoplatonic inspiration, Porphyry's *De Antro Nympharum*, in which the author gives an exegetical commentary on the cave at Ithacus described in Homer (*Od.* 13.102-112.),

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31 Hesiod's description of Nereus accentuates his link with justice : « οὔνεκα νημερτής τε καὶ ἤπιος, οὐδὲ θεμίστων ˙ λήθεται, ἀλλὰ δίκαια καὶ ἤπια δήνεα οἶδεν » (*Th.* 235-36).

32 The names of Nereus' daughters are : Λειαγόρη, Εὐαγόρη, Λαομέδεια, Πουλυνόη, Αὐτονόη, Λυσιάνασσα, Θεμιστώ, Προνόη (Hes. *Th.* 257-58, 261). Nereus is described as *ἤπιος* (mild, gentle) in Hes. *Th.* 235. For Detienne's argumentation on the qualification of the father and the king as *ἤπιος*; see Detienne (1973, p. 40).

33 Nymphs are reported to have lived in the Corycian cave on the Parnassus (Str. 9.3.1), the Sphragidian cave on Citheron (Plu. *Arist.* 11 ; Paus. 9.3.9), the cave of Pan on the flank of the Acropolis (Ar. *Lys.* 720-21). For a list of artistic representations, see also *Dictionnaire des antiquités grecques et romaines*, *s.v. nymphae*, p. 125.

34 As Earth was believed to have prophetic powers (Bouché-Leclerq, 1963, Vol. 2, p. 251-255 ; Halliday, 1967, p. 129) and to be a sender of dreams (A. *Supp.* 899-902 ; E. *IT* 1261-62), incubation could occur in caves, as at Acharaca (Str. 14.1.44). The most famous oracle which involved incubation in a cave (or more precisely a pit) is the oracle of Trophonios at Lebadeia. Pausanias (9.39.5-14) describes his own experience there. For a recent study on the sanctuary and oracle of Trophonius, see A. Schachter, (1994), *Cults of Boiotia*, Vol. 3, London, p. 65-84.

explains that the cave is symbolic of the material world because of the properties it shares with matter, i.e. a rocky consistency, humidity (again the presence of water !) and obscurity (9). Empedocles, the Pythagoreans and Plato had all represented the material world as a cave (8).[35] The cave, Porphyry goes on, is also the symbol of all invisible forces because they are obscure and their substance is hidden from the eye (7, 9). It is these qualities that prompted Cronos to dig a cave in the sea to hide his children and Demeter to feed Core in a cave (7). Zeus in Crete, Selene and Pan in Arcadia, and Dionysos in Naxos were all worshipped in caves (20). It is reported from other sources (D.H. 2.61.2; cf. Hom. *Od.* 19.178-79) that Minos, king and legislator, used to descend into the holy cave of Zeus in the Dictaean mountain to converse with the god and compose his laws. As it happens, Detienne cites the case of Minos as proof that justice is closely linked to divination, especially to divination by incubation. Epimenides, the poet and prophet of Crete, had slept for decades in the same Dictaean cave (D.L. 1.109 ; Apollon. *Mir.* 1 ; Xenoph. *ap.* D.L., 1.111) and is said to have accompanied there Pythagoras, a legislator and advocate for justice (D.L. 8.3 ; cf. Porph. *VP* 17). Pythagoras is also known to have adapted a cave outside of Samos for the study of philosophy, in which he lived day and night, discoursing with a few of his associates (Porph. *VP* 9). His legend moreover includes a descent to Hades (D.L. 8.21, 38), described by Hermippus as trickery (D.L. 8.41). Burkert has identified from the latter's account elements of an initiation into the cult of Demeter which Hermippus had not recognized.[36] Other sources confirm the link between Pythagoras and Demeter, relating that Pythagoras' house was transformed into a temple of Demeter (Iamb. *VP* 170 ; Porph. *VP* 4 ; D.L. 8.15). In the story of Pythagoras too, then, associations of justice, divination and fertility (Demeter) are present.

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35 Plato's allegory of the cave is well-known : the world of matter, symbolized by the cave wherein only shadows move, exists separately from the true world and the true sun (*R.* 514 a-517 a).

36 The underground room is a sanctuary of Demeter, Pythagoras' thinness is due to ritual fasting, his mother is in fact a reference to Μήτερ = Demeter. See W. Burkert, (1972), *Lore and Science in Ancient Pythagoreanism*, Cambridge, p. 159.

Certain types of mortals were more likely to benefit from divine favour, the lawgiver being just one. Homer had taught that warriors, heroes, kings and poets could all enjoy divine patronage whereas Pindar had sung of the athlete's connection to the gods. With Pythagoras, lawgiver and thinker, it is appropriate to add the philosopher to the list.

In addition to associations with Apollo and Demeter, Pythagoras enjoyed another divine patronage which stemmed mainly from his philosophical activity, that of the Muses. Tradition reported that Pythagoras had encouraged the foundation of a temple to the Muses in Croton (Iambl. *VP* 45) and had died of hunger in their temple of Metapontum (Porph. *VP* 57 ; D.L. 8.40). Moreover the street on which he lived had been named after the Muses (Iamb. *VP* 170 ; D.L. 8.15 ; cf. Porph. *VP* 4). Their presence in the philosopher's legend is not coincidental, for a relationship did exist between the philosopher and the Muses.[37] The ancient Greek world had attributed to the Muses oversight of all forms of poetry. It was believed that they inspired the poet's composition by inducing in him a state of divine possession.[38] Credited with mantic powers, they tell of things past and future (Hes. *Th.* 31-32) and they sit at Delphi as assistants and guardians of divination, because, according to Plutarch (*Pyth. Or.* 17.402 d), the oracles were once delivered in verse. Their very name links them to wisdom, it being derived from *μώσθαι*, a Doric word meaning 'to desire', 'to inquire'.[39] Their associations with prophet, poet and wise man were not originally differentiated ; for one man could be all three : Orpheus, son of the Muse Calliope, was a founder of mysteries, a poet, prophet and instructor of Musaeus.[40] Cornford gives many

37 The subject has been studied extensively by P. Boyancé, (1937), *Le culte des Muses chez les philosophes grecs*, Paris. See also L. Isebaert, (1985), « La fascination du monde et des Muses selon Platon », *LEC* 53, esp. p. 210-213 and G. Rodis-Lewis, (1983), « Platon, les Muses et le Beau », *BAGB*, p. 265-276.

38 Plato is well known for treating this subject of poetic possession in the *Ion* and also in the *Phaedrus*, especially at 245 a. In *Th.* 31, Hesiod recounts how the Muses breathed song into him (*ἐνέπνευσαν δέ μοι αὐδήν*). See also W. Minton, (1962), « Invocation and Catalogue in Hesiod and Homer », *TAPA* 93, p. 212 ; F. Buffière, (1956), *Les mythes d'Homère et la pensée grecque*, Paris, p. 26.

39 See Pl. *Cra.* 406 a : « τὰς δὲ Μούσας τε καὶ ὅλως τὴν μουσικὴν ἀπὸ τοῦ μῶσθαι, ὡς ἔοικεν, καὶ τῆς ζητήσεώς τε καὶ φιλοσοφίας τὸ ὄνομα τοῦτο ἐπωνόμασεν ».

40 For an inventory and evaluation of Orpheus' legends, see E. Robbins, (1982), « Famous Orpheus », in *Orpheus. The Metamorphoses of a Myth*, ed. by J. Warden, Toronto, p. 3-23.

examples, from a variety of cultures, of the prophet-poet-sage whose exceptional wisdom results from an inspired or mantic contact with spirits and gods.[41] Even when differentiation of poetry, prophecy and philosophy began, the Muses' presence in the philosophical sphere remained relevant. Plato, for one, interested as he was in education, which was thought to originate from the Muses (Pl. *Lg.* 2.654 a), developed a curriculum in which music played an important role.[42] Indeed the Muses (especially Euterpe) had always been overseers of music which, from rhythm of verses to instrumental accompaniment, was closely associated to poetry. Music was used to train the citizen not just physically, development for which the Greeks had traditionally employed musical training, but morally as well (Pl. *R.* 4.425 a). For Plato reasoned that music, harmonious by nature, would be apt to create this very harmony in the soul of man (Pl. *Ti.* 47 c-e),[43] harmony which would result in acquainting man with his divine nature. In fact, so important did music become within Plato's educational and philosophical system that he considered true music to equate to philosophy itself (*Phd.* 61 a ; *La.* 188 c-d ; cf. Str. 10.3.10).[44] And so the Muses, traditionally associated with the sage, were confirmed as patronesses of philosophy, as is attested in Plato's *Phaedrus* (259 d) where it is recounted how the cicadas point out to the Muses Calliope and her sister Urania those men who spend their entire lives practising philosophy.[45]

Pythagoras' association with the Muses constitutes the final similarity of his legend with that of Numa. For if Egeria, Numa's traditional divine companion, is usually identified as a nymph (*sup.*, n. 27), Dionysius of Halicarnassus also reports a tradition wherein she is said to be one of the Muses (2.60.5 : *ἕτεροι δὲ οὐ νύμφην, ἀλλὰ τῶν*

41 F.M. Cornford, (1965), *Principium Sapientiae. The Origins of Greek Philosophical Thought*, ed. by W.K.C. Guthrie, New York, p. 90-101.
42 See E. Moutsopoulos, (1989), *La musique dans l'oeuvre de Platon*, 2nd ed., Paris, esp. p. 198-226.
43 It should be noted that Pythagoras' use of the cathartic properties of music to soothe the passions of the body and the soul were well known in Antiquity (Iamb. *VP* 110-114 ; Porph. *VP* 30).
44 See also Boyancé (1937, p. 262) ; Isebaert (1985, p. 213).
45 See also Pl. *R.* 548 b ; Pl. *Phlb.* 67 b for reference to the philosophical muse.

Μουσῶν μίαν). The discrepancy need not be considered a great one as the Muse, according to lexicographical texts (Hsch. *s.v.* *θούριδες* ; St. Byz. *s.v.* *Τόρρηβος* ; Suid. *s.v.* *νύμφαι*), defined the Nymph while the Camena, the Roman Nymph whose prophetic ability linked her to poetry as early as Livius Andronicus (*ap.* Gell. 18.9), became identified with the Greek Muse.[46] Plutarch (*Num.* 4.2), who uses Dionysius' work as a source for his *Life of Numa*, although very clear on Egeria's divine nature, does not specify at first what kind of goddess she is, being content to use terms such as *ἡ θεά* and *ἡ δαίμων* to describe her. But, in *Num.* 8.10, he reports that Egeria is a goddess or mountain nymph (*θεᾶς τινος ἢ νύμφης ὀρείας*) and in *Fort. R.* 321 b, he identifies her as a wood-nymph (*νυμφῶν μίαν δρυάδων*). If Plutarch does not report Dionysius' alternative tradition that identifies Egeria as a Muse, he does relate that Numa conversed with the Muses, that he attributed most of his predictions to them and that he had enjoined the Romans to honour one of them in particular, the Muse Tacita (*Num.* 8.10-11). It may be added that Servius (*Verg. A.* 1.8) attributes to Numa the erection of a shrine to the Muses, an act reminiscent of Pythagoras' own recommendation to found a temple to them (*sup.*, p. 23).

Comparison of the legends of Numa and Pythagoras has therefore accentuated many similarities which lend credit to Cicero's assessment that, when the Romans came to know the teachings of Pythagoras, they could not but be reminded of the wisdom of their own king, Numa the just, and it is this similarity that inspired the tale of Numa's studies at Pythagoras' feet.[47]

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46 See *Dictionnaire des antiquités grecques et romaines*, *s.v. Musae* and *s.v. Camenae*. For a summary of the assimilation process of the Camenae Egeria and Tacita to the Greek Muses, see Gagé (1955, p. 337).

47 Cic. *Tusc.* 4.2-3 : « erat enim illis paene in conspectu praestanti sapientia et nobilitate Pythagoras (...) nam cum Pythagorae disciplinam et instituta cognoscerent regisque eius aequitatem et sapientiam a maioribus suis accepissent aetates autem et tempora ignorarent propter vetustatem, eum, qui sapientia excelleret, Pythagorae auditorem crediderunt fuisse ».

5. The Origin of the Pythagorean Numa According to Modern Opinion

Modern scholars as well have attempted to explain Numa's Pythagorean associations. For Gagé (1954, *RHR* 146, p. 21-38 and 1955 p. 327), Dodona plays a key role in the development of Numa's legend. This scholar argues the plausibility that the precepts of Numa's religious institutions were widely influenced by Dodonian ones, as a result of the spread of the Pelasgi throughout the Sabine region. According to him, the link between Numa and Pythagoras results in a confusion between the south-Italian city of Croton, adoptive home of Pythagoras, and that of Cortona in the Etrusco-umbrian region. The latter, a settlement of the Pelasgi, was a depository of the religious teachings which its colonists had brought with them from Dodona. The analogies between Numa's precepts picked up in Cortone with Pythagorean ones fostered the idea that Numa had studied under the Samian philosopher at Croton.

Panitschek argues that the Numa-Pythagoras connection was made by the Roman antiquarians on the basis of similarities between the prescriptions and interdictions of the flamen Dialis and that of the Pythagoreans.[48] He argues that they linked Numa to the prominent Greek philosopher from southern Italy in order to counter the anti-Roman feeling coming from Greek quarters which exploited the Roman kings' modest and foreign origins ;[49] while the Romans could not deny the well-established Sabine origins of Numa, they could refute the claim of barbarian origins.

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48 P. Panitschek, (1990), « Numa Pompilius als Schüler des Pythagoras », *GrazerBeiträge* 17, p. 49-65.

49 Panitschek (1990, p. 60) quotes a section of a speech of Mithridates VI Eupator (end of the second century BCE) as an example : « quia ipsi tales reges habuerint, quorum etiam nominibus erubescant, aut pastores Aboriginum, aut aruspices Sabinorum, aut exules Corinthiorum, aut servos vernasque Tuscorum aut, quod honoratissimum nomen fuit inter haec, Superbos » (Iust. 38.6.7).

Glaser (*RE*, col. 1246), Ferrero (1955, p. 142-147), Ogilvie (1965, p. 89), Gabba[50] and Martin (1982, p. 244-45) posit, rightly I believe, that contact with the populations of Greater Greece where Pythagoreanism had flourished prompted the connection between Numa and Pythagoras. At what point in time the Romans actually received the Pythagorean Numa is difficult to say. We know that Roman affairs of state led to involvement with the Greeks of Great Greece in the later fourth century BCE. The events of the Pyrrhic war intensified the dealings between the Greek and Roman communities of Italy. Ferrero (1955, p. 146-47) suggests that it is in this period that the legend of the Pythagorean Numa was received in Rome. Martin (1982, p. 244), who deems that close Etruscan links with Great Greece at the end of the sixth century BCE preclude one from denying that Pythagoras may have had Etruscan disciples,[51] suggests that a Pythagorean Numa was known in Rome by the end of the fourth century at the latest. Indeed Pythagorean thought, and sister thoughts as Orphism and Dionysism, were alive and well in Etruria at an early date,[52] a context which may have facilitated the entry into Rome of the Greek version of Pythagorean Numa in the fourth century. Certainly the renown of Pythagoras had swept through Rome at that time, for when, at the turn of the third century BCE, after a consultation of Pythian Apollo, the Romans erected a statue to the wisest of Greeks at the god's behest, the Senate chose to commission a statue of Pythagoras (Plin. 34.26 ; Plu. *Num*. 8.10.20).

Dumézil, Latte and Wissowa believe that the connection was made as late as the second century BCE when a strange affair unfolded in Rome, one that deserves close examination.[53] In 181 BCE there was found in a field on the Janiculum belonging to a clerk

50 G. Gabba, (1967), « Considerazioni sulla tradizione letteraria sulle origini delle Repubblica », in *Entretiens sur l'Antiquité Classique*, Vol. 13, Genève, p. 155.

51 Sources in fact attribute Etruscan disciples to Pythagoras (Iamb. *VP* 267 ; Plu. *Qu. Conv.* 8.727 b and 728 f). One source (Aristox. *ap.* D.L. 8.1) holds that Pythagoras himself may have been an Etruscan (*Τυρρηνός*).

52 See A. Hus, (1980), *Les Étrusques et leur destin*, Paris, p. 257-258.

53 G. Dumézil, (1970), *Archaic Roman Religion*, Vol. 2, p. 521-525 ; K. Latte, (1960), *Römische Religionsgeschichte*, HdA 5.4, p. 268-270 ; G. Wissowa, (1902), *Religion und Kultus der Römer*, HdA 4.5, p. 62.

a chest which inscriptions identified as the coffin of Numa Pompilius, the second king of Rome. When opened, it revealed a number of books which Numa had reportedly written. The content of these works, upon examination, was swiftly and unanimously judged as unsuitable, dangerous even, for public consumption. Consequently the Senate decreed that they should be burned publicly. This affair has been reported or alluded to by a surprisingly high number of sources.[54] In view of the obvious importance which ancient opinion attached to this 'Numan' affair, I shall review the matter in detail.

6. The 'Numan Books' Affair

Our rather numerous sources for the event present certain discrepancies but more interesting to us is the content of the books which prompted the *auto-da-fé*.[55] The oldest source for the event is Cassius Hemina, who also happened to be a contemporary. There is controversy as to whether the words *in his libris scripta erant philosophiae Pythagoricae* belong to Hemina or to Pliny (13.84) who quotes him. Buchmann (1912, p. 36-37) and Peter (Cass. Hem. 37P) attribute the words to Hemina whereas Rosen propounds that they belong to Pliny.[56] Rosen compares the clause *in his libris scripta erant philosophiae Pythagoricae* with another clause from the same quotation, *qui Romae regnavit*. He argues that both clauses are in fact parentheses, as suggested by the use of the indicative mood in contrast to the subjunctive mood used in the rest of the quotation ; Pliny, it seems, was fond of the parenthesis. In addition, Rosen goes on, the age of the books to which the same quotation refers is based on the Varronian chronology, which only Pliny could have used since Hemina followed the Catonian calculation. Even in view of Rosen's argumentation,

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54 The sources comprise : Cass. Hem. fr. 37P ; Calp. Pis. fr. 11P ; Semp. Tud. fr. 3P ; Val. Ant. fr. 7P, 8P, 9P, 15P Varr. *ap.* Plin. 13.87 and *ap.* Aug. *CD* 7.34 ; Liv. 40.29.8 ; Plin. 13.84-87 ; Plu. *Num.* 22.6 ; Aug. *CD* 7.34-35 ; Val. Max. 1.1.12 ; Fest. 178.19 ; Lact. *Inst.* 1.22.5-8 ; Auct. *Vir. Ill.* 3.2.

55 Discrepancies appear in the following : the name of the clerk (L. Petilius or Cn. Terentius), the number of chests found (1 or 2), the number of books found (two sets of 7 or two sets of 12), the circumstances of the find (dig or flood).

56 K. Rosen, (1985), « Die falschen Numabücher. Politik, Religion und Literatur in Rom 181 v. Chr. », *Chiron* 15, p. 73-74.

Hemina clearly believed that the books were burned because of their philosophic content (*quia philosophiae scripta essent*), be it Pythagorean or not.

Later in the passage (13.84) Pliny reports Piso's view on the matter, that seven books of pontifical law and seven Pythagorean books (*libros septem iuris pontificii, totidem Pythagoricos fuisse*) were found in the chest. In Rosen's mind (1985, p. 74) Piso (fr. 11P) is the first to divide the books into two sets, one Latin and one Greek,[57] and to label the philosophical books as Pythagorean. Baudou, whose in-depth study of Piso leaves him puzzled at how this annalist could have missed the chronological discrepancy between Numa's time and Pythagoras', proposes a new interpretation of the word 'pythagoricus' – meaning 'in the manner of Pythagoras, pythagorizing' rather than 'Pythagorean'.[58] In the wake of this reasoning, this translation could apply as well to Livy's quote of Valerius Antias (fr. 9P, *ap.* Liv. 40.29.8), the only other instance where the books are thus characterised as *Pythagorici* (*Adicit Antias Valerius Pythagoricos fuisse*). Indeed, in the two other passages which refer to Antias' narration of these events, the adjective *Pythagoricus* is absent : Pliny (13.87) speaks of Antias' description (fr. 8P) of the books as containing philosophical precepts (*totidem Graecos praecepta philosophiae continentes*) whereas Plutarch (*Num.* 22.6) takes note of Antias' report (fr. 7P) concerning the find of Greek books on philosophical matters (*δώδεκα δ' ἄλλας Ἑλληνικὰς φιλοσόφους*).

The rest of our sources referring to the content of the Numan books are less specific. Livy (40.29.7) is satisfied to describe them as pertaining to philosophical teaching (*septem Graeci de disciplina sapientiae*), an expression which Valerius Maximus and

57 All later sources mention these two sets. The Latin books, whether they be 7 or 12, always pertain to pontifical law. Divergence as to content appears only in the Greek set of books.

58 A. Baudou, (1993), *Les fragments des « Annales » de L. Calpurnius Piso Censorius Frugi. Traduction et commentaires*, Diss., Quebec, p. 162-163.

Lactantius take up again in their own works.[59] Sempronius Tuditanus (fr. 3P, *ap.* Plin. 13.84) speaks only of law books (*Numae decretorum*), with no language specification. Pliny (13.87), as he had done for Antias, attributes to Varro a description of philosophical content (*totidem Graecos praecepta philosophiae continentes*). But more valuable is Augustine's direct quote from Varro's *De cultu deorum* (Aug. *CD* 7.34), where the Roman scholar reports that the books contained explanations of reasons for Numa's religious institutions (*libros (...) ubi sacrorum institutorum scriptae erant causae).* No mention of the books' language is made.

This survey of the sources shows their agreement on the philosophical content of the books : possibly Pythagorean, surely Greek. For as Livy (40.29.7) himself suggests with the words *quae illius aetatis esse potuit* added to the description of the Greek books *de disciplina sapientiae*, philosophical teaching in Latin did not exist at the time of Numa's reign, and that in Greek was still in its infancy and not likely to be well known – if known at all – to Romans of the Regal period. Varro supplies helpful additional information on the content of the books when he writes of explanations for religious institutions. The significance and repercussions of these explanations must not be lost to the reader.

Man's ideas about gods and religion emanated, according to Stoicism,[60] from three different sources which the pontiff Mucius Scaevola addressed as follows : « *tria genera tradita deorum : unum a poetis, alterum a philosophis, tertium a principibus civitatis* » (Aug. *CD* 4.27). These categories Varro, respectively, called 'mythical' (*fabulosum*), 'physical' (*naturale*) and 'civil' (*civile*) (*ap.* Aug. *CD* 6.5). According to Varro, mythical theology « has much fiction that is inconsistent with the dignity and true nature of

59 Val. Max. 1.1.12 : « totidemque graeci de disciplina sapientiae », and Lact. *Inst.* 1.22.5 : « graeci totidem de disciplina sapientiae scripti ».

60 P. Boyancé, (1972), « Sur la théologie de Varron », in *Études sur la religion romaine*, Rome, p. 254-255.

immortal beings (....) and is chiefly suited to the theatre » ;[61] physical theology « is the subject of many books that philosophers have bequeathed to us, in which they set forth what gods there are, where they are, what their origin is and what their nature (...) it is chiefly suited to the universe » ;[62] civil theology « is that which citizens in the states, and especially the priests, have an obligation to learn and carry out. It tells us what gods are to be worshipped by the state and what rites and sacrifices individuals should perform (....) It is chiefly suited to the city ».[63] Varro understands that there is conflict between the teachings of these theologies.[64] For his part, he tells us, he would have preferred a Roman state religion founded on the principles of nature rather than on superstition. But as it is, since he lives in a city of ancient tradition, and since his writing aims at encouraging piety among the people, he knows that he must not tamper with present religious institutions (Aug. *CD* 4.31). Cicero also deems it prudent to safeguard Rome's religious heritage, even if he admits that there is no reasonable basis to believe in the efficiency of such methods of divination as augury and the reading of entrails.[65] When the Senate officially pronounces the books a threat and justifies their destruction similar thinking pertaining to religious institutions no doubt lies at the core. Certainly Delatte is convinced that the doctrines developed in the Numan books belonged to natural theology and as such threatened the people's belief in state religion.[66]

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61 *Ap.* Aug. *CD* 6.5 : « in eo sunt multa contra dignitatem et naturam immortalium ficta (....) maxime accommodata est ad theatrum ».

62 *Ap.* Aug. *CD* 6.5 : « de quo multos libros philosophi reliquerunt ; in quibus est, dii qui sint, ubi, quod genus, quale est (....) maxime accommodata est ad mundum ».

63 *Ap.* Aug. *CD* 6.5 : « quod in urbibus cives, maxime sacerdotes, nosse atque administrare debent. In quo est, quos deos publice sacra ac sacrificia colere et facere quemque parist (....) maxime accommodata est ad urbem ».

64 For an examination of tripartite theology, see J.-M. André, (1975), « La philosophie religieuse de Cicéron. Dualisme Académique et Tripartition Varronienne » in *Ciceroniana. Hommages à K. Kumaniecki*, Leiden, p. 17-19.

65 Cic. *Div.* 2.148 : « Nam et maiorum instituta tueri sacris caerimoniisque retinendis sapientis est ». Cf. *Div.* 2.70.

66 A. Delatte, (1936), « Les Doctrines pythagoriciennes des livres de Numa », ***Bulletin de l'Académie Royale de Belgique, Classe des lettres*** 22, p. 19-40. The author argues that Numa's books developed doctrines which sought to explain philosophically the nature of the divine, what Varro calls natural theology. More specifically, the explanations found in the Numan books belonged to Pythagorean philosophy : metempsychosis, the spiritual nature of god, the expression of god through number and, to some extent, evhemerism.

Convergent with these ideas, two observations clearly follow from the sources which relate the Senate's reasons for the *auto-da-fé* : the content of the books undermines state religious institutions, and it does so through Greek philosophical explanations of religious matters. Livy reports that the Numan texts were committed to the flames because many elements in them were liable to destroy religious sentiment.[67] The author of the *De Viris Illustribus* speaks of trivial causes for sacred ceremonies as the reason for the autodafé.[68] Plutarch portrays a Petilius who thought it contrary to human and divine laws to reveal their content to the public.[69] Augustine quotes Varro on the matter : « But when the leading senators had read some of the reasons given why each item of the cult had been established, the Senate voted their agreement with Numa now dead, and so, as Conscript Fathers with due respect for religion, ordered the praetor to burn these same books ».[70] Augustine goes on to qualify the books as *tam perniciosos* and *nefanda monumenta*, surmising that they contained the secrets of demons. Lactantius and Valerius Maximus rely on Livy as a source : the former speaks not only of the threat to undermine Numan religious institutions but religious institutions as a whole.[71] The latter relates that only the Greek texts were destroyed because they aimed to destabilize religion.[72] One should note that Valerius is the only source who mentions the preservation of the Latin pontifical law books. This may be a clue to the direction of the measure being aimed against Greek content, as Hemina already had intimated when he wrote that the books had been burned because of

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67 Liv. 40.29.11 : « cum animum advertisset pleraque dissoluendarum religionum esse ».

68 Auct. *Vir. Ill.* 3.2 : « qui libri, quia leves quasdam sacrorum causas continebant, ex auctoritate patrum cremati sunt ».

69 Plu. *Num.* 22.8 : « μὴ δοκεῖν αὐτῷ θεμιτὸν εἶναι -λέγωϋ μηδ' ὅσιον ἔκπυστα τοῖς πολλοῖς τὰ γεγραμμένα γενέσθαι ».

70 Varr. *ap.* Aug. *CD* 7.34 : « Ubi cum primores quasdam causas legissent, cur quidque in sacris fuerit institutum, Numae mortuo senatus adsensus est, eosque libros tamquam religiosi patres conscripti, praetor ut combureret, censuerunt ».

71 Lact. *Inst.* 1.22.5 : « quibus religiones non eas modo quas ipse instituerat, sed omnes praeterea dissoluit ».

72 Val. Max. 1.1.12 : « graecos [libros], quia aliqua ex parte ad solvendam religionem pertinere existimabantur (...) in conspectu populi cremavit ».

their (Greek) philosophical content.[73] It may be opportune to remember that the term *philosophia* in the second century BCE connoted an effeminate, impractical ('isolationist'), passive way of life. It could also carry the meaning of fraud or charlatanism : not something the *patres conscripti* would be willing to endorse officially (Rosen, 1985, p. 81-82).

Modern opinion on the affair also measures the importance of the Greek element in comprehending the course of the events.[74] And indeed all the evidence pertaining to the matter, as surveyed in my overview, points towards a discovery of books, obviously fake, which were then destroyed because of Greek philosophical elements which pertained to religious thinking. The evidence also disproves the notion that the senators could have been deceived by the hoax. For it is hardly conceivable that these men would not question the

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73 Cass. Hem. 37P : « [libros] combustos (...) quia philosophiae scripta essent ». Cf. *sup.*, Livy's remark, n. 67.

74 Explanation is often sought in the tension between Hellenic literary and philosophical ideas endorsed by Roman philhellenes, and anti-Hellenic, conservative factions in Rome. Possible involvement of the 'Scipionic circle' in the affair has been examined by A. Grilli, (1982), « Numa, Pitagora et la politica antiscipionica », in *Politica e religione nel primo scontro tra Roma e l'Oriente*, Milan, p. 195-197 ; K.R. Prowse, (1964), « Numa and the Pythagoreans : a Curious Incident », *G&R* 11, p. 40-42 ; Ferrero (1955), *Storia del pitagorismo nel mondo romano. Dalle origini alla fine della repubblica*, Turin, p. 231-235 ; L. Hermann, (1946), « Ennius et les livres de Numa », *Latomus* 5, p. 87-90. Rosen (1985, p. 78-90) thinks that the main concern of the Senate in relation to the content of the Numan books lay in the confirmation of Numa's relationship with the nymph Egeria. The conservative nobles who distrusted the Academic ideas of the θεῖος ἀνήρ and of the φιλία between mortals and gods wanted to discourage ambitious generals such as Fulvius Nobilior to style themselves as θεῖοι ἄνδρες through the example of Numa and Egeria. Hence the *auto-da-fé*. At the heart of the matter, Gagé (1955, p. 297-347) sees the outcome of a long-standing effort on the part of families who claimed descendance from Numa (see Plu. *Num.* 21.2-3, 6) to introduce Apollo – who had links to both Pythagoras and Numa – into Rome and to reform Roman cult in general. Gruen (1990, p. 164-170) rejects the consensus that the books were brought to light by elements in Roman society wishing to promote certain philosophically-based religious ideas and to realign traditional Roman religion along them by placing these ideas under Numa's authority as main founder of Roman religious institutions. That the *auto-da-fé* was meant to snuff out a growing Pythagorean movement does not satisfy Gruen insofar as Pythagoreans in Rome were never numerous enough to pose a threat, nor were involved in any measure to modify Roman religious practices. That the books were destroyed as part of an attempt to root out Hellenic elements from traditional Roman religion does not agree with the inaction of Roman leaders. Indeed, they are content to condemn the books unread and are in no way prepared to single out institutions for reform. Gruen contends, rather, that the books were 'discovered' to confront the Hellenic elements present in Numa's legend and to expose them as irrelevant to modern times. The burning of the books was proof that Rome, now having forged a maturing and strong national identity for itself, had outgrown cultural dependence on Greece, and as such the *auto-da-fé* was « a form of exorcism » (p. 170).

miraculous survival of the Numan books,[75] that some were written in Greek, a language which in Numa's time would not have been used in Rome, and that the books promoted philosophical doctrines, whether they be Pythagorean (Delatte), Academic (Rosen's θεῖος ἀνήρ) or Stoic (natural theology), which did not even exist at the time of Numa's reign. The chronology itself of the *annales pontifici* at least had discredited any possible relationship between Numa and Pythagoras, a fact which the senators, some of whom were undoubtedly pontiffs, could hardly ignore. There is a final point left unnoted. It is disconcerting that no mention is made of any difficulty of dealing with archaic writing from 500 years earlier.

One should therefore reject the notion that the posture was designed by one aristocratic faction to deceive another, which is further disproved by the complete unanimity of the factions during the senatorial proceedings.[76] But if the books were not meant for the aristocrats, were they meant for the people ? It is true that the Senate had ultimate decision-making power over the fate of the Numan books, and that these would never appear before the people without senatorial sanction.[77] But the late-Antique author Lactantius makes a legitimate comment when he puzzles over the futility of the Senate's actions, which burns books whose content is already in circulation when it had been possible to prevent dissemination.[78] One must wonder if public knowledge of the books' content was not necessary to fulfill the Senate's aims.

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75 And, as it so happens, Pliny (13.85-86) indicates through a quote from Cassius Hemina that there was surprise at the books' conservation and that there was need to supply a satisfactory explanation.

76 Gruen (1990, p. 164-170) remarks on the obvious complicity between praetor and clerk, the scrupulous observance of legal procedure, the astonishing unanimity among members of the Senate – even among rival factions – to burn the books, which suggest to him that everything was prearranged.

77 Even the Quindecemviri Sacris Faciundis could not consult the sacred Sibylline books without express mandate from the Senate (Liv. 21.62.6 ; C.D. 39.15).

78 Lact. *Inst.* 1.22.7-8 : « Insipienter id quidem : quid enim profuit libros esse combustos, cum hoc ipsum quod sunt ideo combusti quia religionibus derogabant, memoriae sit traditum ? Nemo ergo tunc in senatu non stultissimus : potuerunt enim et libri aboleri et tamen res in memoriam non exire. Ita dum volunt etiam posteris approbare quanta pietate defenderint religiones, auctoritatem religionum ipsarum testando minuerunt ».

If my review of the 'Numan books affair' has outlined the difficulties and doubts in the matter, it has brought to light at least one certainty. Whatever the true aims behind the creation and discovery of these books, it seems that only the figure of Numa had the stature and authority to give any kind of credence to it. This cannot be interpreted in any other way than as a testimony to Numa's genuine importance in Roman tradition. And given this importance, his representation in the literature of the first century BCE and the first century CE, in every respect a period of great change, merits examination.

CHAPTER 2 : THE CICERONIAN NUMA

In the previous chapter I sought to define the rich mix of ideas and influences within the Numan tradition. We should now examine this tradition continued in the works of each of our selected authors, starting with Cicero. Cicero, it shall be seen, portrayed Numa as a model leader, one of the many whom Rome had had the good fortune to have. But more specifically, he presented Numa's personal contribution to the state and national identity as one of civilization : through the establishment or promotion, alongside national ones, of conventionally recognized civilizing institutions and values, Numa is instrumental in equipping Rome to grow and attain a stature such as will grant her the right to claim Athens' title, as evidenced in Isocrates' *Panegyricus*, as civilizer of the world.

It is in the second book of the *Republic*, published in 51 BCE, that Cicero delivers his account of King Numa's reign.[1] The *Republic*, as he defines the theme to his brother Quintus, is a *sermo (...) de optimo statu civitatis et de optimo cive* (*Q. Fr.* 3.5.1). Comprising six books, the work, a dialogue spread over three days, discusses the best constitution (Day 1 : Bks 1-2), justice as the ethical basis of government and of the citizenry's education (Day 2 : Bks 3-4), and the qualities, training and duties of the *civis optimus*, leader of the state (Day 3 : Bks 5-6).[2] Unfortunately the second half of the work has not been preserved, except for a few fragments and the closing section, commonly

1 Clues in Cicero's correspondance suggest that Cicero was in the process of writing this work in May 54 BCE and that it was already in circulation in May 51. See *Cicéron. La République*, (1980), Vol. 1, ed. by E. Bréguet, Paris, p. 7-8.

2 Although the *Republic* is considered a political work, Zetzel (1995, *Cicero. De Re Publica. Selections*, Cambridge, p. 27-29) reminds us that politics in the ancient Graeco-Roman world was a subject which belonged to ethical discussion and as such did not entail, as modern political works do, reflection and deliberation on the means to gain, increase and hold political power. Already, How (1930, « Cicero's Ideal in his *De Republica* », *JRS* 20, p. 41-42) had pointed out the importance of ethics in the *Republic* : « At any rate, Cicero is so far imbued with the leading ideas of Greek philosophy that he is thinking at least as much ethically as politically ». In a similar line of thought, Bréguet (1980, Vol.1, p. 142) writes in her edition of the work : « Cicéron affirme plus fortement que jamais sa conviction que la politique a un fondement éthique ». Modern research, Zetzel contends, must cease to overlook, as it regrettably has done in the past, the ethical nature of the *Republic*.

referred to as *Scipio's Dream* (*Rep.* 6.9-29).[3] The second book, in which the Numan account dwells, has almost wholly survived.

Cicero chooses Scipio, the main character, to deliver the account of Numa's reign as part of his survey of early Roman history. The famous statesman is represented shortly before his death as imparting to close friends his views on the topic of government ; reviewing the three conventional simple forms of constitution and recalling how each inherently contains the propensity to degenerate, he shows that the mixed constitution is the best form of government.[4] Yet, unsatisfied with a simple theoretical demonstration of this, Scipio, as Laelius delightedly remarks, proves the excellence of the mixed constitution by analyzing a state that is in fact governed by such a constitution, that of Rome (*Rep.* 2.21-22). Accordingly, he surveys the history of Rome's political organization from the time of her foundation to the restoration of the Republican magistracies after the fall of the Decemviri, and in so doing, he demonstates not only that, as pertains to defining the essence and mechanisms of the model state, Rome, by the fourth century, had come empirically to the same conclusions as the philosophers' theoretical reflexion, i.e. that the mixed constitution was the superior form of government, but also that Rome's mixed constitution was not established by a single individual over a short period of time, but rather was the endeavour of many generations of Romans who had infused and converted their collective experience amassed through failure and triumph, into the development and

3 These lost portions of the work have raised much speculation among scholars, especially pertaining to the identity, function and place of the ideal leader within the state. *Inf.*, n. 6.

4 In ancient political thought, the mixed constitution is defined as the blending of two or three of the conventional simple forms of government : monarchy, oligarchy and democracy. Thucydides (8.97) provides the first description of such a mixed form of government for Athens. Plato (*Lg.* 712 b-13 a), who lists Sparta and Cnossos as cities governed by mixed constitutions, and Aristotle (*Pol.* 1293 a-96 b), whose second-best constitution blends oligarchy and democracy, both recognize the excellence of the mixed constitution. Diogenes Laertes (7.131) reports that, according to the early Stoics, a mixture of the three simple constitutions should constitute the government of the best state. Polybius (6.11-18) analyzes and praises the mixed constitution of Rome, blend of monarchy, oligarchy and democracy. See K. von Fritz, (1954), *The Theory of the Mixed Constitution in Antiquity : A Critical Analysis of Polybius' Political Ideas*, New York.

establishment of Rome's admirable mixed constitution.[5] The dialogue form itself, which introduces seasoned men imparting the fruits of their experience to a younger generation in the best tradition of the *mos maiorum*, is representative of this idea of progressive history.

1. Cicero's *Optimus Civis*

But if Rome had adopted the best form of government, it did not imply, for all that, that hers was the ideal state. Scipio clearly shows that Rome's history had been one in which her citizens had always worked towards attaining the perfect balance of the ideal mixed constitution, a goal that had not been achieved either in Scipio's time (*Rep.* 1.71) or, for that matter, in Cicero's. That the task remained incomplete is not troubling to Cicero and his mouthpiece : the danger rather lies in that citizens are no longer motivated to perfect the balance of their constitution and are tempted by other models of government which better suit the ambitions of wealthy and well-connected individuals. For without question Cicero believes that his contemporaries are forgetting that a state is only as good as its citizens, especially its leading citizens. These, Cicero asserts, should be solely driven by their preoccupation with the welfare of the state, lest the abandonment of this principle stir up the kind of trouble that had arisen in his own time. If Rome is to fulfil her extraordinary potential, the most eminent citizens must first become the kinds of leaders that can bring this about. Hence Books 5 and 6 of the *Republic*, describing the virtues, training and duties of the *optimus civis*, the only citizen that can and will take up the cause of defending Rome's traditional political institutions.[6]

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5 As Scipio declares in *Rep.* 2.1, in this he follows Cato who believed that the mixed constitution of Rome owed its excellence to the collaboration of successive generations, and not to a single man or group of contemporaries. For only experience and the test of time can contribute the best improvements.

6 The expression *optimus civis* is not our own, but one used by Cicero himself when he describes his *Republic* as a *sermo (...) de optimo statu civitatis et de optimo cive* (*Q. Fr.* 3.5.1). I choose to adopt this terminology, as other terms used to refer to this eminent leader either prove restrictive (*gubernator* does not imply moral excellence) or controversial (*princeps*). The latter, although it is used to describe eminent men such as Scipio (*Rep.* 1.34), Pericles (*Rep.* 1.25), Demaratus (*Rep.* 2.34) and Brutus (*Rep.* 2.46), is not used, insofar as the surviving text can evince, to describe Cicero's ideal leader, and a passage in which St. Augustine uses the expression *ubi loquitur de instituendo principe civitatis* (*CD* 5.13) to introduce a quote from Cicero's Book 5 of the *DeRepublica* may justify cautious extrapolation.

This excellent citizen Cicero does not conceive as an unachievable ideal, for such citizens had manifestly existed in the past, as demonstrated by the roster of Greek and Roman models.[7] Numa also, as shall be shortly seen, has a place in that roster. But first it is relevant to inquire how Cicero himself, through his mouthpiece Scipio, conceives the *optimus civis*. The principles to be applied by the exemplary citizen in the exercise of his leadership are defined in the following extracts from the *Republic* :

> With him [the tyrant] we may place in contrast that other type of ruler, the good, wise, and skilful guardian and protector, as one may say, of the practical interests and of the self-respect of the citizens of the State ; for these are titles which will be granted to one who is truly the guide and pilot of a nation. See to it that you are able to recognize such a man, for he is

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The matter has obvious importance for those scholars who would like to detect in the Ciceronian notion of *princeps* a possible anticipation or influence of Cicero's political philosophy on the establishment of the Augustan principate. For a summary of the research and attitudes relating to the notion of *princeps*, see P. Boyancé, (1964), « Les problèmes du *De Republica* » in (1970), *Études sur l'humanisme cicéronien*, Bruxelles, p. 180-196, esp. 193-195. See also E. Bréguet's introduction to her 1980 edition, esp. p. 128-142. For a commented bibliography up until 1972, see P. Schmidt, (1973), « Cicero 'De re publica' : Die Forschung der letzten fünf Dezennien », *ANRW* 1.4, esp. p. 323-332. For a study of the concepts and definitions of the word *princeps* in Cicero and other authors, see J. Hellegouarc'h, (1972), *Le vocabulaire latin des relations et des partis politiques sous la République*, Paris, p. 327-36 and J. Béranger, (1953), *Recherches sur l'aspect idéologique du principat*, Basel, p. 31-40. For studies on the political influence of the Ciceronian *princeps*, see Schäfer (1957, « Cicero und der Prinzipat des Augustus », *Gymnasium* 64, p. 310-335) who thinks that Augustus realized in practice what the theory of Cicero advocated ; Grenade, (1940, « Remarques sur la théorie cicéronienne dite du 'principat' », *MEFRA* 57, p. 32-63 and (1951), « Autour du *De Republica* », *REL*, p. 162-183) argues that Augustus recuperated Cicero's ideas, and betrayed them somewhat, to serve his own political agenda ; Béranger (1959, « Cicéron précurseur politique » in (1973), *Principatus. Études de notions et d'histoire politiques dans l'Antiquité gréco-romaine*, Genève, p. 117-134) believes that Augustus indeed recuperated Ciceronian ideas, namely the ideology of the *privatus*' duty to save the Republic in turmoil, but he gave them a monarchical twist which was lacking in Cicero. Interest has also been generated as regards to the sources behind Cicero's idea of *princeps* : Meyer (1963, *Caesars Monarchie und das Principat des Pompejus*, Stuttgart, p. 174-191) contends that the figure of Pompey and the role he played in Roman politics inspired Cicero to write the *Republic* as a theoretical description and justification of the principate ; Martin (1980, « Cicéron *Princeps* », *Latomus* 39, esp. p. 859-860) contends that Cicero, who many times fancied himself the *princeps* that saved or would save the Republic, looks to Scipio Africanus, Xenophon's *Cyropaideia* and to Plato's *Republic* as inspiration for his own *Republic* in which he develops his conception of a Republican principate ; Michel (1990, « Cicéron et la crise de la République romaine », *BAGB*, p. 155-162) argues that the theory of the *princeps* in the *Republic* is based on Thucydides' representation of Pericles and on the tenets of the Academy.

7 For example, Pericles, Cyrus, Scipio and Romulus.

> one who can maintain the safety of the State both by counsel and by action.[8]

In the following passage, the practical interests and self-respect of the citizens which the *optimus civis* must safeguard are delineated :

> For just as the aim of the pilot is a successful voyage, of the physician, health, and of the general, victory, so this director of the commonwealth has as his aim for his fellow-citizens a happy life, fortified by wealth, rich in material resources, great in glory and honoured for virtue. I want him to bring to perfection this achievement, which is the greatest and best possible among men.[9]

The *optimus civis* is furthermore expected to be conversant with law and revere justice :

> In the same way, then, this governing statesman of ours should surely have taken the pains to become familiar with justice and law, and should have examined their origins. (...) he must be fully conversant with justice in its highest aspects, for without that no one can be just ; and he must not be ignorant of the civil law.[10]

2. Numa as *Optimus Civis* : a Civilizer

An examination of Numa's reign as reported by Cicero shows that the king had ruled according to the principles outlined above. The account starts with the king's

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8 The English translations of Greek and Latin texts are quoted from Loeb editions, unless otherwise specified. Cic. *Rep.* 2.51 : « sit huic [tyranno] oppositus alter, bonus et sapiens et peritus utilitatis dignitatisque civilis, quasi tutor et procurator rei publicae ; sic enim appelletur, quicumque erit rector et gubernator civitatis. Quem virum facite ut adgnoscatis ; iste est enim, qui consilio et opera civitatem tueri potest ».

9 Cic. *Rep.* 5.6 : « Ut enim gubernatori cursus secundus, medico salus, imperatori victoria, sic huic moderatori rei publicae beata civium vita proposita est, ut opibus firma, copiis locuples, gloria ampla, virtute honesta sit ; huius enim operis maximi inter homines atque optimi illum esse perfectorem volo ».

10 Cic. *Rep.* 5.5 : « sic noster hic rector studuerit sane iuri et legibus cognoscendis, fontis quidem earum utique perspexerit (....) summi iuris peritissimus, sine quo iustus esse nemo potest, civilis non imperitus ».

description as « preeminent in kingly virtue and wisdom » (*Rep.* 2.24-25 : *praestans virtus et sapientia regalis*). Being wise (*sapiens*), as we shall recall, is listed in Scipio's estimation as a virtue of the good ruler (*Rep.* 2.51). Right from the beginning of his story, it is clear that justice is a high priority with Numa. His legislative activity is in fact cited by Cicero as explicitly coming within the field of responsibilities of the *optimus civis*.

> (...) [that nothing was so] kingly as the administration of justice, which included the interpretation of the law, for subjects used to seek legal decisions from their kings (....) And in my opinion our own king Numa followed most closely this ancient custom of the Greek kings. For our other kings, though they performed this duty also, spent a great deal of their time in waging war, and therefore paid attention to the laws of war, while the long period of peace under Numa was the mother of justice and religion in our city. This king even composed laws which are still in force, as you know. Such indeed are the proper concerns of this citizen of whom we are speaking (...).[11]

Although Numa had never sought out kingship, he accepted the throne when the Roman people, by the advice of the senators, petitioned him in his native Cures. But even the obvious unanimity which surrounded his investiture was not enough to deter Numa from seeking further legal sanction by demanding that a curiate law be passed to confirm his rule (*Rep.* 2.25). This act was important for two reasons : firstly, it constituted an initial step towards the participation, not only of the patricians, but of the whole *populus* in a political decision – as the curiate assembly constituted the whole of Roman citizens divided into thirty curiae –, thus proving the tenet that the constitution of Rome had gradually come to grant some measure of political power to all levels of society. Secondly, Numa's passing of the curiate law was to set the tone for a very moderate rule where no hint of absolutism

11 Cic. *Rep.* 5.3 : « [nihil habebant tam] regale quam explanationem aequitatis in qua iuris erat interpretatio, quod ius privati petere solebant a regibus (....) Et mihi quidem videtur Numa noster maxime tenuisse hunc morem veterem Graeciae regum. Nam ceteri, etsi hoc quoque munere fungebantur, magnam tamen partem bella gesserunt et eorum iura coluerunt ; illa autem diuturna pax Numae mater huic urbi iuris et religionis fuit. Qui legum etiam scriptor fuit, quas scitis extare, quod quidem huius civis proprium, de quo agimus (...) ».

could be detected ; for in passing this law, Numa puts his election into question by giving the people a chance to retract its previous decision. Undoubtedly, the act reflects a motivation for justice.

In addition, Numa pursued his civil endeavours by implementing and supplementing religious rites, institutions, and laws, taking pains to ensure low cost but utmost rigour in performance of religious ceremonial.

> Pompilius also instituted the "greater auspices", added two augurs to the original number, and put five pontiffs, selected from the most eminent citizens, in charge of the religious rites (...) he also appointed flamens, Salii, and Vestal Virgins, and established all the branches of our religion with the most devout solicitude. He desired that the proper performance of the rites themselves should be difficult, but that the equipment necessary therefore should be easily obtainable, for he provided that much should be learned by heart and scrupulously observed, but made the expenditure of money unnecessary. Thus he made the performance of religious duties laborious but not costly.[12]

Numa's insistence on keeping down the costs of religious ceremonial is noteworthy because, according to Wood, it fits into Cicero's belief that religion should be an element of control, specifically in this case control over the excess luxury of the higher class.[13] It is admitted by Cicero himself how Numa's religious policies are very much in tune with his own, when Quintus is made to remark to his brother how « it seems to me that this religious system of yours does not differ a great deal from the laws of Numa and our own customs ».[14] The passage on Numa's religious measures is also remarkable because

12 Cic. *Rep.* 2.26-27 : « Idemque Pompilius et auspiciis maioribus inventis ad pristinum numerum duo augures addidit et sacris e principum numero pontifices quinque praefecit (...) adiunxitque praeterea flamines Salios virginesque Vestales omnisque partis religionis statuit sanctissime. Sacrorum autem ipsorum diligentiam difficilem, apparatum perfacilem esse voluit ; nam quae perdiscenda quaeque observanda essent, multa constituit, sed ea sine inpensa. Sic religionibus colendis operam addidit, sumptum removit ».

13 N. Wood, (1988), *Cicero's Social and Political Thought*, Berkeley and Los Angeles, p. 174.

14 Cic. *Leg.* 2.23.4 : « ut mihi quidem videtur, non multum discrepat ista constitutio religionum a legibus Numae nostrisque moribus ».

rationalization processes within it reject from the traditional story of Numa any reference to the king's alleged relationship with the divinity Egeria as well as to the tale of how Numa elicited from Jupiter the knowledge to expiate thunderbolts (*sup.*, p. 12, n. 2) and of how an *ancile* fell from the sky (*sup.*, p. 13). The Ciceronian account of Numa's life and legend is in fact conspicuously parsimonious in listing the king's traditional religious contributions as drawn up in Livy ; the foundation of the temple of Janus, the erection of the altar of Jupiter Elicius, the dedication of a grove to the Camenae, the institution of the worship of Faith, the establishment of the Argei are all missing from the account, while the flamines, the Salii and the Vestals are granted only a brief mention. It shall soon be explained from what this proceeds.

In the spirit of the *optimus civis* who is bound to practise justice and to look after the interests and well-being of his fellow citizens, Numa diverted them from pillage which had until then constituted their morally dubious livelihood : he divided among the citizens the land conquered by Romulus and guaranteed the Romans abundant resources and the fulfilment of every material need and comfort by encouraging cultivation of each man's share and by generally promoting agriculture (*Rep.* 2.26). Finally, concluding the enumeration of Numa's acts as king, Cicero reports that Numa « established markets, games, and all sorts of other occasions for the gathering of large numbers ».[15]

3. Isocrates' Athens : Criteria of Civilization

Numa, who instituted religious rites and ceremonial, introduced religious and civil laws, distributed land to promote farming, and regulated civic activity, therefore corresponds to the definition of the Ciceronian *optimus civis*. In addition, Cicero's portrayal of King Numa as guarantor of religion, justice and prosperity for his subjects

15 Cic. *Rep.* 2.27 : « idemque mercatus, ludos omnesque conveniundi causas et celebritates invenit ».

calls to mind Numa's associations with Nereus in the spheres of sovereignty, divinity, justice and fertility which were discussed in the preceding chapter (*sup.*, p. 20-21). As Buchheit remarks (1991, p. 77, 85-86), the list of Numa's accomplishments in the fields of agriculture, religion, law and civic activity furthermore puts one in mind of Athens' greatest benefactions to Greece and to humanity which Isocrates enumerated in his *Panegyricus* in order to persuade his listeners of Athens' merit. I shall now show how Numa's measures listed in the text of Cicero correspond to Athens' main gifts to civilization according to Isocrates.[16] Furthermore, by outlining the main ideas surrounding these civilizing elements, it shall be demonstrated how the kinship between Greek and Roman thought allowed Cicero to measure Rome against the model of Isocratean Athens. Let us commence with Isocrates' tale of Demeter in Attica,[17] which draws up the importance of agriculture and religion for Athens, two activites which Numa had developed in Rome :

> When Demeter came to our land, in her wandering after the rape of Kore, and, being moved to kindness towards our ancestors by services which may not be told save to her initiates, gave these two gifts, the greatest in the world – the fruits of the earth, which have enabled us to rise above the life of the beasts, and the holy rite which inspires in those who partake of it sweeter hopes regarding both the end of life and all eternity.[18]

16 Buchheit (1991, p. 77, 80-91) makes a brief connection between Isocratean civilizing elements and Cicero's. However, he does not exploit the connection to emcompass Cicero's whole vision of Rome. He aims rather to compare Cicero's Numa with Plutarch's to establish their representation as the Greek ideal king. As I will show, Cicero's portrayal of Numa depends just as much on Roman native values.

17 See *Homeric Hymn to Demeter* : When her daughter had been taken from her to the Underworld, Demeter's despondency caused her to retire in her temple and to neglect earth's fertility. Great famine ensued and the gods were left no choice but to arrange a compromise to appease Demeter. The great goddess, happily reunited with her daughter for two thirds of the year, taught mortals to cultivate cereal and initiated them to her mysteries, a more personal and nobler form of religion.

18 Isoc. *Pan.* 28 : « Δήμητρος γὰρ ἀφικομένης εἰς τὴν χώραν, ὅτ' ἐπλανήθη τῆς Κόρης ἁρπασθείσης, καὶ πρὸς τοὺς προγόνους ἡμῶν εὐμενῶς διατεθείσης ἐκ τῶν εὐεργεσιῶν ἃς οὐχ οἷόν τ' ἄλλοις ἢ τοῖς μεμυημένοις ἀκούειν, καὶ δούσης δωρεὰς διττάς, αἵπερ μέγιστα τυγχάνουσιν οὖσαι, τούς τε καρποὺς, οἳ τοῦ μὴ θηριωδῶς ζῆν ἡμᾶς αἴτιοι γεγόνασιν, καὶ τὴν τελετὴν, ἧς οἱ μετασχόντες περί τε τῆς τοῦ βίου τελευτῆς καὶ τοῦ σύμπαντος αἰῶνος ἡδίους τὰς ἐλπίδας ἔχουσιν ».

3.1. Agriculture

The first benefaction to humanity listed in the above passage is agriculture. Agriculture was, according to progressivist thought, more than a means of subsistence. The presence of agricultural activity in any given society marked a more advanced stage of human evolution. The roots of Roman dominion were first planted in the soil of an agricultural society, and it was also in that very soil that the Romans were able to develop a progressivist idea of civilization.[19] For when the Roman farmer witnessed the rushing explosion of buds under a spring burst of warmth and sun, the patient and unhurried work of the earth on the seed, the relentless turn of the seasons which no force could disturb, when he had harvested the ripe and mellow fruit confident in the fullness of its maturity, he learned that each season had its purpose ; and that time, when effort was invested, yielded results. These lessons from a country field the Roman applied to his vision of his own world. As the work of man and nature would yield crops in the right season, the work of the successive generations of man would, in the right season, yield an impressive patrimony. Each generation had only to follow the experience of the preceeding ones, whether in management of a farm, in the conduct of a fruitful life, or in standards to emulate. Each man was expected to vie with his ancestors as well as with his contemporaries to accomplish as much and preferably more than they. This is well typified in the epitaph of Cn. Cornelius Scipio Hispanus : « By my good conduct I heaped virtues on the virtues of my clan ; I begat a family and sought to equal the exploits of my father. I upheld the praise of my ancestors, so that they are glad that I was created of their line. My

19 The concept of progress in Rome has been brought up in the works of Edelstein (1967, *The Idea of Progress in Classical Antiquity*, Baltimore) and Dodds (1973, « The Ancient Concept of Progress », in *The Ancient Concept of Progress and other Essays on Greek Literature and Belief*, Oxford, p. 1-25). Edelstein has very sparingly referred to Lucretius, Cicero and Seneca at pages 153-175. Dodds has included more Latin authors in his discussion of progress at pages 20-24, but as one would expect within the confines of a short article, has not elaborated on these authors' ideas. Blundell (1986, *The Origins of Civilization in Greek and Roman Thought*, London and Sydney, p. 187-198) speaks especially of Lucretius and Vitruvius as progressivists. The most comprehensive and interesting work by far, which also happens to be entirely dedicated to the Roman idea of progress, belongs to Novara, (1982-83), *Les idées romaines sur le progrès d'après les écrivains de la République. Essai sur le sens latin du progrès*, 2 Vols., Paris.

honours have ennobled my stock ».[20] This attitude is in essence the material of which progress is made.

Lucretius, who composed in about 54 BCE a unique poem in 6 books promoting the doctrine which Epicurus had laid down in the 37 books of the *Περὶ Φύσεως*; relates, in the fifth book of his *De Natura Rerum* (1014-1457), the story of humanity from its wretched beginnings until his own time, and in so doing monitors the progress of civilization. As Novara observes (1982, T. 1, p. 314), the composition of this book plainly benefits from earlier Greek thought, which had identified key elements of civilization. Before Rome ever came to exist, humanity, according to Lucretius, had at some point evolved from a state of barbarism in which *furor* and *vis* reigned, and had gradually risen to civilization. Savage man began to soften when first he undertook to build shelter, use fire and develop language. Then for the first time did tenderness for family members and friendliness between neighbours stir his heart. Next came laws which protected men and secured an environment in which agriculture could thrive. Techniques were developed to improve cooking and to coax trees to yield sweeter fruit. Finally, music, dance and poetry made their entrance up on the human stage.[21] Lucretius clearly sets agriculture as a step above the unpredictable, dangerous and disorganized nomadic life. It is a stage in which early law and technical improvement also thrive.

In the earlier times of Rome, farming had constituted the livelihood of most citizens and served the useful function of providing the state with hardy soldiers intent on protecting a bountiful land. Marrou remarks that Roman writers are particularly fond of portraying the citizen of early Republican times torn from the plough to take up military or civic duties.[22]

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20 E.H. Warmington, (1967), *Remains of old Latin*, Vol. 4, London, p. 8, *tit. sepulc.*, # 10 : « Virtutes generis mieis moribus accumulavi, // progeniem genui, facta patris petiei. // Maiorum optenui laudem, ut sibei me esse creatum // laetentur ; stirpem nobilitavit honor ».

21 Let us note the logical absence of religion in Epucurian Lucretius' story of human evolution.

22 See H.I. Marrou, (1956), *Histoire de l'éducation dans l'antiquité*, Paris, p. 237.

Livy narrates how, in 458 BCE, Quinctius Cincinnatus was summoned by the Senate to a dictatorship to defend the city. The messengers found the excellent citizen « whether bending over his spade as he dug a ditch, or ploughing, at all events, as everybody agrees, intent upon some rustic task ».[23] Livy refines the portrait with details of the hardworking man wiping away his sweat and dust before slipping on his toga. And the austere Cato, who had built his entire political platform around the views of farmers and landowners who devoutly believed in defending the motherland but dreaded the waste of resources which an imperialistic policy entailed,[24] deemed that his services to the state as soldier and politician would be well complemented by his *De Agri Cultura*, a treatise on farming largely based on his own experience. Cicero in fact considered the Romans' love of their native soil, reflected in their commitment to farming so as to feed their countrymen and in their zeal to defend the motherland, an advantage over the Corinthians and Carthaginians whose interests, largely determined by their cities' geographical position, lay in the pursuit of financial gain by means of naval commerce.[25] But in a system such as Rome's which based a citizen's rights and eligibility to magistracies on agricultural wealth, a criterion which in turn determined his military status, it was expected that citizenship, farming and defence would be interdependent.

The Roman assessment that the combination of farming and soldiering forged strong, able and loyal citizens and leaders had been shared by an author from across the Adriatic : Xenophon, the Athenian adventurer who soldiered in Persia in the army of

23 Liv. 3. 26. 8-9 : « seu fossam fodiens palae innixus, seu cum araret, operi certe, id quod constat, agresti intentus ».

24 See P. Grimal, (1975), *Le siècle des Scipions. Rome et l'hellénisme au temps des guerres puniques*, Paris, p. 208-209.

25 Cicero believed that the geographical position of the cities had played a large role in forging the character of their citizens : while the sites of Carthage and Corinth on the sea coast had enticed the people to seek out their fortune on the seas and encouraged their restlessness, the practical yet appropriately remote site of Rome had sheltered its citizens from foreign turmoil and fostered their stability and love of the land (*Rep.* 2.5-8). Polybius had already been a proponent of the idea that geography largely determined the fate of a city and of a people, as his development on the geography of Byzantium proves (Plb. 4.38-45). However no Polybian evaluation of Rome's geographical position is extant and Pédech (1964, *La méthode historique de Polybe*, Paris, p. 547) remarks that there is no way of telling if he had ever treated the subject.

Cyrus, then under Agesilaus' orders in Asia Minor, had written the *Oeconomicus* in the northwest Peloponnese at Scillus, on the land which the Spartans had given him and which he apparently happily tilled. In this work, he writes not, as Jaeger observes, of the romantic and nostalgic feeling towards land of the Hellenistic idylls, but of the farm-life's quiet but undeniable contribution to civilization.[26] He portrays a Socrates responding to Critobulus' enquiry on the noblest and most suitable branch of knowledge for a free citizen to cultivate, with husbandry (*ἡ γεωργία*) and the art of war (*ἡ πολεμικὴ τέχνη*) (*Oec.* 4.4). Later, Socrates summarizes :

> We came to the conclusion that for a gentleman the best occupation and the best science is husbandry, from which men obtain what is necessary to them. For this occupation seemed to be the easiest to learn and the pleasantest to work at, to give to the body the greatest measure of strength and beauty, and to leave to the mind the greatest amount of spare time for attending to the interests of one's friends and city. Moreover, since the crops grow and the cattle on a farm graze outside the walls, husbandry seemed to us to help in some measure to make the workers valiant. And so this way of making a living appeared to be held in the highest esteem by our states, because it seems to turn out the best citizens and the ones most loyal to the community.[27]

Xenophon (*Oec.* 4.20-24), moreover, recounts in his treatise how the Persian kings deemed cultivation of fields and gardens the only other activity besides soldiering worthy of their rank, and how Cyrus himself had a great love of gardening and had once proudly led Lysander on a tour of his gardens of Sardis, boasting of how he tended to it personally every day. Isomachus, Xenophon's ideal of culture in the *Oeconomicus*, in this fashion

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26 W. Jaeger, (1944), *Paideia. The Ideal of Greek Culture*, Vol. 3, New York, p. 173.

27 X. *Oec.* 6.8-10 : « Ἐδοκιμάσαμεν δὲ ἀνδρὶ καλῷ τε κἀγαθῷ ἐργασίαν εἶναι καὶ ἐπιστήμην κρατίστην γεωργίαν, ἀφ' ἧς τὰ ἐπιτήδεια ἄνθρωποι πορίζονται. Αὕτη γὰρ ἡ ἐργασία μαθεῖν τε ῥᾴστη ἐδόκει εἶναι καὶ ἡδίστη ἐργάζεσθαι, καὶ τὰ σώματα κάλλιστά τε καὶ εὐρωστότατα παρέχεσθαι, καὶ ταῖς ψυχαῖς ἥκιστα ἀσχολίαν παρέχειν φίλων τε καὶ πόλεων συνεπιμελεῖσθαι. Συμπαροξύνειν δέ τι ἐδόκει ἡμῖν καὶ εἰς τὸ ἀλκίμους εἶναι ἡ γεωργίαν, ἔξω τῶν ἐρυμάτων τὰ ἐπιτήδεια φύουσά τε καὶ τρέφουσα, τοὺς ἐργαζομένους. Διὰ ταῦτα δὲ καὶ εὐδοξοτάτη εἶναι πρὸς τῶν πόλεων αὕτη ἡ βιοτεία, ὅτι καὶ πολίτας ἀρίστους καὶ εὐνουστάτους παρέχεσθαι δοκεῖ τῷ κοινῷ ».

describes the art of agriculture (*τέχνην τῆς γεωργίας*) : « Helpful, pleasant, honourable, dear to the gods and men in the highest degree, it is also in the highest degree easy to learn. Noble qualities surely! ».[28] Homer and the tragic playwrights had privileged the nobility of the warrior while Hesiod advocated that of the farmer. Xenophon wrote of what he personally had experienced, that farming and soldiering taught the same lessons : both demand exacting toil, and develop strength, endurance and courage in the face of adversity ; both foster collaboration and leadership skills (*Oec.* 5.12-20). The Romans, in view of their own experience, could only agree.

3.2. Religion

The passage of Isocrates quoted above names religion as the second benefaction to humanity. The very wording of the passage establishes a strong link between agriculture and worship ; they seem as inseparable in Isocrates's narration as they are in the myth of Demeter. And indeed, from the earliest times, agriculture was seen as an essential component in the balance of the universe : mortals needed the fruits of the earth to survive and gods needed mortals to pay them honour. « What other occupation provides more appropriate first-fruits for the gods or produces festivals with a greater abundance of offerings than agriculture ? », Socrates asks in Xenophon's *Oeconomicus*.[29] At Rome, the actual contract of religion and agriculture was inscribed in the calendar itself, which registered a great number of religious festivals dealing with every stage of the agricultural cycle.[30]

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28 X. *Oec.* 15.4 : « Τὸ γὰρ ὠφελιμωτάτην οὖσαν καὶ ἡδίστην ἐργάζεσθαι καὶ καλλίστην καὶ προσφιλεστάτην θεοῖς τε καὶ ἀνθρώποις ἔτι πρὸς τούτοις καὶ ῥᾴστην εἶναι μαθεῖν πῶς οὐχὶ γενναῖόν ἐστι ».

29 X. *Oec.* 5.10 : « Τίς δὲ ἄλλη θεοῖς ἀπαρχὰς πρεπωδεστέρας παρέχει ἢ ἑορτὰς πληρεστέρας ἀποδεικνύει; ».

30 Beard, M., J. North and S. Price, (1998), *Religions of Rome*, Vol. 1, Cambridge, p. 45.

Religion in Graeco-Roman thought was not only closely linked to agriculture, but to the state as well. Cicero was deeply convinced that religion plays a vital and crucial role in establishing the unity and order of the state, an idea expressed by Polybius in his assessment of the Roman state : « I believe that it is the very thing which among other peoples is an object of reproach, I mean superstition, which maintains the cohesion of the Roman state. (...) My own opinion at least is that they have adopted this course for the sake of the common people. (...) as every multitude is fickle, full of lawless desires, unreasoned passion, and violent anger, the multitude must be held in by invisible terrors and suchlike pageantry ».[31] Religion moreover gives authority to the state, especially if it is held, as it was in Rome, that the gods have a special interest or role in its foundation and destiny.[32] Religion encourages virtue, keeping in check the would-be offender through fear of divine punishment and feeding the hope of divine reward in honest men. Religion fosters harmony and civilized ways which ensure an orderly society.

Yet nowhere was religion held in higher regard than in Rome, whose citizens made themselves known mostly to themsleves and supporters for their piety throughout the nations of the Mediterranean. The pious Roman became as common a stereotype as the fierce Gaul or the treacherous Carthaginian. Polybius marvelled at the Romans' religious organization, noting that « no one excels the Romans in investing religion with pomp and circumstance and carrying its influence into both private and public life ».[33] In Cicero's work *On the Nature of the Gods*, Balbus comments : « Moreover, if we care to compare our national characteristics with those of foreign peoples, we shall find that, while in all

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31 Plb. 6.56.7,9,11 : « Καί μοι δοκεῖ τὸ παρὰ τοῖς ἄλλοις ἀνθρώποις ὀνειδιζόμενον, τοῦτο συνέχειν τὰ Ῥωμαίων πράγματα, λέγω δὲ τὴν δεισιδαιμονίαν· (...) Ἐμοί γε μὴν δοκοῦσι τοῦ πλήθους χάριν τοῦτο πεποιηκέναι (...) ἐπει δὲ πᾶν πλῆθός ἐστιν ἐλαφρὸν καὶ πλῆρες ἐπιθυμιῶν παρανόμων, ὀργῆς ἀλόγου, θυμοῦ βιαίου, λείπεται τοῖς ἀδήλοις φόβοις καὶ τῇ τοιαύτῃ τραγῳδίᾳ τὰ πλήθη συνέχειν ». Cf. Pl. *R.* 4.431 b-c.

32 In such cases, as Wood notes (1988, p. 172), state policies consequently bear the divine seal of approval while civil disobedience is branded as a sacrilege against the gods themselves.

33 Plb. 6.56.8 : « ἐπὶ τοσοῦτον γὰρ ἐκτετραγῴδηται καὶ παρεισῆκται τοῦτο τὸ μέρος παρ' αὐτοῖς εἴς τε τοὺς κατ' ἰδίαν βίους καὶ τὰ κοινὰ τῆς πόλεως ὥστε μὴ καταλιπεῖν ὑπερβολήν. ».

other respects we are only the equals or even the inferiors of others, yet in the sense of religion, that is, in reverence for the gods, we are far superior ».[34]

A fundamental difference between the Romans and other Mediterranean peoples in religious matters explains the Romans' reputation for piety : as Jocelyn observes, most religious duties in Rome were also incumbent upon the politicians and civic leaders, and were not the preserve of a separate caste of priests.[35] Constitutional evolution had created an interdependency between the religious and the political wherein no single political institution could hold authority without religious sanction, and wherein no single religious institution could give advice or intervene without senatorial or magistrarial invitation.[36] Grandazzi (1991, p. 249) aptly notes that « la cité de Romulus vivait sous le regard des dieux, de telle sorte qu'on ne saurait dissocier radicalement le monde du sacré et celui du 'politique' ». By the last century of the Republic, as claimants to absolute power were changing the political rules and turning to their advantage the ensuing ambiguity of traditional religious interpretation, the same resources of the Republican religious structure were employed by conservative opponents to check their ambitions and increase

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34 Cic. *ND* 2.8 : « Et si conferre volumus nostra cum externis, ceteris rebus aut pares aut etiam inferiores reperiemur, religione id est cultu deorum multo superiores ».

35 See H.D. Jocelyn, (1966), « The Roman nobility and the religion of the republican state », *JRH* 4.2, p. 92.

36 See J. Scheid, (1984), « Le prêtre et le magistrat. Réflexions sur les sacerdoces et le droit public à la fin de la République », in *Des ordres à Rome*, Paris, p. 268-273. As Rome was ever careful not to concentrate political power into the hands of a single individual, so the city was vigilant to avoid too much power falling into the hands of the priest. Therefore, the recruitment of priests followed a procedure different of that used to recruit magistrates. Although recruitment of members tended to follow the tendencies of the censors to favour the *primi ordines*, tradition generally forbade the accumulation of priesthoods by an individual or *gens* and tended to promote equitable allocation among members of the ruling class (Scheid, 1984, p. 261 and 265 ; Beard, M., *et al.*, (1998), *Religions of Rome*, Vol. 1 *A History*, Cambridge, p. 103-104). Yet, as comparison of membership lists from the priestly colleges and the lists of most influential politicians and generals of the day shows, the same individuals exercised political and religious duties. This apparent conflict of interest has led historians to assume that magistrates could abuse their religious position for political gain. After all, the powerful *alio die* of an augur could conveniently be spoken to adjourn an assembly prepared to elect a political opponent (D. Porte, (1989), *Les donneurs de sacré. Le prêtre à Rome*, Paris, p. 169-175) ; the pontiffs could obligingly declare a religious holiday to postpone elections, or to manage calendar intercalations in order to shorten or lengthen the governmental year and thereby the praetorship or consulship of someone from an allied or opposing political faction (Porte, 1989, p. 175-176). Yet, as far as evidence for the third century suggests, when conflict arose between religious and political interest, religious tradition always came out the victor (Beard, 1998, Vol. 1, p. 104-108).

conservative authority (Beard, 1998, Vol. 1, p. 137-140). This very struggle for power in its enlistment of religious institutions proves the extent to which they lay at the core of the Republican constitution.

In effect intricately intertwined within the workings of the Roman constitution, religion in the *Republic*, according to Rambaud, would naturally be treated by Cicero solely as a civil institution, as a socially useful element of the Roman constitution.[37] And rationalization of traditional religious legends, a process which has already been remarked upon earlier, would become essential to Cicero's representation of religion as a pillar of the state. This can be observed in the indisputable precedence he gives to religious laws over magisterial ones in the constitutional recommendations he makes in the *Laws* (2.69), and in this passage which he wrote near the end of his life : « And I have held the conviction that Romulus by his auspices and Numa by his establishment of our ritual laid the foundations of our state, which assuredly could never have been as great as it is had not the fullest measure of divine favour been obtained for it ».[38] Finally, religion's importance is explicitly stated in the text itself in whose study we are presently engaged, the account of Numa's reign in the *Republic* : « Numa died, after having established the two elements which most conspicuously contribute to the stability of a State – religion and the spirit of tranquility ».[39] In Cicero's estimation then, the pious king who had so wisely imbued the Romans with religious scruple was proving himself as vital to the foundation of the Roman state as Romulus, an idea which will be fully exploited by Livy (*inf.*, Ch. 3).

37 M. Rambaud, (1953), *Cicéron et l'histoire romaine*, Paris, p. 79-80.

38 Cic. *ND* 3.5 : « mihique ita persuasi, Romulum auspiciis Numam sacris constitutis fundamenta iecisse nostrae civitatis, quae numquam profecto sine summa placatione deorum inmortalium tanta esse potuisset ».

39 Cic. *Rep.* 2.27 : « excessit e vita duabus praeclarissimis ad diuturnitatem rei publicae rebus confirmatis, religione atque clementia ».

3.3. Law and Justice

After agriculture and religion, Numa was portrayed as a legislator (curiate and religious laws) and promoter of justice. According to Isocrates, a third reason for Athenian pride was her primacy in establishing laws and a constitution (*Pan.* 39). Greek culture amply recognised the importance of law : it was linked to concord and equality, it symbolized order.[40] Law, by ensuring peace and security within its confines, favoured generous crops and protected the covenant between earth-tilling mortal and divinity. This correlation between a successful agricultural society and the enforcement of peace and order through law may be the reason for bestowing upon Demeter, the goddess of agriculture, the title of *θεσμοφόρος* or *legifera*, the lawgiver. This title is found in Herodotus when he speaks of the temple gate of Demeter the Lawgiver (6.91 : *θεσμοφόρος*), and Vergil gives it to Ceres (*A.* 4.58 : *legifera*). Ovid, through the voice of Calliope the Muse, summarizes in these words Demeter's benefactions : « Ceres was the first to turn the glebe with the hooked ploughshare ; she first gave corn and kindly sustenance to the world ; she first gave laws. All things are the gift of Ceres ».[41] And Diodorus thus extols Demeter's gifts :

> But we should not omit to mention the very great benefaction which Demeter conferred upon mankind ; for beside the fact that she was the discoverer of corn, she also taught mankind how to prepare it for food and introduced laws by obedience to which men became accustomed to the practice of justice, this being the reason, we are told, why she has been given the epithet Thesmophoros (*θεσμοφόρος*) or Lawgiver. Surely a

40 See D. *Aristog.* 16 : « οἱ δὲ νόμοι τὸ δίκαιον καὶ τὸ καλὸν καὶ τὸ συμφέρον βούλονται, καὶ τοῦτο ζητοῦσιν, καὶ ἐπειδὰν εὑρεθῇ, κοινὸν τοῦτο πρόσταγμ' ἀπεδείχθη, πᾶσιν ἴσον καὶ ὅμοιον, καὶ τοῦτ' ἔστι νόμος » and D. *Timocr.* 5 : « τῶν γὰρ ὄντων ἀγαθῶν τῇ πόλει καὶ τοῦ δημοκρατουμένην καὶ ἐλευθέραν εἶναι, ὡς ἄλλο τι τῶν νόμων αἰτιώτερόν ἐστιν, οὐδ' ἂν ἕνα εἰπεῖν οἶμαι ». See also M. Ducos, (1984), *Les Romains et la loi. Recherches sur les rapports de la philosophie grecque et de la tradition romaine à la fin de la République*, Paris, p. 15-18.

41 Ov. *M.* 5.341-343 : « Prima Ceres unco glaebam dimovit aratro, // Prima dedit fruges alimentaque mitia terris, // Prima dedit leges ; Cereris sunt omnia munus ».

> benefaction greater than these discoveries of hers one could not find ; for they embrace both living and living honourably.[42]

By asserting the importance of law as a means of living honourably, Diodorus broadens its scope of it beyond its practical and expedient use as an ordering principle. In the Graeco-Roman world, living honourably usually meant living according to the principles of reason. Reason, the common possession of god and man according to Academic, Stoic and Peripatetic philosophy, that element proving their kinship, also constitutes the basis of true law, that is to say, the law that exists in Nature.[43] If Nature is equal to the divine, it follows that such law is in conformity with the will of the gods. There is a pleasing circularity in this view.

For the Romans, and especially for Cicero, law was the foundation of the city ; it was the requirement of the human community that wished itself deserving of the name of city (Cic. *Leg.* 2.12).[44] The city was dependent on law for its very survival (Cic. *Leg.* 2.11) ; nothing could be done without it (Cic. *Clu.* 146). For it is understood that a city divided and torn is in grave danger of demise and that law, especially conducive to harmony and concord, helps preserve the state.[45] Order therefore fosters stability, an idea

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42 Diod. 5.5.2-3 : « Οὐκ ἄξιον δὲ παραλιπεῖν τῆς θεοῦ ταύτης τὴν ὑπερβολὴν τῆς εἰς τοὺς ἀνθρώπους εὐεργεσίας χωρὶς γὰρ τῆς εὑρέσεως τοῦ σίτου τήν τε κατεργασίαν αὐτοῦ τοὺς ἀνθρώπους ἐδίδαξε καὶ νόμους εἰσηγήσατο καθ' οὓς δικαιοπραγεῖν εἰθίσθησαν, δι' ἣν αἰτίαν φασὶν αὐτὴν θεσμοφόρον ἐπονομασθῆναι. τούτων δὲ τῶν εὑρημάτων οὐκ ἄν τις ἑτέραν εὐεργεσίαν εὕροι μείζονα· καὶ γὰρ τὸ ζῆν καὶ τὸ καλῶς ζῆν περιέχουσι ».

43 Plato (*Lg.* 4.713 e-714 a) writes that « we ought by every means to imitate the life of the age of Cronos, as tradition paints it, and order both our homes and our States in obedience to the immortal element within us, giving to reason's ordering the name of law ». Aristotle (*Pol.* 3.1287 a) asserts that « he therefore that recommends that the law shall govern seems to recommend that God and reason alone shall govern ». See Ducos (1984, p. 230 and 239-242) and (1990), « Les fondements sacrés du droit et la tradition cicéronienne », *BAGB*, p. 266-269.

44 A gathering of humans could not inhabit a city unless it possessed the organization and institutions inspired by law to form a true people. And so Livy (26.16.9) describes Capoua after her surrender to the Romans : « corpus nullum civitatis nec senatum nec plebis concilium nec magistratus esse. Sine consilio publico, sine imperio multitudinem nullius rei inter se sociam ad consensum inhabilem fore ».

45 According to Ducos (1984, p. 193-194 and 197-202), the idea, present in Platonic thought, that the unity of the city is intimately linked to its survival influenced both Cicero's and Livy's conception of law as a unifying factor within the state. Fateful dissent, Ducos goes on, shall be avoided each time an individual's or faction's interests are not valued and privileged above common ones, and each time citizens' rights are considered equal before the law.

which Greek culture shared.[46] Something of this idea may be found in Cicero's Numan account when he reports that justice, both cause and effect of peace, protected agricultural activity and production (*Rep.* 2.26).

3.4. Markets

Isocrates lists as another Athenian benefaction how the city « had established the Piraeus as a market in the centre of Hellas ».[47] This market, by favouring economic exchange, sustains the Athenian standard of living. Immediately following the market's establishment, Isocrates launches into the benefits of Athens' festivals, games and spectacles (*Pan.* 43-46) : the Panatheneia, Athens' great festival, is hailed as an opportunity to come together as a nation and rejoice in its excellence, whether it be in sports, eloquence or plastic arts. In Isocrates' mind, a correlation exists between festivals and games, and the strengthening of national identity.

4. Cicero's Civilizing Rome and the *Panegyricus*

As seen earlier, Cicero attributed to Numa the establishment of markets, games and gatherings, Athens' very benefactions according to Isocrates. As there is no trace in the fragments of the annalists nor in any other historian's account prior to Cicero, nor even for that matter in the detailed accounts of Livy and Dionysius of Halicarnassus, of a tradition that attributed to Numa the establishment of markets, I should like to postulate that Cicero purposely introduced this act into Numa's reign to create a correspondence between Numa's civilizing institutions and those of Athens as listed in the *Panegyricus*. A passage in the *Laws*, may confirm Cicero's source of inspiration :

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46 D. *Aristog.* 11 : « τὴν τὰ δίκαι' ἀγαπῶσαν Εὐνομίαν περὶ πλείστου ποιησαμένους, ἣ πάσας καὶ πόλεις καὶ χώρας σῴζει ».

47 Isoc. *Pan.* 42 : « ἐμπόριον γὰρ ἐν μέσῳ τῆς Ἑλλάδος τὸν Πειραῖα κατεσκευάσατο ».

> Isocrates : Demeter (...) gave these two gifts, the greatest in the world – the fruits of the earth, which have enabled us to rise above the life of the beasts, and the holy rite which inspires in those who partake of it sweeter hopes regarding both the end of life and all eternity.[48]

> Cicero : For by their means [the mysteries]we have been brought out of our barbarous and savage mode of life and educated and refined to a state of civilization ; and as the rites are called 'initiations', so in very truth we have learned from them the beginnings of life, and have gained the power not only to live happily, but also to die with a better hope.[49]

It is known that Cicero had studied extensively Isocrates' rhetorical theories and was therefore familiar with Isocrates' speeches.[50] It is also known that a reference or allusion to the work of Isocrates, who enjoyed fame and respect in antiquity, would be recognized and appreciated (Smethurst, 1953, p. 319). But why did Cicero feel the need to allude specifically to the *Panegyricus* ?

The *Panegyricus* is the first of Isocrates' speeches in which he tries to sell his cherished idea of Panhellenism. To lead such an alliance, Isocrates recommends that the Greek world look to Athens because her past history, both military and cultural, warrants it. From the earliest times, she had nurtured civilization, giving birth to the arts and institutions of the cultivated life, and in the Persian Wars her role was pre-eminent in the Greek victory ; Athens was a natural leader among nations. It is true, Cicero need not have used Isocrates' speech to link Numan civilizing measures with those of Athens, for the

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48 Isoc. *Pan.* 28 : « Δήμητρος γὰρ (....) καὶ δούσης δωρεὰς διττὰς, αἵπερ μέγισται τυγχάνουσιν οὖσαι, τούς τε καρποὺς, οἱ τοῦ μὴ θηριωδῶς ζῆν ἡμᾶς αἴτιοι γεγόνασιν, καὶ τὴν τελετὴν, ἧς οἱ μετασχόντες περί τε τῆς τοῦ βίου τελευτῆς καὶ τοῦ σύμπαντος αἰῶνος ἡδίους τὰς ἐλπίδας ἔχουσιν ».

49 Cic. *Leg.* 2.36 : « quibus ex agresti immanique vita exculti ad humanitatem et mitigati sumus, initiaque, ut appellantur, ita re vera principia vitae cognovimus, neque solum cum laetitia vivendi rationem accepimus, sed etiam cum spe meliore moriendi ».

50 See H.M. Hubbell, (1913), *The Influence of Isocrates on Cicero, Dionysius and Aristides*, Diss., New Haven, p. 16-40 and S.E. Smethurst, (1953), « Cicero and Isocrates », *TAPA* 84, p. 301 and 317.

refined city had a tradition quite independent of Isocrates as model of civilization.[51] But Cicero, I believe, had something more in mind when he correlated the civilizing works of Numa's Rome and Isocrates' Athens : he wanted to show that Rome was fit to rival Athens not only in domains of obvious Roman superiority such as military accomplishment and extent of empire, but in all spheres, including civilization and strength of national identity.

There had been a long-standing Greek claim that the Romans were barbarians (*βάρβαροι*) : the term *βάρβαρος* applied to anybody who was uncivilized, that is to say anybody who did not belong to the ethnic, religious and linguistic Greek community, and this of course included the Romans. But during the second century BCE, Greece had been overshadowed by Rome as the preeminent nation of the Mediterranean world : the 'barbarian' nation now held mastery over the Greek world, an embarrassment for both victor and vanquished alike. Certainly the victor did not deem it fitting to be called barbarian, he whose superior virtue and discipline demonstrably disclaimed the charge ; nor was it satisfying to be transferred to the Greeks who were, after all, the conquered. The Greeks, for their part, relished no better the idea of being vanquished by Roman barbarians, although calling attention to ancient genealogical ties with the Romans seemed to soothe their injured pride. The Romans needed to find what Dauge calls a *tertium genus* to which they could suitably belong, and they found their answer in Romanity, a status which sat above both the Greek and barbarian one.[52] For it was now clear to the Roman that it was his very Romanity which had earned him the position of leader among nations. The barbarian, consequently, finally would come to be defined as he who did not participate in this Romanity, and this included even the Greeks.

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51 In Pericles' funeral speech (2.37-38) , Thucydides praises Athens as a law-abiding state that holds games and sacrifices regularly, that benefits from trade but still enjoys its own agricultural production. The historian concludes the city's *laudatio* by calling her « the school of Hellas » (2.41.1 : « λέγω τήν τε πᾶσαν πόλιν τῆς Ἑλλάδος παίδευσιν εἶναι »). In Demosthenes' Third Olynthiac (25-26), the orator praises the law-abiding nature of Athenian citizens and their piety.

52 Y.A. Dauge, (1981), *Le Barbare. Recherches sur la conception romaine de la barbarie et de la civilisation*, Bruxelles, p. 72 and 541-543.

In face of the Greek attitude towards the 'barbarian' Roman and of the changed political landscape in the Mediterranean region, it is easily conceived why Cicero would want to represent the Romans as a people who could rival the Greeks in matters of civilization, the latter's own perceived *forte*. And Numa's legend, by nature a civilizing king's tale, was an especially appropriate one in which to accentuate, from her very beginnings, the presence at Rome of acknowledged Greek civilizing features. These features had been listed for Rome and the world in Isocrates' *Panegyricus* : institutions of agriculture, religion, law, markets and games had characterized a civilizing Athens. In Cicero's *Republic*, they would characterize the civilizing reign of Numa.

But if Rome bore the mark of civilization from very early on, and if she favourably withstands comparison to Isocrates' Athens, Cicero never implies that Rome was a pupil of Athens in matters of civilization. Rather, Cicero is intent on demonstrating how Roman virtue and excellence, incarnated in Numa, owe nothing to Greek teachings, a conviction, Rambaud posits (1953, p. 74), which is also tied into the lawyer's preoccupation with postponing until Tarquinius Priscus' reign the arrival of Greek influences in Rome. The introduction of Cicero's *Tusculan Disputations* (1.1-2), an argument in favour of Roman superiority over the Greeks, confirms the orator's position in the *Republic*.[53] For this same reason, and not solely out of intellectual integrity, does Cicero rather hotly argue the impossibility of a relationship between Numa and the Greek Pythagoras based on the incontrovertible evidence of chronology (*Rep.* 2.28-29). Methodological rigour actually serves Cicero's purpose in this instance.

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53 Cic. *Tusc.* 1.1-2 : « sed meum semper iudicium fuit omnia nostros aut invenisse per se sapientius quam Graecos aut accepta ab illis fecisse meliora, quae quidem digna statuissent in quibus elaborarent. Nam mores et instituta vitae resque domesticas ac familiaris nos profecto et melius tuemur et lautius, rem vero publicam nostri maiores certe melioribus temperaverunt et institutis et legibus. Quid loquar de re militari ? In qua cum virtute nostri multum valuerunt, tum plus etiam disciplina. Iam illa quae natura, non litteris adsecuti sunt, neque cum Graecia neque ulla cum gente sunt conferenda. Quae enim tanta gravitas, quae tanta constantia, magnitudo animi, probitas, fides, quae tam excellens in omni genere virtus in ullis fuit, ut sit cum maioribus nostris comparanda ? ».

5. The Roman Vocabulary of Civilization in the Numan Account

Numa's civilizing influence, as shall now be demonstrated, is not only apparent through his deeds, but also in the vocabulary used by Cicero to describe the king's achievements as well as in the author's syntax. In *Rep.* 2.27 the orator writes : « By the institution of such customs as these he [Numa] turned toward benevolence and kindliness (*ad humanitatem atque mansuetudinem*) the thoughts of men who had become savage and brutish (*immanis ac feros*) through their passion for war ».[54] The terms *humanitas* and *immanis* referred to in the above passage inherently define Roman concepts of civilization and barbarism.

5.1. *Humanitas*

Humanitas, which had been developed through philhellene aristocrats,[55] by Cicero's time held these three meanings : it defined the human condition, the human being as part of the natural world, ranking between gods and beasts ; it specified the goodwill, the benevolence of man toward man which resulted from the solidarity of all who shared in the human condition ; and it characterized culture, the means to improve the human condition. This latter sense predominated in Antiquity.[56]

Yet, none of the above definitions, in Novara's opinion (1982, Vol. 1, p. 173), encompasses the scope of *humanitas* in the language of Cicero, Varro and Caesar.[57] For

54 Cic. *Rep.* 2.27 : « quibus rebus institutis ad humanitatem atque mansuetudinem revocavit animos hominum studiis bellandi iam immanis ac feros ».

55 See Hellegouarc'h, (1972, p. 268) ; O. Nybakken, (1939), « Humanitas Romana », *TAPA* 70, p. 400-401 ; Novara (1982, Vol. 1, p. 167).

56 See Hellegouarc'h, (1972, p. 268) ; W. Schadewaldt, (1973), « Humanitas Romana », *ANRW* I.4, p. 44-45 ; N.I. Herescu, (1948), « Homo-Humus-Humanitas », *BAGB*, p. 73-75 ; Nybakken (1939, p. 410) ; Novara (1982, Vol. 1, p. 168-169).

57 Cicero also enriched the terms *barbarus* and *humanus*, giving them their widest and deepest range of meanings (Dauge, 1981, p. 119-120 and 124). Before Cicero, the adjective *humanus* had made a frequent

the Ciceronian mind, cultivating *humanitas* was the essential means to cultivate Romanity, the *tertium genus* which defined the now powerful Rome (Dauge, 1981, p. 119-131). Cicero had defined *humanitas* by opposing it with *immanitas*, contrasting the primitive and cruel attitude of the latter, with the civilized and benevolent attitude of the former (Novara, 1982, T. 1, p. 171). From what can be drawn from Latin philosophical texts, which perforce include the works of Cicero, Dauge (1981, p. 538-540) demonstrates that man existed between beast and god, ever struggling to pull away from his initial animal nature, ever striving to attain the state of the god. Yet in his endeavour, man could count on the spiritual quality of *sapientia*, on the divine fire with which every man is endowed and which fights off beastly instincts. *Humanitas* defined this ever-precarious state of man as human. *Humanitas* belonged to a progressive view of the world in which the negative pole constituted sub-human barbarism, the positive pole supra-human divinity, and the human component occupied the intermediate space. Man was constantly subjected to the attracting forces of each pole, always in danger of regressing into barbarism. Only through constant effort and study could man progress on the human scale and hope to attain – or very nearly attain– *divinitas*. In summary, Dauge concludes, one could say that *humanitas* was not only culture, the means towards civilization, but the will, the energy itself, which pushed man on the path of civilization and progress. To borrow from Matthew Arnold's apt description of human perfection as culture conceives it, *humanitas* is, in the Roman mind, « not a having and a resting, but a growing and a becoming ».[58] And indeed the word itself, as Boyancé notes,[59] contains this idea of development and growth which is best revealed when placed in opposition to the Greek equivalent term for culture, *παιδεία*. The latter word centers on the child (*ὁ παῖς*), the recipient of education, while the Latin term looks to the result of education, the adult being (*homo*). Here again one is provided with a glimpse

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appearance in plays (Plaut. *Merc.* 320 ; *Mil.* 1043 ; *Most.* 814 ; Ter. *Andr.* 113 ; *Hec.* 553), a well known example constituting Terence's « Homo sum : humani nihil a me alienum puto » (*Haut.* 77).

58 Matthew Arnold, *Culture and Anarchy*, in (1970), Vol. 6 of *The Works of Matthew Arnold in 15 Volumes*, New York, p. 11.

59 P. Boyancé, (1970), *Etudes sur l'humanisme cicéronien*, Bruxelles, p. 7.

of the essentially agricultural mentality of the Roman, confident in the maturing value of time.

5.2. *Iustitia*

Identifiably Stoic moral concepts and especially those as interpreted by Panaetius of Rhodes were at the root of Roman *humanitas*. When Panaetius had transferred the center of the universe from the Ideal world of Plato and from Stoic Providence to the nature of man (which thus became its own metaphysical center), virtue, which comes from reason, that natural endowment of man, needed no longer be practised to reach for cosmic virtue or fulfill the providential plan but only to serve justice on earth.[60] Justice, to be sure, has no relevance outside of human society. Consequently, any energies deployed towards the establishment of justice will necessarily involve man as a social being, and will incorporate social virtue. Cicero too, as Valente interprets it, established morality's justification in the human world, which implied that man would hereafter practise virtue for the improvement of the here-and-now and not for a world beyond man's present scope.[61] Morality's mandate will therefore be to convince man of his duty to participate in the establishment of social order and harmony, and to teach man the means thereof through the practice of justice and of the virtues conducive to it. For the true mission of the *homo humanus* is to work towards the advent of justice.

Iustitia was not only a celebrated cardinal virtue of Greek thought, but had thrust its roots deep into the ground of Roman tradition.[62] Not by chance did Cicero feel the need to complement his treatment of the best kind of constitution and the best citizen (*Rep.*) with a

60 See B.N. Tatakis, (1931), *Panétius de Rhodes. Le fondateur du moyen stoïcisme. Sa vie et son oeuvre*, Paris, p. 171-172 and 202.

61 P. M. Valente, (1956), *L'éthique stoïcienne chez Cicéron*, Paris, p. 166.

62 Cic. *Off.* 1.35 : « In quo tantopere apud nostros iustitia culta est ut ii qui civitates aut nationes devictas bello in fidem recepissent, earum patroni essent more maiorum » and Sall. *C.* 10.1 : « sed ubi labore atque iustitia res publica crevit ».

treatise on law and justice (*Leg.*). For in Cicero's estimation, justice is at the base of Roman society (*Off.* 1.20) and the queen of virtues (*Off.*3.28). Enthroned on the highest moral plane, justice rules independently, objectively, disinterestedly (Hellegouarc'h, 1972, p. 266). She counsels the true statesman worthy of leadership and characterizes, in Cicero's mind, the government of the *boni* (*Off.* 1.20 ; 2.38). In fact, Achard notes that Cicero only appeals to *iustitia* in speeches which address the senators, the *boni viri* of the Roman state.[63] So vital is *iustitia* to good leadership that whoever possesses this virtue, as well as that other cardinal virtue *prudentia*, wields the capacity to be that model statesman carefully delineated by Scipio (Cic. *Off.* 2.42). It is no surprise then that *iustitia* was encouraged by Cicero's Numa (*Rep.* 2.26).

5.3. *Otium et Pax*

In the passage dealing with *iustitia*, Scipio reports how Numa instilled in the Romans a love of peace and tranquility (*amor otii et pacis*), conditions in which *iustitia* and *fides* flourish most easily (Cic. *Rep.* 2.26).[64] The terms *otium* and *pax* used in this passage hold specific connotations which need explanation, if one is to appreciate the full extent of Cicero's vision behind Numa's actions. *Otium*, which may be defined as rest or leisure time, is associated more specifically with its later meaning of well-deserved retirement for a senator who has dedicated his life to the state, or to the abstention of an *eques* from pursuing the *cursus honorum*.[65] But the term actually has its roots in the traditional inactivity which the winter months imposed on war, navigation and even agriculture. In the primitive calendar, *otium* however defined the period which the soldier-farmer dedicated to

63 See G. Achard, (1981), *Pratique rhétorique et idéologie politique dans les discours "optimates" de Cicéron*, Leiden, p. 475.

64 *Fides*, an important feature of the Roman national identity, shall be given due study in Livy's portrayal of Numa. See *inf.*, Ch. 3.

65 The concept of *otium* has produced much literature. I cite only references that deal more directly with Cicero's own concept of *otium* : J-M. André, (1966), *L'otium dans la vie morale et intellectuelle romaine des origines à l'époque augustéenne*, Paris ; Achard (1981, esp. p. 280-284 and 464-468) ; P. Boyancé, (1941), « Cum dignitate otium », *REA* 43, p. 172-191.

his fields, coinciding with a time of peace (André, 1966, p. 20-22). As for the word *pax*, it was, in Republican times, a legal term which could be applied to any kind of relationship between nations and armies that did not involve a recourse to arms.[66] In a society which, by the end of the Republic, had cultivated militarism for many generations and was then glorying in its imperialistic achievement, peace could not be considered as a desirable condition for the long term. As Gruen aptly puts it, peace was rather « a temporary shoring up of resources before renewed displays of power, rather than a state of lasting serenity ».[67] As restless kingdoms and barbarous nations were ever eager to seize any opportunity of a perceived moment of Roman weakness, Rome constantly needed to reassert her dominion through subjugation and pacification. The verbs *pacare* and *pacificare* (to pacify), with their roots in *pax*, give a better understanding of the Roman interpretation of *pax* as a state which is decreed by the superior power as a result of victory (Gruen, 1985, p. 52-55).

5.4. *Concordia*

There is another passage in Cicero's account of Numa's reign that complements the Roman concept of peace. In 2.27, Numa's years at the helm are summarized in this fashion : « thus, when he had reigned for thirty-nine years in complete peace and harmony (...), he died ».[68] In this excerpt, *pax* makes a second appearance, but this time the term is paired with *concordia*. Concord was certainly not a new concept in Roman politics. There had been men as Valerius to promote concord between patricians and plebeians as early as 494 BCE when the problem of debt was creating a rift among the citizens (Liv. 2.31 ; Plu. *Pomp*. 13). Cicero was following an ancient tradition when he put forward *concordia*

66 See P. JAL, (1961), « *Pax civilis – concordia* », *REL* 39, p. 212.
67 See E.S. Gruen, (1985), « Augustus and the Ideology of War and Peace », in *The Age of Augustus*, ed. by R. Winkes, Louvain, 44, p. 53.
68 Cic. *Rep*. 2. 27 : « sic ille cum undequadraginta annos summa in pace concordiaque regnavisset (...), excessit e vita ».

ordinum as the platform of his consulship, and as such had reason to be proud when it was achieved and maintained from 63 to 61 BCE.[69] André (1966, p. 181) notes that « au coeur du traité des vertus qui domine et le *De Republica* et le *De Officiis*, se trouve l'idée morale de *concordia*, dont on sait qu'elle exprime, conjointement avec *pacem* et *otium*, l'idéal du conservatisme cicéronien ». This ideal is expressed in at least three passages in which Cicero groups together the three aforementioned concepts.[70] Jal (1961, p. 210-221) suggests that these groupings did not simply satisfy rhetorical requirements. *Pax*, essentially a respite between wars, had become too restricted to express the Romans' idea of civil peace. For the turn of events in the first century BCE had taught the citizens that a laying down of arms in no way meant an end to tyranny and fear. When *pax* was accompanied by terms such as *concordia*, *otium* or *quies*, it therefore became understood as a reference to civil peace. *Concordia*, laden with emotional value and heightened by a hint of religious colouring – *concordia* was also a divine abstraction –,[71] actually came to replace *pax* as meaning peace.

Concordia, in this context, seems a judicious term to summarize the reign of Numa, the religious-minded king whose appointment itself had been a compromise between the Senate and the people, as well as an accommodation between the Roman and the Sabine population. This passage from Cicero confirms the appropriateness of the term :

> As this perfect agreement and harmony is produced by the proportionate blending of unlike tones, so also is a State made harmonious by agreement among dissimilar elements, brought about by a fair and reasonable blending together of the upper, middle, and lower classes, just as if they

69 In later years Cicero refers more frequently to a *consensus bonorum* or *consensus omnium* (Achard, 1981, p. 39).

70 See Cic. *Agr.* 1.23 : « (...) nihil tam populare quam pacem, quam concordiam, quam otium reperiemus » ; *Mur.* 1 : « (...) eaque res vobis populoque Romano pacem, tranquillitatem, otium concordiamque adferat » ; *Mur.* 78 : « (...) tum me pacis, oti, concordiae, libertatis, salutis, vitae denique omnium nostrum causa facere clamo atque testor ».

71 In 154 BCE C. Cassius dedicates the Curia to Concord after transferring there a statue of Concord set up by Q. Marcius (Cic. *Dom.* 130) ; in 121 BCE, the senators order the building of a temple to Concord in the Forum (App. *BC* 1.26).

> were musical tones. What the musicians call harmony in song is concord in a State, the strongest and best bond of permanent union in any commonwealth.[72]

Cicero's analogy between music and the state brings to mind the importance that Plato attributed to music in the training of citizens (*sup.*, p. 24). Polybius (4.20-21.9), when investigating the question of the savagery of the Cynaetheans compared to other peoples of Arcadian stock, posits that this is the result of their abandonement of the practice of music. It is significant then that Cicero (*De Or.* 3.197) portrays Numa as seeing the importance of music for the softening of citizens :

> But nothing is so akin to our own minds as rhythms and words – these rouse us up to excitement, and smooth and calm us down, and often lead us to mirth and to sorrow ; though their extremely powerful influence is more suited for poetry and song, nor was it overlooked by that very learned monarch, King Numa, and by our ancestors, as is shown by the use of the lyre and the pipes at ceremonial banquets, and by the verses of the Salii.[73]

Buchheit (1991, p. 88) in fact believes that Cicero must have spoken of Numa's endeavour to civilize the citizens through musical training in a lost section of the *De Republica*.

Concord was certainly a preoccupation in the first century BCE when Rome was so consistently marred by internal conflict. As youths Cicero and his generation had witnessed the disastrous conflicts between Marius and Sulla, ending with the terrible Sullan

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72 Cic. *Rep.* 2.69 : « isque concentus ex dissimillimarum vocum moderatione concors tamen efficitur et congruens, sic ex summis et infimis et mediis interiectis ordinibus, ut sonis, moderata ratione civitas consensu dissimillimorum concinit ; et quae harmonia a musicis dicitur in cantu, ea est in civitate concordia, artissimum atque optimum omni in re publica vinculum incolumitatis ».

73 Cic. *De Or.* 3.197 : « Nihil est autem tam cognatum mentibus nostris quam numeri atque voces, quibus et excitamur et incendimur et lenimur et languescimus et ad hilaritatem et ad tristitiam saepe deducimur ; quorum illa summa vis carminibus est aptior et cantibus, non neglecta, ut mihi videtur, a Numa rege doctissimo maioribusque nostris, ut epularum sollemnium fides ac tibiae Saliorumque versus indicant ».

proscriptions of 82, and as adults had been embroiled in the power struggles of the prominent generals of the day.[74] In such a situation, *pax civilis*, a condition in which civil unrest and dissent were unheard of and in which the ship of state sailed calm, untroubled waters, was a legitimate aspiration, one which, as Cicero well knew, the people held dear to their heart, not the least because it ensured the people's rights and properties.[75] One would readily believe then that lack of internal cohesion within the Roman state of his day may be behind Cicero's use of *pax* and of its pairings in the account of Numa's reign. As it happens, I have noticed that the binomes *otium-pax* and *pax-concordia*, presented in chiastic fashion – the first binome introduced in the opening sentence of the chapter, the second residing in the closing one –, encompass all of Numa's institutions and accomplishments. I believe that Cicero has constructed his chapter in such a way in order to demonstrate the full civilizing effect of Numa's policies. Numa's reign had succeeded that of the warlike Romulus who had employed the force of arms to assert the newly founded Rome's right to existence in the Latium and guarantee her security. In Cicero's view, when Numa had accepted the kingship and realized that he had been chosen to rule a victorious city secure in her alliances and confident in her strength, the good king had felt that the conditions were optimal to impose peace (*pax otiumque*), of which he would take advantage to strengthen Rome's internal cohesion. This he achieved by introducing civilizing measures which succeeded in turning his subjects towards *humanitas*, thanks to a gestation of thirty-nine years *in pace concordiaque*. At Numa's death Rome had become a state strong enough to impose peace upon her neighbours, and citizens united enough to pursue her great destiny. For Cicero, Scipio and other conservative Romans, surely this was a great step towards realizing the ideal state.

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74 Jal (1961, p. 210) observes that during the first century BCE, apart from the Mithridatic wars, Rome fought only civil wars.

75 See Cic. *Agr.* 2.102 : « Ex quo intellegi, Quirites, potest nihil esse tam populare quam id quod ego vobis in hunc annum consul popularis adfero, pacem, tranquillitatem, otium (....) vos, quorum gratia in suffragiis constitit, libertas in legibus, ius in iudiciis et aequitate magistratuum, res familiaris in pace, omni ratione otium retinere debetis ».

In the same fashion as *pax*, *humanitas* is paired and positioned within the text for full effect. To complement the term, Cicero employs *mansuetudo* which incorporates the concepts of mildness and gentleness.[76] The pairing seems a natural one : *humanitas* as the defining feature of civilized man embraces the civilized attributes of gentleness. Cicero (*Inv.* 1.2), composing a short history of civilization reminiscent of Lucretius', uses the terms *mites* and *mansuetos* to describe civilized men, transformed *ex feris et immanibus*. In addition, the orthographic elements of *humanitas* were an irresistible convenience. Alternating similarity with opposition, Cicero contrasts the two nouns with their opposite 'corresponding' adjectives.

ad humanitatem atque mansuetudinem

⇓ ⇑

immanis ac feros

In his belief that the progress of a society is measured by the strength of its civilized institutions and by the widespread adoption of civilized behaviours, Cicero thus highlights its attainment under Numa's peaceful rule : the moderate and courteous attitude takes precedence over the savage and barbarian one.

Humanitas as civilization, if it is a criterion against which to measure the progress of the Roman state, is also one which favoured the development of the Roman national identity : the farther the Roman distanced himself from *immanitas*, the more deservedly could he claim the name *Romanus*. Cicero had attributed man's relentless drive towards civilization as originating in his kinship with the gods, of whose spirit and divine fire he partook. Civilization, Novara observes (1982, T. 1, p. 442-443), was a divine mission with which Providence had charged man, that is to say, in Cicero's analysis, the Roman

76 The pairing of *mansuetudo* with *humanitas* occurs in other Ciceronian passages as well. In a closing (*Sull.* 92), Cicero addresses the jury with these words : « Vestrae sunt iam partes, iudices, in vestra mansuetudine atque humanitate causam totam repono ». In a letter (*Fam.* 13.65.1) we find : « sed quoniam (...) tua cum summa integritate tum singulari humanitate et mansuetudine consecutus es ut libentissimis Graecis nutu quod velis consequare, (....) ».

man, and more specifically the Roman noble.[77] Was it not right that such a mission be entrusted to the Roman ? Had not the gods steered his city to mastery of the known world ? Did not his innate superiority make him deserving of this leading position ? And who better to lead the way than Rome, the city that had known modest beginnings in a savage environment and had risen above it, the city that had fought against barbarism from within and without and had come out the victor ?[78] As Cicero suggests through allusion to Athens' benefactions in the *Panegyricus*, Rome indeed has a mission, one that Athens had once fulfilled, one that divine Providence forbade Rome to shirk, the mission of civilization of the world.

In conclusion, Cicero's account of Numa's reign provides for our investigation some notable focus. The Ciceronian Numa corresponds to the orator's definition of the *optimus civis* : his preoccupation with his subjects' well-being, his wisdom, his sense of justice, lead him to guarantee peace, concord and prosperity by introduction and promotion of civilizing measures such as agriculture, religion, law, games and markets. Amid the turmoil of the first century BCE, Cicero calls for *optimi cives* to step forward, model statesmen who will lead the citizens to fulfill Rome's great destiny, leadership and civilization of the world. In Cicero's estimation, Rome is worthy of such a position, as proves the comparison between Athens in Isocrates' *Panegyricus* where the city is

77 Cicero addresses in his works the Romans of the aristocratic circles who have the means and the duty to effect change in Rome. The *populus* itself is seen by Cicero as the irrational, barbarous element of Roman politics which the *nobiles* must control for the good of Rome. In fact, Cicero often attempts to substitute *humanitas* for *nobilitas*, so clear is it to him that the *nobiles* are the apex of civilization (Hellegouarc'h, 1972, p. 271 ; Dauge, 1981, p. 123-124).

78 From the time of its foundation, Rome had warred with neighbouring nations such as the Volsci, the Etruscans, the Samnites. The third and second century BCE, mostly through war, had brought Rome into close contact with non Italian nations of very alien ways : Africans, Numidians, Carthaginians, Iberians, Celts, Insubrians, Corsicans, Illyrians, Dalmatians, each seeming more threatening and savage than the other (Dauge, 1981, p. 60-63). But the struggle against violence and beastly ways did not only exist within the struggle of a nation against a less civilized one. It existed at various levels : in the struggle of elements of society against others ; and even within man himself where a war raged against his primitive instincts. But just as the Romans had fought victoriously and conquered their barbaric enemies, on the battlefield of the Roman individual's soul, victors had also stood to lead the city, triumphant men who had relied on the collective experience, on ancestral values, on their exercise of reason and of all virtues which ensued from it to repel barbarism and promote civilization (Novara, 1982, Vol. 1, p. 96-97).

represented as the leader and civilizer of the world and Rome's history. The latter shows that civilizing measures had been introduced in Rome very early on, even before Greek influences had sailed up the Tiber, during the reign of the pious and peace-loving Numa. The Sabine king had been largely instrumental in shaping the national identity of the Romans ; Cicero demonstrates that civilization was a part of Numa's contribution to it.

Lastly, it seems to me that the reader of the *Republic* in Cicero's time may have been tempted to establish other connections. He would not have failed to notice that the main speaker of the dialogue, Scipio Aemilianus, also fits the definition of the *optimus civis*. Perhaps he would have remembered Scipio's family history, which in one tradition linked the Aemilii to Numa.[79] The reader may furthermore have sensed Cicero's empathy, both political and personal, for good king Numa, as the two had much in common. Both had come to Roman politics from the Italian countryside and stood outside of the noble patrician clans. Both had exercised government as *togati* and were basically strangers to military commands. Indeed, to such an extent did Cicero hold dear his principle *Cedant arma togae* (*Pis.* 72 ; *Phil.* 2.20 ; *Off.* 1.77) that even his *Republic* had been composed so as to eliminate most military aspects from the account of Rome's early history (Rambaud, 1953, p. 71), not an obvious task in itself. Furthermore, Numa's legislative activity, spurred by a great respect for law and justice, could certainly find appreciation in the eyes of Cicero, the most famous advocate of his time and pupil of Q. Mucius Scaevola, who had written the first methodical work on Roman civil law (Wood, 1988, p. 44). Finally, as one who would be appointed augur in 53 BCE, the year following the publication of the *Republic*, Cicero could appreciate at first hand the importance of the Numan religious rites as basis for social stability. This sympathy made it all the easier to depict Numa and his accomplishments not

79 A tradition states that the *cognomen* of the *gens* Aemilia, Mamercus, refers back to Numa's son who was named after Pythagoras' own son Mamercus. The name Aemilia itself is said to recall the eloquence (αἰμυλία) of Pythagoras (Plu. *Num.* 8.18-19, *Aem. Paul.* 2.2, Fest. 22.10). The later *cognomen* Lepidus, as Wiseman remarks (1993, « Rome and the Resplendent Aemilii », in *Tria Lustra*, ed. by H.D. Jocelyn, Liverpool, p. 183), is an obvious calque on αἰμύλος.

only as a model of leadership, but as Cicero envisioned his own leadership to be and as he hoped others too judge it.

CHAPTER 3 : THE LIVIAN NUMA

In the preceding chapter we met in Cicero's ethical works a cultured, sophisticated Numa, a model for leadership through civilization. In Livy's first book of *Roman History*, Numa is represented as a second founder, instilling in his subjects typically Roman values which would forge the state's national identity, and as establishing custom-made Roman institutions which would guarantee the City's stability, strength and growth.

Livy's first book dealing with the Regal period was published somewhere between 27 and 25 BCE.[1] Benefitting from official approval, Livy's account of Rome's Regal Period and early Republic quickly became definitive within a hundred years, and authoritative 'biographies' of Romulus, Numa and Republican figures were established. His later books, on the other hand, would have been unfamiliar even to readers of the Augustan age.[2] For, by the turn of the century, Livy, ready to treat the age of Sulla, Pompey and Caesar, would have become very reluctant to publish material recalling the Civil Wars that Augustus was trying so hard to erase from collective memory. And Augustus found that more conciliatory sources existed from which to build a public version of the past.[3] It is to be expected then that Livy's earlier books best represent what Augustus wanted to convey of the Roman heritage. In this context one should be on the lookout,

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1 These dates are inferred from Livy's mention in Book One of the first closing of the temple of Janus in 29 BCE but not of the second one which occurred in 25 BCE. Furthermore, the title Augustus which Livy uses in this instance was conferred upon Octavian in 27 BCE. Ogilvie, in his edition of Livy (1974, *Ab Urbe Condita*, Libri I-V, Oxford, p. v), dates the first edition of Books One to Five between 29 and 27 BCE. Foster's edition (1919, Loeb, p.xi) sets the beginning of Livy's work around 27 BCE. Bayet, in the Introduction to his edition of Livy's *Histoire romaine* (Paris, 1947, p. xix), argued that, before 31-29 BCE, Book One, then later Books Two to Five together, were published. In 27-25 BCE, Books One to Five were reedited. Syme (1959, « Livy and Augustus », *HSCP* 64, p. 42-50) is unconvinced by Bayet's arguments but does agree that Books One to Five were published in the years 27-25 BCE. Cizek (1995, *Histoire et historiens à Rome dans l'Antiquité*, Lyon, p. 153) agrees with Bayet in that the first publication of Book One occurred before 31 BCE and that the book was republished between 27-25 BCE along with Books Two to Five, but he does not adhere to Bayet's hypothesis that Books Two to Five were published separately before 29 BCE.

2 See E. Fantham, (1996), *Roman Literary Culture. From Cicero to Apuleius*, Baltimore, p. 99-101.

3 See T.J. Luce, (1990), « Livy, Augustus, and the *forum Augustum* », in (1990), *Between Republic and Empire*, ed. by K.A. Raaflaub and M. Toher, Berkeley, p. 123-138.

when studying Livy's Numan account, for reflections of contemporary, even Augustan, ideas and values.

In Vergil's *Aeneid* (6. 777-816), when Anchises designates to Aeneas the future great men of Rome, he names the Roman kings Romulus, Numa, Tullus and Ancus, but he tellingly interrupts the chronological list to insert Augustus between the first two kings, the founder of Rome on auspices (*A.* 781-82 : *auspiciis illa incluta Roma*) and the founder of Rome on laws (*A.* 810-11 : *primam qui legibus urbem fundabit*). Augustus's position between the two founders accentuates his own standing as a second founder of Rome, one who draws on the precedents and strengths of both Romulus and Numa.[4] The study of Livy's Numan account will reveal that the historian interpreted the reign of the Sabine king as one of a founder whose accomplishments and institutions proved a necessary complement to Romulus' acts as first founder. This representation, although objective in intent, was likely to suggest to contemporary readers parallels with Augustus in his embodying of the spirit of both kings. This chapter will explore such parallels, though it is proper first to review independently Livy's account of Numa's role in Roman history and contribution to the national identity.

1. A Progressive View of History

Livy's 'canonical' work presents Roman history in a unique fashion, as progressive and regenerative. Livy, along with Herodotus, Thucydides and Polybius, considered history as essentially recurrent in nature, obeying patterns of rise and decline.[5] The

4 Scott (1925, p. 97) writes that Vergil « has tried to connect Augustus closely with Romulus and Numa and has tried to present them all as founders of Rome and its greatness ». Williams (1972, « The Pageant of Roman Heroes–*Aeneid* 6.756-853 », in *Cicero and Virgil. Studies in Honour of Harold Hunt*, ed. by J.R.C. Martyn, Amsterdam, p. 210-212) describes how Vergil builds the correspondence of Augustus with Romulus and how he uses Numa's position to accentuate Roman peace.

5 See G.B. Miles, (1995), *Livy. Reconstructing Early Rome*, Ithaca, p. 97. Hunter (1982, *Past and Process in Herodotus and Thucydides*, Princeton, p. 286) argues that time is cyclic for Herodotus and Thucydides. Herodotus' view may be adduced from his description of tyrants – tyranny is the usual result

historian seems, moreover, to liken the history of a people to an organic being that is subject to the natural laws of birth, growth, decline and death, a vision with application to the history of the Roman people.[6] In his *Roman History* Livy narrates the birth of the Roman state which, from small proportions (as befits a newborn), grew up and expanded widely.[7] This growth, as one might expect, was not achieved overnight. It has already been noted how Rome's agricultural calling in the first centuries of her existence contributed to the tenet that the state was not built in a day nor by a single individual, but rather grew out of the collective effort of successive generations (*sup.*, p. 45). Cicero, as Scipio's explanations for the development of the Roman mixed constitution in the *De Republica*

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of primitive communities – as creating unity in a people and as eventually motivated to conquer other nations (p. 272-274). Inevitably, unjust acts will be committed and the tyrant will fall (p. 204).

Thucydides sees the process of history as one which all peoples undergo. Communities grow and achieve the peak of civilization only to confront the dangers of *stasis* that sets in motion regress and decline (p. 267). It is a cyclic process of growth, achievement, regress, decline and repetition (p. 49). Yet, Hunter cautions, the notion of cyclic time in Greece does not involve, as scholars tend to interpret it, a return to the point of departure. There is « a return to a sort of beginning. Development moves elsewhere. This explains how there can be evolution and 'progress', as well as regress and decline, change and development, as well as permanence » (p. 263-264).

Polybius observed a cyclic succession of political constitutions (*anacyclosis*). Like Aristotle, he identifies three primary constitutions (kingship, aristocracy and democracy) and three secondary ones (tyranny, oligarchy and ochlocracy), the degenerative forms of the former. The constitutions succeed one another in a determined order : monarchy (a primitive form of kingship that appears at the beginning and end of the cycle), kingship, tyranny, aristocracy, democracy, ochlocracy (Pédech, 1964, p. 308). Pédech demonstrates that Polybius uses this theory to explain Rome's political evolution and marvels that by applying it he was able to predict for Rome a return to monarchy after a period of proscriptions and massacres (p. 316).

6 In this Livy follows a long tradition. Hunter (1982, p. 234) writes that Thucydides viewed the *polis* « as a sentient organism, which may flourish in health as one vital body, or which may experience disease and division, one part opposing another ». Polybius (6.51.4), according to Pédech's study (1964, p. 309), believed that constitutions obeyed a natural law that assimilated constitutions to living organisms which underwent growth, maturity and decline (*αὔξησις ἀκμὴ φθίσις*). Lloyd (1966, *Polarity and Analogy*, Cambridge, p. 295) observes that « the state was frequently compared with a living being in Greek political theories, and conversely the living organism is often described in the medical writers as a complex consisting of opposing forces or factions ». See Pl. *R.* 368 e sq. for a comparison between the city and the individual. For a comparison between the constitution of an animal and that of a well-governed state, see Arist. *MA* 703 a 30.

7 As Ruch points out in his article (1968, « Le thème de la croissance organique dans le livre I de Tite-Live », *Stud. Clas.* 10, p. 123), the theme of growth and expansion is already prevalent in Livy's Preface. See *Praef.* 1.4 : « quae ab exiguis profecta initiis eo creverit ut iam magnitudine laboret sua » and *Praef.* 1.9 : « per quos viros quibusque artibus domi militiaeque et partum et auctum imperium sit ». During the first three centuries of Rome's existence, growth is experienced on three levels : expansion of the city itself, expansion of its population, and increase of its moral strength and prestige (p. 127 sq).

indicate, adhered to this principle, and reports that Cato emphasized the protracted character of the collective achievement in the *Origines* (*Rep.* 2.2).[8]

1.1. The Regal Period, Childhood of Roman History

Livy's idea of a developmental history in the context of an organic state or people conceived the Roman nation during the Regal period as going through childhood. The first inhabitants of Rome, under their first two kings, are primitive. Livy recounts that, because his subjects were a rustic people (*genus hominum agreste*), Romulus felt obliged to impress them into accepting his legislation by draping himself in emblems of authority (Liv. 1.8.1-2).[9] The historian then reports how Numa played on the superstitious and impressionable nature of his ignorant (*imperitam*) and uncivilized (*rudem*) people by pretending a relationship with a goddess to give authority to his policies of peace (Liv. 1.19.4-5). The credulous disposition of Numa's subjects was not lost on Lucilius, who ridicules the superstitious man of his day who is still as impressed as the king's subjects were with the goblins and witches which Numa himself had created.[10] And even the enlightened Numa

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8 Chassignet, in her edition of Cato's *Origines* (1986, Paris, p. xvii-xviii), concludes that the fragmentary state of the work precludes one from establishing Cato's intentions with fair certainty. Cicero's testimony, restricted to the subject of the mixed constitution, remains uncorroborated. Astin (1978, *Cato the Censor*, Oxford, p. 225-227) urges caution in formulating Cato's ideas on the basis of Cicero's single remark.

9 Yet, Luce cautions (1977, *Livy. The Composition of His History*, Princeton, p. 295), one should refrain from inferring in Livy a certain contempt for the primitive and unsophisticated early Romans. On the contrary, though their youth as a nation and their harsh environment may not have fostered quick refinement and culture, more importantly, they were conducive to the virtues of honesty, simplicity, courage, modesty and discipline, qualities which Livy greatly admired in races of old. A witness to this, one notes the following passage on Numa's education (Liv. 1.18.4) : « instructumque non tam peregrinis artibus quam disciplina tetrica ac tristi veterum Sabinorum, quo genere nullum quondam incorruptius fuit ». Although the judgement of Sabine austerity and incorruptibility was conventional (Walsh, 1961, *Livy. His Historical Aims and Methods*, Cambridge, p. 108-109), admiration shines through Livy's words, and perhaps also a tinge of nostalgia for that time of old when men, albeit less sophisticated and less technologically advanced than in the present day, were nonetheless more naturally inclined to goodness and virtue. This way of envisioning cultural history found adherents in Greek and Roman Antiquity (Blundell, 1986, esp. p. 105). A feeling of nostalgia would not be unexpected in a historian such as Livy who believes that a moral degeneration, whose effects were still being acutely felt in his own time, had taken place in Rome during the second century BCE, when wealth and luxury from the Orient had crept into the Roman lifestyle, corrupting the social and political fabric of the state.

10 Lucil. 15.484-485M : « Terriculas, Lamias, Fauni quas Pompiliique // instituere Numae, tremit has, hic omnia ponit ».

implicitly does not escape the primitiveness of his age, as may be gathered from Livy's positive yet restrictive description of him as « deeply versed, so far as anyone could be in that age, in all law, divine and human ».[11]

Another useful sign of the first Romans' unsophistication is their unquestioning acceptance of the monarchical regime itself. This type of constitution, Livy feels – and in this he is in agreement with Cato (*ap.* Cic. *Rep.* 1.1-2), Polybius (6.11.1), Sallust (*C.* 7.3 ; 10.1) and Cicero (*Rep.* 1.1.2), who all considered that Rome's political maturity was achieved in the third century BCE – could only suit a primitive people. It is indeed a commonplace of the Roman conservative aristocracy that, though monarchy was a necessary step in Rome's political development, it certainly did not constitute its zenith.[12] Quite the contrary. For, as tradition-based history reports, Rome's two hundred year old monarchical regime degenerated into a cruel tyranny and ended in such failure through a popular revolution that it left the Romans deeply prejudiced against the institution itself. However, we note, historical tradition was controlled by the ruling senatorial aristocracy which inherited the powers wrested from the exiled King Tarquin, [13] and it is natural that this class should view the Regal period as the basis for the justification and legitimacy of the Republican system of government and for the presence indeed of monarchical elements in the much-touted Roman 'mixed' constitution. Thus through constant reinterpretation of past events by rival families and factions from the ruling class, monarchy, the required

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11 Liv. 1.18.1 : « consultissimus vir, ut illa quisquam esse aetate poterat, omnis divini atque humani iuris ».

12 In his introduction to Book Two (2.1.3-6), Livy, a strong adherent of the Republican system of government, clearly advocates the necessity and usefulness of the Roman monarchy in its span of two centuries. He explicitly states how skipping the natural stages of growth would have harmed the nation in the long run, and he reinforces this idea in an earlier comment on the good fortune of the Roman people who, by preventing a marriage between the ambitious and like-minded Tullia and Lucius Tarquinius, prolonged the reign of Servius and enabled him to establish the traditions of the state (Liv. 1.46.5).

13 Members of this class were the first and for a long time the exclusive recorders of the Roman people's history. Fabius Pictor, in the last decade of the third century BCE, wrote annals, the first of the genre to be published in Rome, which recorded the historical tradition of Roman origins and development up until the second Punic War. See B.W. Frier, (1979), *Libri Annales Pontificum Maximorum : the Origins of the Annalistic Tradition*, Rome, p. 239.

precursor to the political maturity of the Middle Republic, was presented as an institution that degenerated progressively, until the last kings actually fostered the demise of monarchy and the aspiration to Republican *libertas*.[14] Martin (1982, p. 2-3) demonstrates that the Republic, as it was upheld by annalists and historians, was inevitable and the natural continuation of the work of the kings, to the point that the alleged innovations of the new government were believed to be based on precedents and institutions dating from the Regal period. And so, although the Romans after Romulus' death were in disagreement over who should succeed him, as none doubted that they should maintain kingship, Livy is prompted to supply this reason : « they had not yet tasted the sweetness of liberty »[15] ; liberty, he feels, could only be a characteristic of the more enlightened Republic.

2. *Numa Conditor*

2.1. The Founder of National Values

Livy's progressive view of history thus creates his perception of monarchy as a primitive yet necessary step in Rome's development and explains his presentation of the kings' reigns as complementary, according to the tenet that no single individual instituted the entire religious, social and political structure of Rome, and that the state was a collective work. Yet Livy recognizes that, within this collective work, there had been charismatic leaders who had acted independently, in defiance of the people and the 'establishment'. Some of these leaders Livy deems worthy of the title *conditor*, in keeping with the historian's vision of Rome's foundation as the accomplishment not of a single founder but of several. Livy's *conditor*, according to Miles, is he who is « responsible for a specific aspect of the state's complete foundation ».[16] In this view, Romulus retains his stature as

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14 See T.J. Cornell, (1986), « The Formation of the Historical Tradition of Early Rome », in *Past Perspectives*, ed. by I.S. Moxon *et al.*, Cambridge, p. 83.

15 Liv. 1.17.3 : « libertatis dulcedine nondum experta »

16 G.B. Miles, (1988), « *Maiores, Conditores*, and Livy's Perspective on the Past », *TAPA* 118, p. 195. According to Miles (*ibid.*, p. 194-195), Livy's definition of a founder is very different from that of the Greek κτίστης which describes as founder the leader of a new colony, the leader who gives a community

the preeminent founder of Rome, while Numa, Servius, Brutus and Appius are *conditores* who have each recognized in one of Romulus' precedents a vital component of the Roman state that needed to be developed through their efforts.[17]

2.1.1. Peace

As Livy saw it, the development of the Roman state required the complementary efforts of several *conditores* who would establish the structures for serving the times of war as well as those of peace. War had been linked to Rome's history from the time of the city's foundations under the aegis of a son of the war god himself. The establishment of that Urbs did not come easily as there were plenty of hostile neighbours to challenge Rome's right to exist at all in Latium. Under such conditions Romulus' military genius had been indispensable. With Numa Livy takes pains to demonstrate that the foundation of the warrior-king needed to be built upon by a monarch skilled in the arts of peace : « When he had thus obtained the kingship, he prepared to give the new city, founded by force of arms, a new foundation in law, statutes, and observances ».[18] Here the historian confirms Numa's status as a founder.

When Livy concludes the account of Numa's reign with the words, « Thus two successive kings in different ways, one by war, the other by peace, promoted the nations' welfare (...). The state was not only strong, but was also well organized in the arts of war and of peace »,[19] he spells out the contrasting but essentially complementary nature of the

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a new constitution and, along with it, usually a new name, or the leader who has saved a city from physical or political destruction.

17 Miles (1988, p. 195, 197-199) shows that Romulus' *pietas*, his creation of the *patres* and *equites*, his introduction of law, his insurrection against a tyrant who had usurped the throne, had inspired Numa's establishment of religious rite, Servius' institution of the census, Appius' development of the legislative system and Brutus' own revolt against the monarchy.

18 Liv. 1.19.1 : « Qui regno ita potitus urbem novam conditam vi et armis, iure eam legibusque ac moribus de integro condere parat ».

19 Liv. 1.21.6 : « Ita duo deinceps reges, alius alia via, ille bello, hic pace, civitatem auxerunt (...). Cum valida tum temperata et belli et pacis artibus erat civitas ».

reigns and contributions ; for war and peace were integral parts of statesmanship.[20] The mention in Numa's reign of the erection of Janus' temple as an index of peace and war perhaps stems from this conviction (Liv. 1.19.2). In addition, Livy is careful to emphasize that Numa's effectiveness in maintaining a peaceful reign was due in large part to Romulus' own genius and martial achievements : « For it was to him [Romulus], assuredly, that Rome owed the vigour which enabled her to enjoy an untroubled peace for the next forty years ».[21] Likewise, the historian had depicted a Numa who foresees the inevitability of recurring warfare and who accordingly adjusts ritual to lighten the religious duties of a warring king : « But inasmuch as he [Numa] thought that in a warlike nation there would be more kings like Romulus than like Numa, and that they would take the field in person, he did not wish the sacrificial duties of the kingly office to be neglected, and so appointed a flamen for Jupiter, as his perpetual priest (...) ».[22] As with Cicero's account, peace appears in Livy also as a temporary state, one that alternates, in Numa's case, with the victories of Romulus' reign. Future leaders would do well then to follow the example of Ancus Marcius, the grandson of Numa, who was « mindful of Romulus as well as Numa » when determining the policies of his rule.[23]

The establishment of 'peaceful' Numa as founder therefore placed the king in a position of complementarity to warlike Romulus. But Numa, it is important to note, was hailed as a founder not merely because he appreciably contributed to the state but because

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20 Although the theory of common Indo-European functions has been generally refuted as an explanation for the structures of earliest Rome (Grandazzi, 1991, p. 54-57), it should be noted that Dumézil has outlined the opposition between the two kings to argue that both represented positive and complementary aspects of kingship, in the same manner as Varuna and Mitra had in Vedic India. See G. Dumézil, (1948), *Mitra-Varuna. Essai sur deux représentations indo-européennes de la souveraineté*, 2nd ed., Paris, esp. p. 55-62 and (1968), *Mythe et Épopée. L'idéologie des trois fonctions dans les épopées des peuples indo-européens*, Paris, esp. p. 271-274. Furthermore, Dumézil (1948, p. 56-57) refers to this very passage (1.21.6) to acknowledge Livy's cleverness in reconciling the opposite natures of the two kings without canceling out their respective contributions.

21 Liv. 1.15.7 : « Ab illo enim profecto viribus datis tantum valuit ut in quadraginta deinde annos tutam pacem haberet ».

22 Liv. 1.20.2 : « Sed quia in civitate bellicosa plures Romuli quam Numae similes reges putabat fore iturosque ipsos ad bella, ne sacra regiae vicis desererentur flaminem Iovi adsiduum sacerdotem creavit (...) ».

23 Liv. 1.32.4 : « et Numae et Romuli memor ».

his contributions were perceived as central to Roman identity. The idea that certain cardinal values had characterized Rome and had been indispensable to her growth and to her present position as leader of nations is at the heart of Livy's *Roman History*. In fact, it was Roman history's main lesson : greatness of the state had been achieved because tradition had preserved the virtues and beliefs which were at the core of Roman strength in trying times. Yet all the while, innovation had been possible, even necessary, and experience had rendered the Romans astute enough to integrate whatever had been proven as superior or better into their arts, institutions and way of life, as long as it left untouched the Roman cardinal values (Cic. *Tusc.* 1.2-3). According to Cizek (1995, p. 160), this heritage of preeminent values in the Livian text transmitted through the *mos maiorum* comprised *concordia*, *moderatio*, *prudentia*, *iustitia*, *clementia*, *pudicitia*, *virtus*, *frugalitas*, *dignitas*, and *gravitas*. Overseeing these virtues were driving principles of society, 'métavaleurs' which the same scholar identifies as *pietas* and *fides*.[24]

2.1.2. Justice

Many of these virtues are a familiar presence in Livy's account of Numa's reign. *Concordia*, although not explicitly named, is the aim and result of Numa's efforts to instil peace among his subjects and to cultivate it with his neighbours. *Iustitia*, the fair treatment of subjects, was the very virtue which Livy used to introduce Numa (Liv. 1.18.1) and one which no good king could forego.[25] His reputation for justice is in fact instrumental to his appointment as king, and the legitimacy of Numa's kingship is never in doubt. In fact, ambition is effectively neutralized by the granting of sovereignty by the people, and there is no hint of petition or canvassing.[26] Further, Numa's first act upon arrival in Rome is to

24 According to Cizek (1995, p. 20-21), *pietas* and *fides* held the status of 'métavaleurs' until the second century CE when they were replaced by *dignitas*.

25 Moore, (1989, *Artistry and Ideology : Livy's Vocabulary of Virtue*, Frankfurt, p. 50-51) gives examples of Livy's conviction that good kings must practise *iustitia* towards their subjects.

26 Liv. 1.35.3 : « Numam ignarum urbis, non petentem, in regnum ultro accitum ».

have his kingship ratified by the gods through augury, with the narrative insisting on a description of the inauguration ritual which, along with *interregnum* and election, belonged to a newly institutionalized procedure regulating transference of power from king to successor.[27] Finally, on Numa's death, Livy states the fact simply and omits all circumstances, with the implication that he, in contrast to tyrannical figures, died peacefully and naturally. But if it is important for the reader to know that Numa's kingship is founded in justice, it is Numa's establishment of Roman religious institutions to promote *pietas* (*deorum cura*) that makes up the larger part of Livy's narrative, a clue to its importance for the historian's design.[28]

2.1.3. Religion

Before looking at the role of religion, one should be reminded of the complexity of the historian's treatment of religion in his *Roman History*. In a word, it is inconsistent : questions of belief and scepticism, of piety's power, of the role of fate and fortune in Roman history have found answers within Livy's work to support every position.[29] This inconsistency may be largely explained by the gradual development of Livy's style and methodology and by the different opportunities offered by the historical material itself. Levene (1993, p. 173 and p. 203) shows that later decads of the historian's work, while

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27 See A. Johner, (1996), *La violence chez Tite-Live. Mythographie et historiographie*, Strasbourg, p. 254-255.

28 *Pietas* in Livy's Numan account is used in the more restrictive sense of *deorum cura* (Moore, 1989, p. 56-57).

29 The frequent appearance of omens, prodigies, prophecies and dreams in Livy's *Roman History* has prompted debate over the historian's own position towards the supernatural. Levene, (1993, *Religion in Livy*, Leiden, esp. p. 16-33), who has recently studied the evidence which scholars have presented to support Livy's scepticism or belief, has concluded that the question cannot be settled satisfactorily, as there are enough elements to endorse both positions, however incompatible these positions may be. Levene believes that the contradiction does not lie within Livy's personal attitude towards the supernatural but within Roman history's own different possibilities of interpretation ; for one may consider the same sequence of events as resulting either from a divine intervention or from a leader's brilliant initiative. The final judgment Livy leaves to the reader. What Livy reserves for himself is the freedom within his narrative to favour a view of scepticism or one of belief, whichever in his estimation better suits his immediate purpose. Consequently, the supernatural may play different roles of varying importance from one pentad to another, from one book to another or even within a same book. The same applies to religion, that means of interpretation and carrying out of the supernatural will.

still differing among themselves as to the stress placed on religious material, use religion more consistently as sub-text than the first books. Levene (1993, p. 240) notes that the availability of regular prodigy lists for the period covered by the Third Decad onwards had an appreciable effect on Livy's use of religious material and on his skill in adapting it to the needs of the narrative. In Book One where religion is the main feature of Numa's 'programme' as king, the structure of the book relies on religion to set up the contrast between Numa and Romulus, as well as that between Tullus and Ancus. Still Book One remains especially lacking in consistency in its presentation of religious material. In it, « each religious story, each inclusion or omission of a religious theme, stands on its own » (Levene, 1993, p. 203).

In his account of Numa's reign, Livy stresses the importance of religion as a foundation for Roman identity and contrasts the second king of Rome with the first. He does so cleverly, and apparently uniquely (Levene, 1993, p. 136), by opposing the *metus hostilis* of Romulus' reign to the Numan policy of *metus deorum* :

> And fearing lest relief from anxiety on the score of foreign perils might lead men who had hitherto been held back by fear of their enemies and by military discipline into extravagance and idleness, he thought the very first thing to do, as being the most efficacious with a populace which was ignorant and, in those early days, uncivilized, was to imbue them with the fear of Heaven.[30]

Numa perceives, according to Livy, that the perpetual threat of a foe at Rome's borders, no longer the case in his own reign, has nevertheless strengthened cohesion and caused the suspension of petty internal strife. This was a commonplace in Antiquity : fear of the enemy

30 Liv. 1.19.4 : « positis externorum periculorum curis, ne luxuriarent otio animi quos metus hostium disciplinaque militaris continuerat, omnium primum, rem ad multitudinem imperitam et illis saeculis rudem efficacissimam, deorum metum iniciendum ratus est ».

(*metus hostilis*) fosters national unity.[31] Livy himself had used it to explain why the struggle of the orders in the first books had a tendency to intensify in times of peace but was always set aside in times of external peril. But it is Sallust especially who develops the view that *metus hostilis* forged the virtuous Roman character : after the destruction of Carthage put an end to her threat to Rome and made Rome an undisputed Mediterranean power, the Roman character degenerated into idleness and luxury, now that the need for discipline and courage had faded along with the military threat.[32] Soon there followed the disintegration of *concordia* when factions which the country's perils had kept in check arose, and ambitious generals who once had fought to preserve their country now took up arms to acquire individual power and prestige (Sall. *C.* 10.1-2 ; *J.* 41. 3-5). In Sallust's estimation, there was in fact as much to fear from peace as there was from war.

Livy's Numa seems to agree ; and so he establishes Roman religious practice. It had long been understood that religion could be used as a political tool to promote good moral conduct, discipline and social cohesion in the state (Plb. 6.56.6-15 ; Cic. *Div.* 2.70 ; *sup.* p. 50). It seems certain that Livy was intent on reminding the reader, through the figure of Numa at least, that religion at Rome was a state institution which aimed not to explore the origin and nature of the gods, but to regulate the state's relationship with the divine, to give cohesion to its citizen body and to give it strength and hope in perilous times.[33]

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31 See Pl. *Lg.* 698 b-c and 699 b-d ; X. *Cyr.* 3.1.26 ; Arist. *Pol.* 7.1334 a-b ; Plb. 6.18. Hunter (1982, p. 33) gives examples of fear as a uniting factor in Thucydides. In his work, she writes, « fear in some combination with power usually lies at the heart of collective achievement ».

32 Sall. *J.* 41.2 : « Nam ante Carthaginem deletam populus et senatus Romanus placide modesteque inter se rem publicam tractabant, neque gloriae neque dominationis certamen inter civis erat : metus hostilis in bonis artibus civitatem retinebat ». See also D.C. Earl, (1966), *The Political Thought of Sallust*, Amsterdam, p. 47.

33 Varro respectively identified these types of religion as 'physical theology' and 'civil theology'. *Sup.*, p. 30-31.

To underscore Numa's sociological approach to religion Livy retains Numa's establishment of the fundamental priesthoods of Roman religion (augurs, pontiffs, *flamines maiores*, Vestals and Salii),[34] but omits from the account of his reign the idea of divine support for Rome, present at the beginning and end of Book One (Levene, 1993, p. 147). Furthermore, he rationalizes traditional tales and fables, as Cicero had done in his own account of the Numan reign. Only in passing does Livy mention the divine shields of the Salii (*sup.*, p. 13), not deeming it relevant to explain their origin. And the colourful story of how Numa cleverly elicited from Jupiter himself the knowledge to expiate the thunderbolt (*sup.*, p. 12, n. 2) is reduced to the dedication of an altar to Jupiter Elicius and a consultation of the god by augury. Finally, Egeria is considerably toned down as a fabrication on Numa's part : the king « pretended to have nocturnal meetings with the goddess Egeria, and that hers was the advice which guided him in the establishment of rites most approved by the gods ».[35] Later in the text, he narrates how Numa used to go to a certain cave as if to meet Egeria and how he dedicated the grove which held the cave to the Camenae, alleging that they held counsel there with Egeria.[36]

It is noteworthy that, in both the story of Egeria and that of Jupiter Elicius, Livy eliminates the tradition which claimed a personal relationship between Numa and a divinity.[37] Such relationships between god and mortal ran counter to traditional Roman religious belief.[38] Aristotelian thought denied the possibility of a physical relationship

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34 The institution of the *fetiales*, although attributed to Numa in the works of Dionysius (2.72) and Plutarch (*Num.* 12.4), is attributed to Tullus Hostilius in Cicero (*Rep.* 2.31) and either to Ancus Marcius (1.32) or Tullus Hostilius (1.24) in Livy's *Roman History*. For a discussion of Livy's position, see R.J. Penella, (1987), « War, Peace, and the *Ius Fetiale* in Livy 1 », *CPh* 82, p. 233-237.

35 Liv. 1.19.5 : « simulat sibi cum dea Egeria congressus nocturnos esse ; eius se monitu quae acceptissima dis essent sacra instituere ».

36 Liv. 1.21.3 : « Quo quia se persaepe Numa sine arbitris velut ad congressum deae inferebat, Camenis eum lucum sacravit, quod earum ibi concilia cum coniuge sua Egeria essent ».

37 Livy (1.4.2) also expresses scepticism in Romulus' divine origin which implied the union of Rhea Silvia with a god : « Vi compressa Vestalis, cum geminum partum edidisset, seu ita rata, seu quia deus auctor culpae honestior erat, Martem incertae stirpis patrem nuncupat ».

38 According to Bayet (1973, *Histoire politique et psychologique de la religion romaine*, 2nd ed., Paris, p. 49-50 and 232-235), the most ancient state of Roman religion did not feel the need to represent to itself its divinities through plastic arts and even showed indifference in knowing the gender of the divinities. Roman religion was more interested in the function of the gods and how to harness their

between mortal and immortal, while the Stoic school, to which Walsh argues that Livy adhered, would only go so far as to admit spiritual communion between man and divinity.[39] Still, one must wonder why Livy chooses to suppress Numa's personal relationship with Jupiter Elicius but, although denying the truth of the report, retains the king's association with Egeria. Why did not Livy suppress both relationships altogether, as Cicero had done in his own Numan account ? One explanation may reside in that Livy recognizes the usefulness of Numa's deceit in Egeria's story : the king's association with a goddess serves to enhance his authority, albeit by a charade or subterfuge worthy of Odysseus.

Platonic, Academic and Stoic doctrines had all called attention to the link between divinity and virtue. Excellence, that state which results from virtue, leads to and from the gods, and it is the reflection of divine presence – favour even – in a mortal. This idea was not incompatible with traditional Roman thinking. Had not their own first kings, exceptional and excellent men, been elevated from the ranks of the ordinary citizen and, through augury, invested with royal authority by the gods themselves ? Did not this royal authority, which was attached to the person of the king, grow in proportion to the king's display of virtue ? This idea, furthermore, did not die along with the kings as Martin demonstrates, but lived on in the Republic to enhance the aura of leaders and generals.[40] Naturally these excellent and god-favoured men would also attract success in their enterprises. Cicero, in support of the Manilian proposal of 66 BCE to grant Pompey

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power. Relationships between gods and mortals were limited to impersonal bargains which were exercised through the mediation of divination. The personalisation of the gods and of relationships with them was an import from oriental cults.

39 See P.G. Walsh, (1958), « Livy and Stoicism », *AJP* 79, p. 355-375. André (1992, « Idéologie et traditions sur les origines de Rome » in *La Rome des premiers siècles. Légende et histoire*, Florence, p. 13-14) observes that for Roman Stoics « les causes surnaturelles et l'eschatologie doivent être réduites au profit de la causalité politique et anthropologique ». He cites the example of the Stoic Balbus in Cicero's *De natura deorum* who censures divine genealogies, theogonies and anthropomorphic passions that instigate illicit unions (p. 15-16).

40 See P.M. Martin, (1991), « Les quatre sources de l'idée monarchique sous la République romaine », in *L'idéologie du pouvoir monarchique dans l'Antiquité*, Paris, esp. p. 52-53. The scholar argues that the religious charisma which belongs to a king had never died out during the Republican period, but rather had attached itself to successful generals, eventually bringing acceptance to the imperial regime.

supreme command against Mithridates, speaks of the merit and heaven-sent good luck which Pompey possesses, as had the great Roman generals before him :

> For in my opinion Quintus Fabius Maximus, Marcellus, Scipio, Marius, and other great generals were entrusted with commands and armies not only because of their merits but not infrequently because of their good fortune. For some great men have undoubtedly been helped to the attainment of honour, glory, and success, by a kind of Heaven-sent fortune.[41]

Sulla, certainly, fully comprehended this divine 'luck' apportioned to the successful leader. During his triumph in 82 BCE, he officially gave himself the nickname *felix*, in Greek *ἐπαφρόδιτος*; which he linked to the patroness of the Roman people, the goddess Venus, whose patronage he claimed to possess in a privileged and personal way.[42] Caesar and Augustus, descendants of the fair goddess, would in turn fully develop the patronage of Venus and the good fortune attached to her, to justify and enhance their successes, and in a certain measure to pave the way for them (Schilling, 1954, p. 301-346 and Weinstock, 1971, p. 17, 83-85). Perhaps in a similar line of thinking, Livy represents the excellent Numa reportedly inventing the divine patronage of Egeria to sanction his policies.

A further point needs to be made : if it is important to Livy's account that Numa's subjects be taken in by the king's deceit, it is just as important that the reader be made aware that Numa never really associated with a goddess. One may argue that the historian's sophistication or need to present religion as a tool to ensure orderly government gave him

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41 Cic. *Imp. Pomp.* 47 : « Ego enim sic existimo, Maximo, Marcello, Scipioni, Mario et ceteris magnis imperatoribus non solum propter virtutem sed etiam propter fortunam saepius imperia mandata atque exercitus esse commissos. Fuit enim profecto quibusdam summis viris quaedam ad amplitudinem et ad gloriam et ad res magnas bene gerendas divinitus adiuncta fortuna ».

42 Plutarch, in his *Life of Sulla*, recounts how Sulla took great care to attract and cultivate his *felicitas* throughout his entire life. See also R. Schilling, (1954), *La religion romaine de Vénus depuis les origines jusqu'au temps d'Auguste*, Paris, p. 276-280 and Weinstock (1971 p. 16 and 114).

the incentive to rationalize. Yet Livy's disavowal of this relationship, I believe, serves another aim as well.

As seen, Egeria, through equation with the Greek Camena, strengthened the association between Numa and Pythagoras (*sup.*, p. 19-25), one which Livy (1.18.2-3) was intent to disprove. Aside from the chronological argument of Cicero in the *De Republica*, Livy underlines the practical obstacles of language, customs, geography and security which are further bars to association of Numa with Pythagoras. No other author, in our extant evidence, takes so much pains with refutation. Livy's insistence harks back to his deep conviction that Rome had only herself to thank for success. He is a passionate subscriber to the modest beginnings of Rome, to the humble origins of the first settlers (which consisted mostly of shepherds, fugitives and slaves),[43] and to independence from foreign, and especially, Greek influence during Rome's first decades of existence (Luce, 1977, p. 246-247). I cite his reference to Numa's character : « and his training was not in foreign studies, but in the stern and austere discipline of the ancient Sabines, a race incorruptible as any race of the olden time ».[44] The position of the words « *peregrinis artibus* » which immediately follow the disavowal of the Numa-Pythagoras relationship suggests a formal rejection of Pythagorean, that is to say Greek, studies. Refusal to acknowledge an existing relationship between Numa and Egeria equates, therefore, not only to a rationalizing intent or a desire to accentuate the sociological role of Roman religion, but also to a rejection of Greek influence in Rome's earliest history, or at least, as was the case with Cicero, to a postponement of Greek influences upon the city.

According to Livy, then, Numa established the rules, laws and institutions of Roman religious rite through his own wisdom, in ignorance of Greek or independent

43 Liv. 1.8.6 : « ex finitimis populis turba omnis, sine discrimine liber an servus esset ».

44 Liv. 1.18.4 : « instructumque non tam peregrinis artibus quam disciplina tetrica ac tristi veterum Sabinorum, quo genere nullum quondam incorruptius fuit ».

precedents. Roman religion was Rome's alone, a successful native initiative born of the independent spirit of its *conditor*, Numa. Instituted by Numa to divert his subjects from warfare, Roman religion succeeded moreover in binding the nation, as may be evinced from the following passage :

> The consideration and disposal of these matters [religious duties] diverted the thoughts of the whole people from violence and arms. Not only had they something to occupy their minds, but their constant preoccupation with the gods, now that it seemed to them that concern for human affairs was felt by the heavenly powers, had so tinged the hearts of all with piety, that the nation was governed by its regard for promises and oaths, rather than by the dread of laws and penalties.[45]

2.1.4. *Fides*

The passage moreover reveals that *pietas* had another important effect on Roman identity : it promoted *fides*. *Fides* or good faith is a very Roman notion, one that Cizek lists as a 'métavaleur', a driving principle of Roman society. In Livy, *fides* may be said to play as important a role as did *humanitas* in Cicero's. According to Moore (1989, p. 35), only *virtus* can claim precedence. *Fides*, at root, comprises the meaning of trust, defining particularly a reciprocal trust established between two parties.[46] It expresses the idea of loyalty to a commitment. *Fides* stands as the basis of *amicitia* between Romans and nations, designates the connection between the supporters of a same political goal, and is the foundation of the bonds between *cliens* and *patronus*. *Fides* is at the same time a virtue and a state, a social quality whose essence can solely be perceived through one's respect or

45 Liv. 1.21.1 : « Ad haec consultanda procurandaque multitudine omni a vi et armis conversa, et animi aliquid agendo occupati erant, et deorum adsidua insidens cura, cum interesse rebus humanis caeleste numen videretur, ea pietate omnium pectora imbuerat ut fides ac ius iurandum pro legum ac poenarum metu civitatem regerent ».

46 For an analysis of the concept of *fides*, see G. Freyburger, (1986), *Fides : Étude sémantique et religieuse depuis les origines jusqu'à l'époque d'Auguste*, Paris ; Hellegouarc'h (1972, p. 23-35) ; Moore (1989, p. 35-50). Support for the definition of reciprocal trust is found in the etymology itself of the word *fides* which is closely related to *πείθω* and *πίστις*. See Freyburger (1986, p. 15-36) and Hellegouarc'h (1972, p. 24-25).

neglect of one's commitments. It is « the holiest good in the human heart », according to Seneca.[47]

Yet it would be inappropriate to confine the notion of *fides* to the societal aspects. There is a religious dimension, as hinted in Seneca's use of *sanctus*, that gives it its true strength. As Livy relates (1.21.3-4), followed by Dionysius (2.75.3) and Plutarch (*Num.* 16.1), *Fides* was in fact a divinity to whom Numa established an annual rite of worship. Though old, and probably of Indo-European inspiration, nowhere did it survive as strongly as in Rome, where the cult preceded its purported founder, Numa.[48] This recognition of the divine nature of *fides* enhanced its authority, and the obligations of a relationship, the clauses of a contract or the words of an oath were guaranteed by heaven to become reality and be entirely fulfilled, for the gods' all-knowingness and strength would ensure punishment of any transgression. Cicero eloquently sums up the religious nature of the oath in this passage of his work *On Duties* :

> One ought to understand not what fear there is in such an oath, but what force : for a sworn oath is a religious affirmation ; and if you have promised something by affirmation with the god as witness you must hold to it.[49]

The pairing of *fides* and *ius iurandum* and the strength that *fides* brings to an oath has often been noted by ancient authors.[50] Livy's treatment in Numa's account is a good example, and Dionysius writes that « so revered and inviolable a thing was good faith in their estimation, that the greatest oath a man could take was by his own faith, and this had

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47 Sen. *Ep.* 88.29 : « Fides sanctissimum humani pectoris bonum est ».

48 See P. Boyancé, (1964), « Les Romains, peuple de la *fides* », in (1972), *Études sur la religion romaine*, Rome, p. 141.

49 Cic. *Off.* 3.104 : « Sed in iureiurando non qui metus sed quae vis sit debet intellegi. Est enim iusiurandum adfirmatio religiosa ; quod autem adfirmate quasi deo teste promiseris, id tenendum est ».

50 See, for example, Caes. *BG* 3.8 and 5.6.6. Authors have often paired the term *fides* with another, detailing the specific area where *fides* is applied. To name a few : *fides et amicitia*, *fides et benevolentia*, *fides et clientela*, *fides et officium*, *fides et pax*. See Hellegouarc'h (1972, p. 24).

greater weight than all the testimony taken together ».[51] Plutarch (*Num.* 16.1) also mentions that Numa appointed the oath made according to Faith as the greatest among the Romans who still used it in his day. Polybius, the keen observer of Roman nature, had lauded the honesty of Roman magistrates entrusted with monies and reviled their Greek counterparts who were excessively quick to dip a greedy hand into public funds.[52] Polybius thus gives an explanation for it : « Among the Romans those who as magistrates and legates are dealing with large sums of money maintain correct conduct just because they have pledged their faith by oath ».[53] *Fides* guarantees that the oath will be upheld. And to Cicero I shall allow the final word :

> For our ancestors desired that no bond should bind faith more tightly than a sworn oath. The laws of the Twelve Tables show that, as do the sacred laws and those treaties by which our faith is pledged even with an enemy : and again, the investigations and punishments of the censors, who used to render judgements nowhere with greater care than in the case of sworn oaths.[54]

This passage, proposing the closeness of the bond between *fides* and *ius iurandum*, demonstrates also that *fides* constitutes a vital component in international law.[55] Indeed, the

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51 D.H. 2.75.3 : « οὕτω γοῦν σεβαστόν τι πρᾶγμα καὶ ἀμίαντον ἐνομίσθη τὸ πιστόν, ὥστε ὅρκον τε μέγιστον γενέσθαι τὴν ἰδίαν ἑκάστῳ πίστιν καὶ μαρτυρίας συμπάσης ἰσχυροτάτην ».

52 Polybius was not the only one to take offence at the Greeks' complete disregard of oaths. In court, Cicero discredits a Greek witness for the prosecution by asserting what was surely a popular opinion, that Greeks do not know what an oath means (*Flac.* 12 : *quibus ius iurandum iocus est*). But the Greeks were not alone ; the Carthaginians suffered such a reputation for disloyalty that the expression *fides punica* had become proverbial for disloyalty. Livy (21.4) himself attributes to Hannibal a *perfidia plus quam Punica*.

53 Plb. 6.56.14 : « παρὰ δὲ Ῥωμαίοις κατά τε τὰς ἀρχὰς καὶ πρεσβείας πολύ τι πλῆθος χρημάτων χειρίζοντες δι' αὐτῆς τῆς κατὰ τὸν ὅρκον πίστεως τηροῦσι τὸ καθῆκον ».

54 Cic. *Off.* 3.111 : « Nullum enim vinculum ad astringendam fidem iureiurando maiores artius esse voluerunt. Indicant leges in duodecim tabulis, indicant sacratae, indicant foedera, quibus etiam cum hoste devincitur fides, indicant notiones animadversionesque censorum, qui nulla de re diligentius quam de iureiurando iudicabant ».

55 As a rule, Rome could form alliances and sign treaties with other nations, each party tranquil in the knowledge that the other will respect his obligations because both have given their *fides*. A group of priests unique to Rome, the *Fetiales*, anciently called *Foedales*, name linked to *Fides* (Porte, 1989, p. 101), were specially assigned to regulate the observance of these alliances and treaties (For a discussion on the role of these priests, see Porte (1989, esp. p. 93-102) and C. Saulnier, (1980), « Le rôle des prêtres fétiaux et l'application du 'ius fetiale' à Rome », *Revue historique du droit français et*

treaties that Numa secures with the neighbouring tribes (Liv. 1.19.4) are enduring because they are based on *fides*. The story of Camillus who refuses hostages on account of *fides*,[56] also from Livy, demonstrates how the ideal envisioned and implemented by Numa translated itself into a successful foreign policy which would eventually help Rome conquer the world. It is reasonable to invoke *fides* as responsible for Rome's ability to turn so many conquered peoples into faithful allies. And it is this reliance on a strong foundation of allies that not only made Rome's empire possible, but maintained it through such a long period. As such, *fides* was an essential component of Rome's secret to endurance and longevity as head of an empire (Boyancé, 1972, p. 150).

Fides can therefore be defined as what gives strength to the bonds between the Romans themselves, between the Romans and the state, between the state and foreign

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étranger 58.2, p. 171-193.). Their activity consisted mainly in ascertaining that war was declared for a just cause sanctioned by the gods, and, after they found it to be so, to declare war in due form. Likewise, they performed the appropriate rites at the conclusion of a war by drawing up the treaty. This treaty was not only a binding legal act but a religious one as well since it always involved Jupiter as its supreme witness and guarantor. Livy (1.24.4-9 ; 1.32.6-14) has handed down to us the formulation of a ceremony which aimed at sanctioning a treaty. It clearly demonstrates how Jupiter is taken as witness and guarantor of the treaty, his strength invoked to strike the Romans if they go astray. Holding a stone which Boyancé (1964, « Les Romains, peuple de la *fides* », p. 145) believes was taken from the temple of Jupiter Feretrius, the *pater patratus* solemnly declares : « Si prior defexit publico consilio dolo malo, tum illo die, Iuppiter, populum Romanum sic ferito ut ego hunc porcum hic hodie feriam ; tantoque magis ferito quanto magis potes pollesque » (1.24.8). It is in fact known that, during the first Punic War, there was erected a temple to Fides, right next to that of Jupiter Optimus Maximus on the Capitol. The international archives which had been kept in Jupiter's temple up until that time were now transfered into the temple of Fides (Cic. *Off.* 3.104), a telltale sign of the important role of Fides and Jupiter in international affairs. As Porte (1989, p. 101) puts it, the goddess Fides had been entrusted with Rome's entire martial and diplomatic life.

56 Liv. 5.27-28.1 : In the fourth century BCE, when Rome was at war with its neighbours, Camillus was laying siege to Falerii. A teacher, alleging play, lures the children of nobles in his care outside the walls of the besieged town. Once outside, he leads his charges straight into Camillus' camp and offers them as hostages. Camillus indignantly informs the traitor that rights of war (*iura belli*) forbid him to act so scandalously, and that he intends to conquer Falerii by Roman means, « by dint of courage, toil, and arms » (*virtute opere armis*). He sends back the teacher naked, hands tied behind his back, escorted by the would-be hostages who, provided with rods, beat the traitor all the way back to Falerii. The honesty (*fides*) of the Romans and the justice of their general is highly praised by the Faliscans and so impressed are they that they willingly give themselves over to the Romans who have set fair-dealing in war (*fidem in bello*) above immediate victory. They conclude peace and become an unfailing ally of Rome. Livy (5.28.1) concludes the episode with these remarks : « Camillus returned to the City distinguished by a far better kind of glory than when he had entered it in triumph drawn by white horses–for he had conquered his enemies by justice and fair-dealing » (*Camillus meliore multo laude quam cum triumphantem albi per urbem vexerant equi insignis, iustitia fideque hostibus victis cum in urbem redisset*).

nations and between the state and the gods. *Fides*, one might say, sustains the national policy on civil conduct. In this respect, it is fair to say that Numa's promotion of *fides* in early Roman society is tantamount to establishing an essential feature of Roman identity, one that would help Rome conquer the world.

2.2. The Founder as *Exemplum*

Numa, through establishment of Roman religion, had founded institutions and promoted values (*pietas*, *fides*) to which Livy's representation of Numa as *conditor* gave the authority of native virtue. In addition, Miles shows (1988, p. 204), the title of founder implied the successful continuation of these institutions and values through Roman history, as the following instances drawn from the extant Livian text prove. Tullus Hostilius had looked to the commentaries of Numa to find an expiation sacrifice that would eradicate a pestilence (Liv. 1.31.7). Ancus Marcius had revived Numa's religious prescriptions because he was mindful of his grandfather's glory. Moreover, inspired by Numa's institution of religious rites in times of peace, he had instituted the religious ceremonial of war (Liv. 1.32.2-5). Numa himself had served as a model for future leaders : Servius Tullius, looking to be celebrated for the most important function of peace in the same manner as Numa had been for establishing religious law, instituted centuries and classes (Liv. 1.42.4). Tarquinius Priscus was encouraged to seek the throne, even though he was a foreigner, because the Sabine Numa had obtained it without even coveting it (Liv. 1.34.6 ; 1.35.3). Canuleius' speech in favour of opening up the higher magistracies to the plebs refers to the example of Numa, who well served Rome although not a patrician and not even a citizen (Liv. 4.3.10 ; 4.3.17). He further advocates for innovation using the precedent of Numa who had created augurs and pontiffs which did not exist in Romulus' reign (Liv. 4.4.2). Finally, the Sabine king had served as model for his own subjects who « were spontaneously imitating the character of their king, as their unique exemplar ».[57]

57 Liv. 1.21.2 : « Et cum ipsi se homines in regis velut unici exempli mores formarent (....) ».

3. *Augustus Restitutor*

According to Livy's first pentad which describes Rome's development up to the maturity of the Middle Republic, the Romans looked to Numa because he had established institutions that helped forge the Roman state and promoted values that contributed to the idea of what it meant to be Roman. In Livy's own day another man was trying to recapture for his fellow citizens the spirit of Romanity : Augustus.

At the time of publication of the first book dealing with the Regal period, somewhere between 27 and 25 BCE (*sup.*, p. 71, n. 1), Rome was still reeling in the grim aftermath of Caesar's assassination. Caesarians had taken up arms against Republicans and, once the latter had been effectively eliminated, had turned their armies against each other until only one contender for the mastery of Rome and its empire was left standing. Years of civil war, proscription, land confiscations and revolts had left Italy in a state of devastation, famine, grief and unrest. A drained population yearned for respite, an aspiration which Livy himself shared, looking forward as he did to finding solace « from the troubles which our age has been witnessing for so many years »[58] in the recollection and recounting of Rome's earliest history.

Octavian, who, after Actium, had attained sole power in Rome, was well aware of his contemporaries' pessimism : war had devastated the Italian economy, the political structures of the Republic had been abused and left devoid of their original spirit, Hellenization, it was felt, had superseded the native cultural and artistic effort, and had hastened the dissolution of ancestral Roman institutions and values (Zanker, 1988, p. 2). In the Romans' eyes Octavian is just another victorious general in power waiting for a

58 Liv. *Praef.* 5 : « a conspectu malorum quae nostra tot per annos vidit aetas ».

rival's challenge to plunge Rome anew in civil strife. There is no reason to look to this youth for hope, a hope that most defined as effecting a return to the *mos maiorum*, the only means of bringing back peace and prosperity.

3.1. Peace

And yet, Octavian succeeds. After his final victory over Antony and Cleopatra, Octavian was quick to restore peace and order throughout the empire. In the East where Antony had ruled, he consolidated Roman borders through intense diplomatic activity ;[59] he rewarded loyal cities and wisely forgave those which had supported Antony ;[60] unless national security disallowed it, he forged alliances with the kings of the region (Bowersock, 1965, p. 43 sq. ; Forte, 1972, p. 166). In the West, pacification and colonisation ensured security and order (*RG* 26, 28). In 23 BCE the gates of Janus were closed (*inf.*, p. 96), statues of Pax and Concordia were set up in 11 BCE (D.C. 54.35.2) and the Ara Pacis, dedicated in 9 BCE, was deemed important enough for its decree to be mentioned in the *Res Gestae* (12.2). And Velleius Paterculus can write in the reign of Tiberius : « the civil wars were ended after twenty years, foreign wars suppressed, peace restored, the frenzy of arms everywhere lulled to rest ».[61] Livy must have approved these initiatives towards peace, a peace which he had hailed as the crowning achievement of Numa's reign.

3.2. Justice

At the senate session of January 13, 27 BCE, Octavian surrendered control of the commonwealth to the senate and people (*RG* 34.1 : *rem publicam ex mea potestate in senatus populique Romani arbitrium transtuli*). At the senate's bidding, he received a ten

59 See G.W. Bowersock, (1965), *Augustus and the Greek World*, Oxford, p. 86.
60 See B. Forte, (1972), *Rome and the Romans as the Greeks Saw Them*, Rome, p. 165-166.
61 Vell. 89.3 : « Finita vicesimo anno bella civilia, sepulta externa, revocata pax, sopitus ubique armorum furor ».

year proconsular imperium that gave him command of the provinces where troops are stationed. The voluntary return of Octavian's power to the senate and the ensuing agreement on a new devolution of powers signaled the end of a triumvir's rule and the return to a government based on justice and legality. The *Res Gestae* stress the legality of Octavian's rise to power and of Augustus' authority : it was by decree of the senate and designation of the people that Octavian held extraordinary powers to restore the commonwealth (1) ; Augustus refused the dictatorship and turned down a permanent consulship (5) ; he asked from the senate a colleague in tribunician power (6) ; his tribunician power was granted him by law (10) ; he possessed no more official power than his colleagues in the several magistracies (32). Justice and legality also make up the greater part of Augustus' accomplishments as Velleius Paterculus lists them :

> Validity was restored to the laws, authority to the courts, and dignity to the senate ; the power of the magistrates was reduced to its former limits, with the sole exception that two were added to the eight existing praetors. The old traditional form of the republic was restored. (...) To each citizen his property rights were now assured ; old laws were usefully emended, and new laws passed for the general good ; (....) In the case of the consulship only, Caesar was not able to have his way, but was obliged to hold that office consecutively until the eleventh time in spite of his frequent efforts to prevent it ; but the dictatorship which the people persistently offered him, he as stubbornly refused.[62]

At the end of his life, Augustus established a cult of Iustitia Augusta (*Fasti Praen. CIL* I^2 p. 231, 306 ; Ov. *P.* 3.6.23), proof of the virtue's importance in Augustan imagery.[63] Livy too, it has been shown, deems it worthwhile to privilege Numa's practice of justice.

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62 Vell. 89.3-5 : « restituta vis legibus, iudiciis auctoritas, senatui maiestas ; imperium magistratuum ad pristinum redactum modum ; tantummodo octo praetoribus, adlecti duo. Prisca illa et antiqua rei publicae forma revocata. (...) certa cuique rerum suarum possessio ; leges emendatae utiliter, latae salubriter ; (....) Consulatus tantummodo usque ad undecimum <ut> continuaret Caesar, cum saepe obnitens repugnasset, impetrari potuit : nam dictaturam quam pertinaciter ei deferebat populus, tam constanter reppulit ».

63 Horace (*Od.* 3.3.1-12) sang that the just ways of Augustus assured him a place among the gods.

3.3. Religion

It has been pointed out that justice is the first virtue cited by Livy to introduce Numa (*sup.*, p. 79). But it is in fact paired with another vital Roman concept, that of *religio*.[64] If religious institutions had occupied a fundamental place in the Numan tradition, they were also at the forefront of the political agenda of Livy's day. The Civil Wars had profoundly affected the Romans' relationship with their gods, as each general had claimed the protection of the same national gods to champion their fight against fellow citizens. Looking back on the events which had led them to the battlefield, the Romans felt they could reasonably pinpoint the source of their ills in their own impiety, immorality and neglect of the gods.[65] There was strong support for the opinion which called for religious reparation in the form of a return to ancient rite and to traditional moral standards. Horace expressed it well :

> O Roman, innocent though you be, you shall atone
> for the crimes of your ancestors
> until you have rebuilt the temples
> and ruined sanctuaries of the gods
>
> And the statues sullied with sooty smoke.
> Only because you are submissive to the gods
> do you rule. In them are all beginnings ;
> They alone control every outcome.
>
> Neglected, the gods have inflicted
> All manner of misfortune upon
> our miserable Hesperia-Italia.[66]

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64 Liv. 1.18.1 : « inclita iustitia religioque ea tempestate Numae Pompili erat ».

65 Jal (1962, « Les dieux et les guerres civiles dans la Rome de la fin de la République », *REL* 40, p. 170-200) discusses how the Romans interpreted the occurence of the Civil Wars and how they evaluated the degree of human and divine responsibility for them.

66 Hor. *Od.* 3.6.1-8 : « Delicta maiorum inmeritus lues, // Romane, donec templa refeceris // aedisque labentis deorum et // foeda nigro simulacra fumo. // Dis te minorem quod geris, imperasi // hinc omne principium, huc refer exitium. // Di multa neglecti dederunt // Hesperiae mala luctuosae ». Translation by S. Alexander, (1999), *The Complete Odes and Satires of Horace*, Princeton.

Livy agreed with Horace's assessment, believing that Rome had come to near destruction because, among other valuable institutions, it had neglected traditional Roman religion which constituted a pillar of the Roman state and which had helped forge her greatness. Participating in the general mood, Augustus had undertaken a huge religious restoration. It was not coincidence that the title of *augustus* itself, which was bestowed upon him in 27 BCE (*RG* 34.2), had strong religious connotations.[67] We know that in 28 BCE, before the publication of the first book of Livy's *Roman History*, Augustus (then Octavian) had begun the restoration of 82 temples in Rome, « neglecting none that required restoration at that time ».[68] It is furthermore attested that Augustus closed the doors of the temple of Janus in 29 BCE, a memorable event that Livy deems worthy to accentuate when he recounts the building of the temple of Janus by Numa (1.19.3).[69] The passage is in fact the first of only a few references to Augustus by name in Livy's *History*.[70] More than the carrying out of a religious rite, the closing of the doors signals an intent on Octavian's part to guide the state in a new direction of peace and stability, in which war would only be waged if it was *pium et iustum*, the traditional criteria of the *maiores* to ensure victory and prosperity.[71]

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67 The term *augustus* is first attested in Roman literature in Ennius (*Ann.* 155 S : *augusto augurio*). Dio (53.16.18) defined the concept as someone « ὡς καὶ πλεῖόν τι ἢ κατὰ ἀνθρώπους ὢν », adding that « πάντα γὰρ τὰ ἐντιμότατα καὶ τὰ ἱερώτατα αὔγουστα προσαγορεύεται ». The religious connotations of the term are best illustrated in Ovid's *Fasti* (1.607-616) : « sed tamen humanis celebrantur honoribus omnes, // hic socium summo cum Iove nomen habet.// sancta vocant augusta patres, augusta vocantur // templa sacerdotum rite dicata manu. // Huius et augurium dependet origine verbi // et quodcumque sua Iuppiter auget ope. // Augeat imperium nostri ducis, augeat annos, // protegat et vestras querna corona fores ! // Auspicibusque deis tanti cognominis heres // omine suscipiat quo pater orbis onus ! ». See also J. Gagé, (1930), « Romulus–Augustus », *MEFRA* 47, esp. p. 156-158.

68 *RG* 20.4 : « nullo praetermisso quod eo tempore refici debebat ».

69 Augustus boasts that the gateway of Janus was shut on three occasions under his leadership (*RG* 13). Dio records that it was shut in 29 BCE (51.20.4) and 25 BCE (53.26.5). The third date is unknown. Dio says that the Senate voted to shut the gates in 10 BCE, but war broke out before it could be carried out (54.36.2). See also Suet. *Aug.* 22.

70 See Liv. 4.20.7 ; 28.12.12 ; *Perioch.* 59. Walsh (1961, p. 14-15) shows that reference to Augustus in Livy's work tends to be factual and dispassionate.

71 Augustus makes it a point to report that he secured the pacification of the Alps without waging an unjust war on any people (*RG* 26.3 : ***nulli genti bello per iniuriam inlato***).

4. Augustus as Numa ?

4.1. Agriculture

Velleius Paterculus writes : « Agriculture returned to the fields, respect to religion, to mankind freedom from anxiety ».[72] The return of *deorum cura* and of law and order, it has been shown, were features of both Numa's and Augustus' reigns. Yet, the tradition which presented Numa as a promoter of agriculture and a distributor of land, such as it already had been reported in Cicero's *De Republica*, is noticeably absent in the Livian work as well as the institution of the Terminalia, the festival in honour of boundaries.[73] It is certain that ignorance of the tradition was not the reason for these apparent oversights. Livy must have consciously omitted the material. As an ancient historian, Livy might be expected to uphold certain standards of objectivity and truth. But as an ancient Roman historian whose main goal is to instruct through *exempla* and thereby to justify Rome's success and greatness, he is aware that strict objectivity may be detrimental to his purpose. As long as a Roman historian remained faithful to the general outline of a story and recounted events honestly he allowed himself a certain discretion (Cizek, 1995, p. 22).

It follows then that when Livy unreservedly attributes the institution of the greater part of Roman religious rite, the institution of the priesthoods, the establishment of the cult of Fides, and the reform of the calendar to Numa the founder-in-peace,[74] the historian is marking out these institutions as essential for maintaining Rome's stability in peaceful and

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72 Vell. 89.4 : « Rediit cultus agris, sacris honos, securitas hominibus ».

73 Numa is depicted as a promoter of agriculture in Cic. *Rep.* 2.26, D.H. 2.76.1-3 and Plu. *Num.* 16.4-7. The traditions linking Numa with boundaries are attested in D.H. 2.74.1-3 and Plu. *Num.* 16.2-3.

74 As the instrument which dictated the dates of all religious and political activity, the calendar obviously always held great importance in Roman life. Moreover, its mutability rendered it an accurate reflection of national identity for any given period. See M. Beard, (1987), « A Complex of Times : No More Sheep on Romulus' Birthday », *PCPhS* 33, p. 1-15 ; J. Liebeschuetz, (1979), *Continuity and Change in Roman Religion*, Oxford, p. 20-21 and C.E. Newlands, (1995), *Playing with Time. Ovid and the 'Fasti'*, Ithaca and London, p. 11. Augustus did not neglect the calendar as an instrument of self-promotion. But, as Augustan measures affecting the Roman calendar postdate the publication of Livy's first Book, and as the outline of Ovid's *Fasti* are based on the calendar, the calendar shall be given in-depth study in Chapter 5 (the Ovidian Numa).

prosperous times and her survival in trying times of war and danger. Likewise when Livy overlooks certain aspects of the Numan tradition, such as distribution of land and marking of boundaries, he may do so because he judges land distribution to have been a thorny, divisive and unsettled issue throughout Roman history, inappropriately linked to Numa in his role as a promoter of peace and concord. Contemporary realities may also have weighed in his decision. For at the time Livy published the first book of his *Roman History* (27-25 BCE), Augustus had not yet made full reparation to the landowners who had not forgotten the confiscations which Octavian had ordered some fifteen years before in northern Italy to accommodate the 36 000 veterans discharged from the triumviral armies after the battles of Philippi in October 42 BCE.[75] Not coincidentally, in the same period Vergil depicted the sorrow of dispossessed farmers in his first and ninth *Eclogues*.[76] Tuscan proprietors also had great cause to nurse bitterness on account of the tragic Perusine War of 41-40 BCE, which Octavian had cruelly waged on owners who had dared raise arms against him in protest at the confiscations and expulsions (Keppie, 1983, p. 59-61). Propertius (1.21 and 1.22), whose first book was probably published before 30 BCE,[77] wrote moving elegies about a kinsman who was killed in that war and about the sad function of Perusia as an Italian graveyard. If, in 30 CE,[78] Velleius could happily associate Augustus and agriculture, Livy, sixty years before, may have deemed it prudent to avoid any unfortunate allusion to land distribution.

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75 Although Appian (*BC* 5) set the total of veterans eligible for land at 170 000, Keppie (1983, *Colonisation and Veteran Settlement in Italy, 47-14 BC*, Rome, p. 60) counts 36 000 veterans who were effectively discharged at that time.

76 It is conjectured that the *Eclogues* were published between 40 and 37 BCE. See Saint-Denis in his 1960 edition of the *Eclogues* (Paris), p. xvi.

77 See the1961 edition of Book I of Propertius' *Elegies* by W.A. Camps, Cambridge, p. 6.

78 Velleius' work is known to have been published the year of the first consulship of Vinicius (30 CE). See Hellegouarc'h in his 1982 edition of Velleius' Book 1, (Paris), p. xxv-xxvi.

4.2. Augustan Imagery

On January 16, 27 BCE, one of the three decrees granting Augustus honours orders that a shield be set up in the Curia Iulia (*RG* 34.2), inscribed with the words SENATUS POPULUSQUE ROMANUS IMP CAESARI DIVI F AUGUSTO COS VIII DEDIT CLUPEUM VIRTUTIS CLEMENTIAE IUSTITIAE PIETATIS ERGA DEOS PATRIAMQUE.[79] The virtues listed were chosen among traditional or more recently acknowledged Roman virtues to reflect Augustan accents. *Iustitia* and *pietas*, it has been shown, were believed to have characterized Numa's reign. Other virtues, absent from the shield, were characteristic of both Numa and Augustus. *Fides*, for one, a virtue promoted by Numa, remained vital in regulating relationships between Augustan Rome and her citizens, her subjects, her allies and her enemies. The *Res Gestae* record that many peoples had experienced the Roman good faith under the rule of Augustus (*RG* 32.3 : *Plurimaeque aliae gentes expertae sunt p. R. fidem me principe* ». *Pax* had also constituted a blessing of both Numan and Augustan times.

Augustus, it is fair to say, could sustain favorable comparison with Livy's representation of Numa. But there is no evidence to support any 'Augustanism' in it, if we may define 'Augustanism' as an agreement with the policies and values which are judged solely to characterize the Augustan regime.[80] There has indeed been a will, when studying the authors of the Augustan period, to determine whether or not they were favourable to Augustan rule.[81] But when Octavian had taken power as Augustus and tackled the

79 The text comes from a marble copy of the bronze *clipeus virtutis* from Arles (26 BCE). See Zanker (1988, p. 95).

80 Kennedy (1992, « 'Augustan' and 'Anti-Augustan' : Reflections on Terms of Reference », in *Roman Poetry and propaganda in the Age of Augustus*, ed. by A. Powell, Bristol, p. 26-58) writes a cautionary article on the misleading notion that Augustanism (and therefore anti-Augustanism) is a rigid and determined concept. Galinsky (1996, *Augustan Culture. An Interpretive Introduction*, Princeton, p. 225, 244) also sees the need for a broader definition of the term.

81 Livy's case is no exception. Syme (1959, p. 75) writes that « Livy's annals of Augustus were written in joyful acceptance of the new order, in praise of the government and its achievements. Their tone was moral, their colouring benevolent » ; Petersen, (1961, « Livy and Augustus », *TAPA* 92, p. 440-452) believes that allusions in Book I are meant to warn Augustus that the Romans will not tolerate absolute

tackled the longstanding problems which had plagued the state for so many decades, he had come up with solutions which he did not draw out of a vacuum, but from a generally accepted value system and in accordance with the mood of the time (Galinsky, 1996, p. 6-8). That he succeeded where others had failed was an indication of his exceptional ability as administrator and politician, and not that he was the only person to see the problems and where their most likely causes and solutions – most notably by looking back to ancient Roman values and traditions – were to be found (Galinsky, 1996, p. 8, 387). That others too could have a sense of the needs of the state recognizes that authors writing during that period could emphasize in their writings certain desirable traits of government or social values outside any context of support for or disapproval of governmental policy. Levene (1993, p. 247) rightly points out that

> the mere fact that Augustus *did* not himself at that time extend his ideology in [a particular] direction does not show that he *could* not have ; and as long as this possibility was there, a writer who took a particular line was not challenging imperial propaganda, but was following it through in a different way.

Although I do recognize the possibility of political commentary in their work, it is to take the cautious view that these writers may have represented their own ideas, which were, after all, formulated within the same milieu as those of Augustus.

I think that in Livy's case the historian did not intend to establish an exact parallel between Numa and Augustus, but rather the latter, through revival of ancestral customs and return to traditional Roman values, inevitably reflected certain features of the Livian Numa, a founder of Roman identity. Moreover, a valid if not stronger case can be made in

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monarchy ; Mette (1961, « Livius und Augustus », *Gymnasium* 68, p. 269-285) argues that Livy's position evolved from an initial approval of Augustan policies to an ever clearer rejection of them ; Deininger (1985, « Livius und der Prinzipat », *Klio* 67, p. 265-272) considers that there is insufficient proof to ascertain Livy's position ; Walsh (1961, p. 10-18) finds that Livy is essentially favourable to Augustus yet he manages to keep an independent political judgment.

comparing Augustus to Romulus, especially in matters of war, extension of territory, and of dealings with other nations.[82] Plastic arts and literature of the Augustan period clearly established a parallel Augustus–Romulus (Evans, 1992, p. 92-103 ; Zanker, 1988, p. 201-207), and it is recorded that the senators motioned, in 27 BCE, that Octavian adopt the title of Romulus, as he too was a founder of Rome (Suet. *Aug*. 7 ; Flor. 4.12.66).[83] In Book Four of his work (4.20.7), Livy calls Augustus a *conditor*, a term that Miles (1988, p. 199) defines in this instance as « a refounder, one who assures the continuity of a Roman foundation when it has been threatened with extinction ». Livy in fact uses the full expression *templorum omnium restitutorem ac conditorem* to characterize Augustus who has repaired the temple of Jupiter Feretrius. It is noteworthy that Livy qualifies Augustus as *conditor* in religious matters, Numa's traditional domain. Yet, mention of this particular temple is meant to recall its first foundation by Romulus (Liv. 1.10.7 : *vocem conditoris templi*). This reinforces my belief, concordant with that of Miles and Walsh,[84] that Livy did not intend to associate Augustus with a particular Roman king ; his portrayals of Numa and Romulus, if somewhat influenced by the historian's own ideals, are after all based on a two

82 The story of Camillus also holds strong enough Augustan echoes to suggest to some scholars an intentional parallel between the two figures. See esp. Burck (1991, « Livius und Augustus », *ICS* 16, p. 277-281), whose investigation of Livy's treatment of Camillus leads him to see a conscious allusion to post-Actium times. Livy, according to him, demonstrates through this episode that sometimes special circumstances necessitate extraordinary measures. If these are carried out with the approval of all and the sanction of the Senate, they may be successful in rehabilitating the state.

83 The title was abandoned in favour of the more encompassing, and less ambiguous, Augustus, as suspicion of desiring kingship was linked to Romulus' name (D.C. 53.16.7). Indeed, characteristics of Romulus' reign as recounted by Livy seemed to foreshadow and symbolize the situation in Livy's time : Romulus kills his brother because of *cupido regni* (Liv. 1.6.4). He keeps bodyguards at his side (Liv. 1.15.8), and there is that rumour of his being torn to pieces by the senators' hands (Liv. 1.16.4), the fitting end to tyrannical ways. Even his legitimacy to rule, a vital question to be established in this ambiance, is obfuscated by the intrusion of Remus' auspices in Livy's account (1.7.1-2 : ***Priori Remo augurium venisse fertur, sex voltures ; iamque nuntiato augurio cum duplex numerus Romulo se ostendisset, utrumque regem sua multitudo consalutaverat : tempore illi praecepto, at hi numero avium regnum trahebant***). See also Levene (1993, p. 130). Lust for absolute power, brother killing brother, generals with bodyguards, senatorial opposition, borderline legitimacy, murder, all are political features of the Civil Wars and give the portrait of Romulus a modern, if contrived, flavour. In 27 BCE, Livy and his contemporaries had not yet forgotten Octavian's role and behaviour in the Civil Wars ; Octavian was not about to wear a title that would serve as an unfortunate reminder.

84 Miles (1995, p. 92-93) ; Walsh (1961, p. 17-18) : « The truth is surely that Livy, like all historians, can never completely dissociate the past from the present. In depicting historical occasions which have some parallel in his own day, his ears are subconsciously attuned to the echoes of the present, and he employs anachronistic phrases evocative of the features of his own day. But to go beyond this, and to allege that Livy is a subtle salesman for the regime by cryptic identification with Augustus of the heroes of legend and history, is neither provable nor plausible ».

hundred year old written historical tradition, one from which his readership would not too readily accept him to stray broadly. It seems to me that Augustus, when establishing his policies, followed the best course of all by proving himself, as the Livian Ancus, *et Numae et Romuli memor* (Liv. 1.32.4). Let us remember that the title Augustus, etymologically related to *augere*, held the authority to augment his scope of action to encompass the domains of all Roman *conditores* whom Livy portrayed. And in this lay Augustus' true ideological success, that he surpassed them all.

CHAPTER 4 : THE DIONYSIAN NUMA

We have seen in the preceding chapter that Livy's account of Numa's reign is a particularly 'Roman' one. It is not the account of a legendary Numa who embodies something of Nereus, nor is it the Ciceronian one in which Numa naturally presents, but with a Roman twist, the characteristics of a civilizer as Greece had defined him. Livy's Numa, nurtured in native Italian excellence, takes his place among the four founders who foster Rome's traditional values and ancestral institutions and thereby make her great. This chapter means to show how the Numa of Dionysius of Halicarnassus, Greek in most respects, provides an instructive counterpoint to the Roman Numa of Livy.

The account resides in the second book of the *Roman Antiquities*, Dionysius' largest work, thought to have comprised twenty books, although only the first ten and most of the eleventh are extant.[1] We learn from Dionysius that he arrived in Italy in the middle of the one hundred and eighty-seventh Olympiad (late 30 BCE or 29 BCE) and that from that time onwards he devoted the next twenty-two years to studies pertaining to Roman history (1.7.2). That he is writing the preface to his work in 7 BCE is further confirmed in 1.3.4, when he reckons that « it is now seven hundred and forty-five years from her [Rome's] foundation down to the consulship of Claudius Nero, consul for the second time, and of Calpurnius Piso, who were chosen in the one hundred and ninety-third Olympiad ».[2] It is generally agreed that at least the first part of his work was published in that year ; Dionysius' reference to Book 1 as being already published (7.70.2) seems to indicate that a section of the work may have been published a little later.

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1 Stephanus of Byzantium refers to Book 19 of the work (Phot. *Cod.* 83). See E. Cary, ed., (1937), *Roman Antiquities*, Loeb,p. xii.

2 D.H. 1.3.4 : « ταῦτα δὲ πέντε καὶ τετταράκοντα ἤδη πρὸς ταῖς ἑπτακοσίοις ἔτεσιν ἐστιν εἰς ὑπάτους Κλαύδιον Νέρωνα τὸ δεύτερον ὑπατεύοντα καὶ Πείσωνα Καλπούρνιον, οἳ κατὰ τὴν τρίτην ἐπὶ ταῖς ἐνενήκοντα καὶ ἑκατὸν ὀλυμπιάσιν ἀπεδείχθησαν ».

1. Dionysius' Aim and Audience

The purpose of Dionysius in writing his *Roman Antiquities* is intricately tied in with the rhetor's target audience. Scholars agree that Dionysius wrote for both Greeks and Romans. His zeal to set a truthful account of Roman history against the false and defamatory versions circulating in the Greek world (1.4.3), his efforts to explain the Roman institutions which he judges to be unfamiliar to the Greeks (2.72.3) and the explicit mention of the Greeks as his target audience (2.63.1) all confirm his Greek readership. That he judges his work to hold some value for Romans as well is expressed in his endeavour to provide moral examples for the Roman elite of his day (1.6.4) and in his work's admitted aim to repay his debt of gratitude to the Roman people (1.6.5). But the importance of each of these audiences weighs differently. While Hill acknowledges that the historian had both Greek and Roman audiences in mind, and while Schultze seems content to list the benefits of Dionysius' work for both audiences without favouring any one, it is clear for Bowersock that the *Roman Antiquities* are primarily intended for upper-class Roman readers.[3] Fox rightly takes issue with the latter's position, which he considers a traditional subordination of the Greek readership to the Roman one, and attempts to reestablish a more balanced view of the readerships by underlining in Dionysius' preface regrettably overlooked facts : firstly, the Greek audience is the first one mentioned ; secondly, Dionysius' priority lies noticeably with the clearing up of Greek misconceptions about Roman history ; thirdly, it is against Greek, not Roman historians that Dionysius measures himself,[4] in fact presenting incorporation of Roman source material into his work as a novelty ; and lastly, the historian's demonstration that Roman origins were to be sought in Greece was better suited to please the Greeks who were resenting Roman world

3 H. Hill, (1961), « Dionysius of Halicarnassus and the Origins of Rome », *JRS* 51, p. 88 ; C. Schultze, (1986), « Dionysius of Halicarnassus and his Audience » in *Past Perspectives*, Cambridge, esp. 136-139 ; Bowersock (1965, p. 131).

4 Martin (1969, « Le dessein de Denys d'Halicarnasse dans les *Antiquités Romaines* et sa conception de l'histoire à travers sa préface du livre I », *Caesarodunum* 4, p. 201-202) argues that one of Dionysius' aims in his *Roman Antiquities* was to vie with Polybius.

rule than the Romans for whose City Augustan poets and artists were promoting an alternative Trojan origin (Fox, 1996, p. 54).

Dionysius' Greek background coupled with his inclusion of Greeks within his target audience results in an orientation quite different to that of Cicero and Livy, who had composed their history of Rome as Roman citizens writing for fellow citizens. To interpret the Roman past in such a way as to identify the causes of the state's present greatness and to remedy its failings was not merely an academic pursuit in their eyes but a means to define their own Roman identity. It would not be false to assert that the Greeks too had a personal interest in Rome's history and fate, but their reasons were entirely different. For a Greek living in the 'Golden Age', Rome was an alien nation, a barbarian state which had conquered by force of arms the culturally superior Greek world. As such, throughout the history of Greek and Roman relations, anti-Roman sentiment had endured.[5] For if Greek cities had known and praised individual Roman leaders such as Flaminius (Plb. 18.46.11-15 ; Plu. *Flam.* 16.4) and Pompey (Plu. *Pomp.* 42.4-5), they had also experienced the injustice and bad faith of Rome's governors, the rapacity of her money-lenders and the exactions of her tax-collectors. The Greeks had had to put up with the brutality of Roman soldiers, whom cities and towns were compelled to shelter, feed and clothe in times of war, and the destruction of their homes and means of livelihood when they had sided with a vanquished opponent of Rome. When Roman abuse had finally driven the poor and the landless to piracy, Rome had been slow to respond to the threat she had created and which paralyzed Greek commerce. The Roman Civil Wars had added to the Greek world's

5 For studies on Graeco-Roman history and relations, see Forte (1972, esp. p. 1-204) who provides a comprehensive history of relations between Greeks and Romans from their beginnings up until the time of the Severi ; M. Holleaux, (1969), *Rome, la Grèce et les monarchies hellénistiques au 3e s. av. J.-C. (273-205)*, Paris ; H.H. Scullard, (1982), *From the Gracchi to Nero. A History of Rome 133 BC to AD68* ; E.S. Gruen, (1984), *The Hellenistic World and the Coming of Rome*, Berkeley and Los Angeles, (Second and third centuries BCE) ; M. Sartre, (1991), *L'orient romain. Provinces et sociétés provinciales en Méditerranée orientale d'Auguste aux Sévères (31 av. J.-C.-235 ap. J.-C.)*, Paris ; Bowersock, (1965) ; J.-L. Ferrary, (1988), *Philhellénisme et impérialisme. Aspects idéologiques de la conquête romaine du monde hellénistique*, Rome (Second century BCE) ; A.N. Sherwin-White, (1984), *Roman Foreign Policy in the East. 168 B.C. to A.D. 1*, London.

resentment when contenders for absolute power in Rome had carried their bloody dispute on Greek soil, calling on claims of patronage to insure a Greek city's loyalty and access to its resources. The discontent of the Greek world, reflected in sibylline oracles and writings which predicted the doom of Rome at the hands of a god-sent avenger, was moreover nurtured and exploited by certain kings of the East who sought to give impetus to their own expansionist policies at Rome's expense.[6] Not even when the Civil Wars had come to an end did the shrewd policies and tireless efforts of Augustus to improve the political and economic situation in the Greek world deter all Roman opposition in the Greek East.[7]

Dionysius, a Greek from Halicarnassus in Asia, was certainly aware of the Greek world's long-standing mistrust of Roman dominion when he arrived at Rome in the year of Octavian's victory at Actium. But years among philhellene Romans of the ruling classes had thoroughly familiarized him with the language, culture and history of the leading Mediterranean nation. It soon became clear to Dionysius that the anti-Roman sentiment of the Greek world on the grounds of Rome's barbarianism and unworthiness to rule was unfounded and that Romans, for all their good instincts, needed to guard against the absolutist temptations of leadership. His *Roman Antiquities* as a whole were intended as a forum to promote harmony between Greeks and Romans. Such a harmony was seen as desirable and possible by virtue of the ties of kinship that existed between Greece and Rome, ties which Dionysius sets out to prove by tracing the origins of the City back to Greece (Martin, 1969, p. 204). This investigation takes up most of the first book of his *Roman Antiquities*.[8] In comparing Greek institutions with Roman ones he was able to

6 As an example of anti-Roman literature, see the third book of the *Sibylline Oracles* v. 350-380 and the oracular prophecies of Publius related by Phlegon of Tralles in his *Miracula* 3.2-14 (*FGH* 257 F 36) which both predict the vengeance of Asia on Rome.

7 After Actium, the princeps' clemency towards cities loyal to Antony, his minimal interference with Antony's previous reorganisation of the East, his zeal to foster fair provincial administration and economic development of the Greek world ushered a new era of peace and prosperity in the East. See Forte (1972 p. 165-179) and G. Bowersock, (1984), « Augustus and the East : the Problem of the Succession » in *Caesar Augustus. Seven Aspects*, ed. by F. Millar and E. Segal, Oxford, p. 169-170. On the question of opposition to Rome among the Greeks in the Augustan age, see Bowersock (1965, esp. p. 101-121) and Forte (1972, p. 169-173).

8 His position is summarized at the book's end (1.89.1-2).

promote similarities and hence establish a kinship. For once the Romans were seen as kinsmen, they could be expected to protect the interests of Greece as they would their own. And as kinsmen of the Romans the Greeks could no longer view Romans as barbarians unworthy of leadership and the beneficiaries of blind chance but as scions of Greece whose successes reflected well on their predecessors.

Dionysius' ideas were not solely born of personal observation and experience in Augustan Greece and Rome. They had their roots in a rhetorical education that expressed itself chiefly in his indebtedness to the Attic orators and their models.[9] A more subtle trace of his rhetorical education also exists in the *Roman Antiquities*, his only non-technical work. Dionysius' choice to turn to historical writing may have been influenced by the decline of oratory in politics after the fall of Greek democracy and of the Roman republic. In addition, the writer may have been attracted to the opportunities that historiography still presented to express political views, using techniques of Attic oratory. For close links had always existed between history and rhetoric ; rhetoricians looked to history to provide facts and *exempla* which would shape their interpretation of the past in accordance with the needs of their speech, while historians had owed the principles of prose writing to rhetoric, « the mother of history ».[10] Many a historian had sat at a rhetorician's feet : tradition states that Thucydides was a pupil of Antiphon and that Isocrates had taught Theopompus and Ephorus (Cic. *Or.* 2.22.94). Moreover, Isocrates largely influenced Dionysius who lists him as a model orator.[11] His own *Roman Antiquities*, Dionysius believes (1.1.2), deal

9 In his introduction to the *Ancient Orators*(1), Dionysius explains how philosophic rhetoric, after having suffered decline from the time of Alexander's death and given way to a shameless and ill-bred new rhetoric, was now fully restored to her rightful place of honour at the expense of the new rhetoric. He then informs the reader that he will study those orators which he judges most excellent : Lysias, Isocrates, Isaeus, Demosthenes, Hyperides and Aeschines.

10 C.B. Welles, (1966), « Isocrates' View of History », in *The Classical Tradition : Literary and Historical Studies in Honour of Harry Caplan*, Ithaca, p. 11.

11 From a stylistic point of view, Dionysius had criticized Isocrates' overuse of the periodic construction and lack of emotional intensity but had praised his accuracy, lucidity and loftiness (*Isoc.* 2-3), while incorporating into his own style Isocratean avoidance of hiatus and adoption of the suspended periodic style. See S. Usher, (1982), « The Style of Dionysius of Halicarnassus in the 'Antiquitates Romanae' », *ANRW* 2.30.1, p. 822.

with a subject that meets the Isocratean criteria of utility and nobility which he had unreservedly praised (*Isoc.* 4). The importance of subject-matter for these two authors was tied in with their view that a good rhetorical education, which included philosophy, was indispensable to the statesman and could train any citizen to act in an ethically responsible fashion towards the city and towards others. Both authors also believed that an orator's speech had the power to move an audience to political action and even to virtuous behaviour (Isoc. *Ant.* 275-278 ; D.H. *Isoc.* 4).[12] Just as the praise of Athens in the *Panegyricus* of Isocrates had moved Dionysius to exclaim in *Isoc.* 5 : « Who could fail to become a patriotic supporter of democracy and a student of civic virtue after reading his *Panegyricus* ? »,[13] so the subject of Rome's origins and ascent to world leadership would hold didactic value and influence the attitude of Dionysius' readers towards Rome.

Within this broader aim, Dionysius' Numan account plays a role that is largely determined by the nature of the available material. The traditional story of Numa's reign does not comprise military exploits or important constitutional change, as is the case for Romulus or Servius Tullius ; rather, it consists mainly of religious and legal institutions and policies intended as a peacetime complement to those of Romulus. As such it does not provide an easy opportunity for speeches, the staple of historians, to characterize the speaker in action or to persuade the audience of a constitutional innovation's value.[14] What resides in Numan tradition is the figure of a virtuous king who civilized Rome, and, to portray such a Numa, Dionysius looked to epideictic rhetorical tradition and to the Greek

12 See Hubbell (1913, p. 3, 10-14) on Isocrates' teachings, and p. 41-45 on Dionysius' support of philosophic rhetoric ; T. Poulakos (1997, *Speaking for the Polis. Isocrates' Rhetorical Education*, Columbia) for a comprehensive view of the relationship between rhetoric and citizen ; A. Hurst, (1982), « Un critique grec dans la Rome d'Auguste : Denys d'Halicarnasse », *ANRW* 2.30.1, p. 842 ; E. Gabba, (1991), *Dionysius and the History of Archaic Rome*, Berkeley, p. 33-34 ; Fox (1996, p. 72-73).

13 D.H. *Isoc.* 5 : « τίς γὰρ οὐκ ἂν γένοιτο φιλόπολίς τε καί φιλόδημος ἢ τίς οὐκ ἂν ἐπιτηδεύσειε τὴν πολιτικὴν καλοκἀγαθίαν ἀναγνοὺς αὐτοῦ τὸν Πανηγυρικόν ».

14 Speeches had been included in historical narrative by Herodotus, but it was Thucydides who made them an essential part of historiographical writing. See C.W. Fornara, (1983), *The Nature of History in Ancient Greece and Rome*, Berkeley, p. 143.

model of the ideal king, as I will show, thereby proving to his readers that Rome, from her very beginnings, had fostered the kind of leaders who would make her great.[15]

2. Epideictic Oratory in Dionysius' Numan Account

The epideictic type of speech, as Aristotle defined it (*Rh.* 1.3.3-4), aimed at praise or blame before an audience of spectators. Funeral orations, panegyrics and private exhibitions are examples of the genre. The general outline for this type is usually as follows : succinct establishment of the external background against which the protagonist evolves, amplified description of the protagonist and of his deeds, summary and judgment of his life and character. Dionysius, when composing his Numan account, respects this outline : the background is established by the historian's narration of the conflict which brewed during the interregnum when each group of senators, the old and the new, contested for the right to appoint the king from their own ranks (2.57-58.1). Dionysius supplies the prescribed description of Numa and his deeds when he hails Numa's excellence of mind and body (2.58.2-3), when he presents the king as a legitimate sovereign (2.59.1-3), and when he portrays a Numa who promotes civilization and brings prosperity to Rome (2.62-77.3). A summary and judgment of Numa's life is offered when Dionysius defines the king's character and his accomplishments as those of a blessed man (2.76.4-6).

In its definition of epideictic speech, the *Rhetorica ad Herennium* (3.10-11) lists the following topics which may be used as subjects of praise : (1) external circumstances (descent, education, wealth, kinds of power, titles to fame, citizenship, friendships) ; (2) physical attributes (agility, strength, beauty, health) ; (3) qualities of character (wisdom, justice, courage, temperance). Each category is featured in Dionysius' Numan account. In

15 In his dissertation (1902, *Epideictic Literature*, Chicago, p. 195-214), Burgess recognizes and examines the epideictic element in history.

2.58.2-3, the historian supplies external circumstances and physical attributes by setting up a brief description of Numa which informs the reader of the king's origins as well as of his main physical and moral attributes. Then four times does the historian praise Numa's wisdom, a quality of character (2.58.3, 59.4, 60.2, 60.4).

Aristotle writes in his *Rhetoric* (1.9.14) that virtue is an honourable thing, as well as the deeds that result from it. All are worthy of praise and a topic of epideictic oratory. It follows then that Dionysius (2.62-76) describes how Numa fosters piety, justice and moderation, through measures such as land distribution, establishment of religious laws and rite, delimitation of property, and encouragement of an agricultural way of life.

3. Numa as the Ideal King

Dionysius' Numan account, clearly, is an epideictic work. It also draws inspiration from the concept of the ideal king, as defined by a body of works on kingship, written at a time when the elite of Greece realized that the city-state could no longer respond to modern political challenges, and when courts around the Greek world were developing into challenging intellectual centers, attracting many thinkers of the time, namely Isocrates, Xenophon, Plato and Aristotle.[16] All four selected kingship for treatment in their educational and ethical works.[17] It soon becomes apparent, when one studies his Numan

16 On the question of the monarchical theory in the fourth century BCE, see P. Barceló, (1993), *Basileia, Monarchia, Tyrannis. Untersuchungen zu Entwicklung und Beurteilung von Alleinherrschaft im Vorhellenistischen Griechenland*, Stuttgart, esp. p. 246-48, 278-84. See also F.W. Walbank, (1984), « Monarchies and Monarchic Ideas », in Vol. 7, *Cambridge Ancient History*, 2nd ed., p. 62-100. The most famous thinkers who lived at court include : Isocrates, who maintained links with the Cypriot kings at Salamis ; Xenophon, who soldiered under Cyrus the Great and under the Spartan king Agesilaus ; Plato, who travelled to the court of Dionysius of Syracuse, and his pupil Aristotle, who tutored Alexander, the future king of Macedon. Euripides too spent time at the Macedonian court.

17 Isocrates composed the *Evagoras* (ca. 365 BCE) as an encomium for his friend and protector, the king of Cyprus. To honour Evagoras' memory and guide his successor Nicocles, the orator paints an ideal picture of his kingship. Isocrates' *Ad Nicoclem* (ca. 370 BCE) reviews the duties of a king. The *Nicocles* of Isocrates (ca. 368 BCE) features the Cypriot king himself addressing his subjects and exhorting them to obedience on the grounds of his own display of virtue as king. Xenophon, influenced by Isocrates, models his encomium of the Spartan king Agesilaus, whom he had followed in the battle of Coronea in 394 BCE, on Isocrates' *Evagoras*. In the second part of the *Agesilaus*, he lists the king's virtues. In the

account, that Dionysius was influenced by these works, and the introduction of Numa into his narrative provides a good starting point for the demonstration.

3.1. Numa's Regal Bearing and Age

It is written in 2.58.2-3 :

> They chose a man of the Sabine race, the son of Pompilius Pompon, a person of distinction, whose name was Numa. He was in that stage of life, being near forty, in which prudence is the most conspicuous, and of an aspect full of royal dignity ; and he enjoyed the greatest renown for wisdom, not only among the citizens of Cures, but among all the neighbouring peoples as well.[18]

The first element of information supplied is Numa's lineage : the king is reported to be a member of a respected family. This is deduced from the historian's use of the word *ἐπιφανοῦς* to describe Numa's father, adjective which, in this context, refers to distinction of rank.[19] The meaning of the word is further confirmed in 2.76.4 by Dionysius' second

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Cyropaedia, Xenophon examines the life of Cyrus and his qualities as king and general that made his rule great. Plato deals with kingship in his work describing the ideal constitution for Greek states, the *Republic*. In Book 5 he prescribes a monarchical constitution with a philosopher at the helm as the sole means to secure the end of political turmoil (*R.* 473 c-d). Aristotle's virtuous king in the *Politics* is reminiscent of Plato's philosopher king in grounding a good and healthy political constitution in its citizens', and more importantly, in its rulers' virtue (*ἀρετή* especially *φρόνησις*). Johnson (1990, *Aristotle's Theory of the State*, London) is very helpful in disentangling and reconstructing Aristotle's train of thought. Among works on kingship, one may also mention the case of Aristeas' *Letter to Philocrates*. Aristeas, a hellenized Jew from Alexandria writing in the middle of the third century BCE, relates the visit at the court of Ptolemy II of 72 Jewish sages come to translate from Hebrew into Greek the Septuagint to add to the collections of the library of Alexandria. During their stay, the king questions them, in a banquet setting, on moral and ethical issues, many of which pertain to the art of rule. Although the answers are wrapped in Jewish theology, many ideas reflect contemporary Greek thought on the nature of a good king. For an examination of these works on kingship, see Barceló (1993, p. 248-269). For a complete listing of works on kingship, see Walbank (1984, p. 75-81).

18 D.H. 2.58.2-3 : « ταῦτα βουλευσάμενοι προὐχειρίσαντο ἄνδρα γένους μὲν τοῦ Σαβίνων, υἱὸν δὲ Πομπιλίου Πόμπωνος ἀνδρὸς ἐπιφανοῦς ὄνομα Νόμαν, ἡλικίας τε τῆς φρονιμωτάτης ὄντα, τετταρακονταετίας γὰρ οὐ πολὺ ἀπεῖχε, καὶ ἀξιώσει μορφῆς βασιλικόν. ἦν δὲ αὐτοῦ καὶ κλέος μέγιστον οὐ παρὰ Κυρίταις μόνον, ἀλλὰ καὶ παρὰ τοῖς περιοίκοις ἐπὶ σοφίᾳ ».

19 This meaning is inventoried in H. Liddell & R. Scott's *A Greek-English Lexicon*, *s.v.* *ἐπιφανής*

reference to Numa's lineage where it is described as regal (*γένους τε γὰρ ἔφυ βασιλείου*).

The available evidence shows that Dionysius was not, in this instance, absolutely faithful to the source material which pertains to Numa's family background. For in the texts of Cicero and Livy, the only extant texts dealing with the question, Numa was considered of rather modest extraction. Cicero (*Rep.* 2.24-25) notes specifically that Numa was not of royal ancestry but was chosen as king for his virtue and wisdom, while Livy (4.3.10 and 4.3.17) refers twice in Canuleius' speech to Numa's plebeian origins. Neither author makes mention of Numa's father. And a remark by Dionysius himself in a later book confirms the Roman position on Numa's origins : in 4.3.4, he writes that « because of these accomplishments the Romans thought proper to transfer him [Servius Tullius] by their votes from the plebeian to the patrician order, an honour they had previously conferred on Tarquinius and, still earlier, on Numa Pompilius ».[20] Dionysius' purpose here evidently gave him no reason to stray from Roman historiographical tradition and did not prompt him to repeat the king's noble origins, his own invention.

In the Graeco-Roman world good birth was an essential criterion in the quality of a person ; so important was it that Aristotle defined it in his *Rhetoric* (1.5.4) as a factor which makes up human happiness.[21] The *Rhetorica ad Herennium* (3.10), let us recall, lists it as praiseworthy. It was believed that the best held the right to leadership and that this excellence would be passed on to the leaders' children who, in time, would succeed in their father's duties. The following extract, in which Polybius analyzes how kingship came to be hereditary, serves as an example of this concept : « For the people maintain the supreme

20 D.H. 4.3.4 : « καὶ διὰ ταῦτα Ῥωμαῖοι μὲν αὐτὸν ἐκ τοῦ δήμου μεταγαγεῖν ἠξίωσαν εἰς τοὺς πατρικίους ψῆφον ἐπενέγκαντες, ὥσπερ Ταρκύνιόν τε πρότερον καὶ ἔτι πρὸ τούτου Νόμαν Πομπίλιον ».

21 Arist. *Rh.* 1.5.4 : « Εἰ δὴ ἐστιν ἡ εὐδαιμονία τοιοῦτον, ἀνάγκη αὐτῆς εἶναι μέρη εὐγένειαν, πολυφιλίαν, χρηστοφιλίαν, πλοῦτον, εὐτεκνίαν, πολυτεκνίαν, εὐγηρίαν (....) ».

power not only in the hands of these men themselves [true kings], but in those of their descendants, from the conviction that those born from and reared by such men will also have principles like to theirs ».[22] In the *Evagoras* (12), Isocrates had deemed it important to establish the Cypriot king's lineage, which could boast of great heroes issued from the stock of Aeacus, the son of Zeus. Xenophon (*Ages.* 1.2) had commenced his praise of Agesilaus by tracing his family's origins to Heracles, and the description of Cyrus (*Cyr.* 1.2.1) by establishing his place in a long line of kings. One may infer, then, that Dionysius purposely introduced Numa's noble lineage in accordance with the principle that Numa's good ancestry had guaranteed his excellence of rule in similar fashion.

Dionysius' introduction of Numa provides a second element of information, that of the king's age. The historian specifies that Numa acceded to the throne when he was nearly 40 years old, a computation which agrees with his own declaration in 2.76 that Numa died past 80 years old after 43 years on the throne. This information is nowhere to be found in Cicero or Livy nor in any other extant source. So it must be considered that Dionysius deems it useful, not merely in providing detail, but for its implication of Numa's fitness to rule : far from merely dispensing an inconsequential tidbit of information, Dionysius places the Roman king at the threshold of wisdom in its prime. Solon, Athenian legislator and poet living at the beginning of the sixth century, had written about the ten stages of life (Censor. 14.4), each lasting seven years, with this to say about ages 36 to 56 :

> During the sixth span of seven years (36 to 42), the mind of man is disciplined in every aspect and he doesn't still wish to accomplish impossible deeds.

22 Pol. 6.7 : « οὐ γὰρ μόνον αὐτοῖς, ἀλλὰ καὶ τοῖς ἐκ τούτων οἱ -πολλοὶ διαφυλάττουσι τὰς ἀρχάς, πεπεισμένοι τοὺς ἐκ τοιούτων γεγονότας καὶ τραφέντας ὑπὸ τοιούτοις παραπλησίους ἕξειν καὶ τὰς προαιρέσεις. »

> During the seventh span of seven years (43 to 49), excellence of mind and tongue are at its greatest and also in the eighth (50 to 56). The two together make fourteen years.[23]

Neraudau speaks of a Hippocratic treatise, probably dating from the fifth century, which proposes a division of ages in which man is mature between the ages of 29 and 49.[24] Aristotle (*Rh.* 2.14), writing a century later, describes those who are in the prime of life, which he sets between 30 and 35 years old for the body and at about 49 for the spirit. In Republican Rome, in theory at least, a man had to reach the age of 40 to be eligible for praetorship and 43 for consulship.[25] Thus, when Dionysius describes a 40 year-old Numa he is undoubtedly suggesting to the reader that Numa was the right age, both in mind and body, to rule efficiently and wisely.

Dionysius completes the physical portrait of Numa by noting his « aspect full of royal dignity ». This characterisation has to do with the ancient concept that what is beautiful is necessarily good or virtuous –the term *καλὸς κἀγαθός* to describe the aristocratic ideal comes to mind– and what is ugly is necessarily of bad quality. If the wretched man was expected to look unpleasant, as did the commoner Thersites in the *Iliad*, and the noble man was expected to have noble bearing, as Achilles and Hector had, it followed that a king was expected to radiate a royal perfection. So it is that Xenophon praises Cyrus' beauty (*Cyr.* 1.2.1) and in his encomium tactfully omits Agesilaus' limp.

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23 Personal translation. Sol. fr. 19 [Diehl] : « τῇ δ' ἕκτῃ περὶ πάντα καταρτύεται νόος ἀνδρός, οὐδ' ἔρδειν ἔθ' ὁμῶς ἔργ' ἀπάλαμνα θέλει., ἑπτὰ δὲ νοῦν καὶ γλῶσσαν ἐν ἑβδομάσιν μὲγ' ἄριστος, ὀκτώτ'· ἀμφοτέρων τέσσερα καὶ δέκ' ἔτη ».

24 J.-P. Néraudau, (1979), *La jeunesse dans la littérature et les institutions de la Rome républicaine*, Paris, p. 35. The scholar does not specify his source. But Rocca-Serra (1980, *Censorinus. Le jour natal*, Paris, p. 55), in his commentary of Censorinus who reports that Hippocrates had divided life into seven stages (14.3), refers to the pseudo-Hippocratic treaty *The Weeks*, whose proposed date of composition varies from the fourth to the first century BCE.

25 See G. Minois, (1987), *Histoire de la vieillesse en Occident. De l'Antiquité à la Renaissance*, Paris, p. 128.

One turns to the *Evagoras* for confirmation of such beliefs :

> When Evagoras was a boy he possessed beauty, bodily strength, and modesty, the very qualities that are most becoming to that age (...) When he attained to manhood not only did all these qualities grow up with him, but to them were also added manly courage, wisdom, and justice, and that too in no ordinary measure, as is the case with some others, but each of these characteristics in extraordinary degree.[26]

As Isocrates had done before him, Dionysius portrayed a king able of mind and body who looked and conducted himself according to his high station.

3.2. Numa's Regal Character

The final characteristic of Dionysius' introductory description of Numa, one which he will mention thrice more, is the king's wisdom, *σοφία* In the passage just quoted above, Isocrates too had praised Evagoras' surpassing wisdom (*σοφία*).[27] Likewise Xenophon (*Ages.* 6.4-8) had listed *σοφία* among Agesilaus' virtues.

Tellingly, Numa's wisdom was not mentioned by the Roman authors Livy and Vergil, who preferred instead to emphasize the king's piety, justice and peaceful reign. Only Cicero (*Rep.* 2.25) attributes wisdom to Numa, a fact which may reflect a 'hellenization' of the author's ideas. Dionysius himself seems to confirm the traditional Roman perception of Numa : « The Romans say that he [Numa] undertook no military campaign, but that, being a pious and just man, he passed the whole period of his reign in

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26 Isoc. *Ev.* 22-23 : « Παῖς μὲν γὰρ ὢν ἔσχεν κάλλος καὶ ῥώμην καὶ σωφροσύνην, ἅπερ τῶν ἀγαθῶν πρεπωδέστατα τοῖς τηλικούτοις ἐστίν...Ἀνδρὶ δὲ γενομένῳ ταῦτά τε πάντα συνηυξήθη καὶ πρὸς τούτοις ἀνδρεία προσεγένετο καὶ σοφία καὶ δικαιοσύνη, καὶ ταῦτ' οὐ μέσως οὐδ' ὥσπερ ἑτέροις τισὶν, ἀλλ' ἕκαστον αὐτῶν εἰς ὑπερβολήν ».

27 In the rest of his speech, Isocrates described Evagoras' wisdom as *φρόνησις* (*Ev.* 65, 80), because, as it would appear, he was not then generally describing the king's character as a human being but rather identifying a quality that pertains very specifically to the management of government.

peace and caused the State to be most excellently governed ».[28] Once again, Dionysius appears to knowingly go against a Roman historiographical tradition.

Dionysius' second reference to Numa's wisdom is a remark that it had not only earned the king an enviable reputation throughout the Sabine and Latin regions but had been the cause of Numa's alleged connection to the philosopher Pythagoras. Since a thorough chronological investigation had confirmed for the historian the impossibility of a relationship between Numa and Pythagoras,[29] Dionysius concludes that « those who have written his [Numa's] history seem to have taken these two admitted facts, namely, the residence of Pythagoras in Italy and the wisdom of Numa (for he has been allowed by everybody to have been a wise man), and, combining them, to have made Numa a disciple of Pythagoras ».[30] Yet regardless of its logical shortcomings, the possibility of attributing to Numa a Greek philosophical education was too attractive for Dionysius to dismiss altogether. Contrary to Cicero and Livy who had been very assertive in their complete rejection of a Pythagorean link, Dionysius, who was compelled by incontrovertible evidence to reject the Croton angle, made room for another possibility by suggesting that perhaps a namesake of the Samian Pythagoras had lived in Numa's time and had taught the king philosophy. True, the possibility was remote and the idea tenuous, as Dionysius himself realized when he admitted defeat in supplying any kind of proof to support this hypothesis. But the reader does get the feeling that Dionysius would have liked to believe, this being reflected in his introduction to the question in which he showed himself reluctant to commit to a firm rejection of the idea : « Up to this point, then, I have nothing to allege

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28 D.H. 2.60.4 : « τοῦτον τὸν ἄνδρα Ῥωμαῖοί φασι στρατείαν μηδεμίαν ποιήσασθαι, θεοσεβῆ δὲ καὶ δίκαιον γενόμενον ἐν εἰρήνῃ πάντα τὸν τῆς ἀρχῆς χρόνον διατελέσαι καὶ τὴν πόλιν ἄριστα πολιτευομένην παρασχεῖν ».

29 See D.H. 2.59 : Not only were there four generations separating Numa's and Pythagoras' times but the city of Croton where Pythagoras taught did not even exist until four years after Numa had been appointed king.

30 D.H. 2.59.4 : « ἀλλ' ἐοίκασιν οἱ τὰ ὑπὲρ αὐτοῦ γράψαντες, εἰ χρὴ δόξαν ἰδίαν ἀποφήνασθαι, δύο ταῦτα λαβόντες ὁμολογούμενα, τήν τε Πυθαγόρου διατριβὴν τὴν γενομένην ἐν Ἰταλίᾳ καὶ τὴν Νόμα σοφίαν (ὡμολόγηται γὰρ ὑπὸ πάντων ὁ ἀνὴρ γενέσθαι σοφός) ἐπισυνάψαι ταῦτα καὶ ποιῆσαι Πυθαγόρου μαθητὴν τὸν Νόμαν ».

in contradiction to those who have published the history of this man ; but in regard to what follows [i.e. Pythagorean link to Numa] I am at a loss what to say ».[31] It is most likely that Dionysius thus wished to allow for the possible Greek philosophical education of Numa ; after all, Isocrates (*Ad Nic.* 35), Plato (*R.* 473 c-d) and Aristotle (*Pol.* 7-8) had all recognized the necessity of philosophical education for leading citizens and rulers.[32]

The third reference to Numa's wisdom lies in Dionysius' careful narration of how Numa became king of the Romans. Numa did not seize power in the violent manner of the tyrant nor did he, by force of arms, reclaim a throne that had been wrested from his family as had been the case for Romulus and Evagoras ; nor did he quietly inherit the kingly office. As Dionysius records it, he was quite simply, without any canvassing on his part, offered the kingship as the man best qualified. But what is truly remarkable about him is that he at first declined the Romans' invitation to take the throne :

> When the ambassadors came to Numa to invite him to the sovereignty, he for some time refused it and long persisted in his resolution not to accept the royal power. But when his brothers kept urging him insistently and at last his father argued that the offer of so great an honour ought not to be rejected, he consented to become king. As soon as the Romans were informed of this by the ambassadors, they conceived a great yearning for the man before they saw him, esteeming it a sufficient proof of his wisdom that, while others had valued sovereignty beyond measure, looking upon it as the source of happiness, he alone despised it as a paltry thing and unworthy of serious attention.[33]

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31 D.H. 2.59.1 : « Μέχρι μὲν δὴ τούτων οὐδὲν ἀντειπεῖν ἔχω πρὸς τοὺς ἐκδεδωκότας τὴν περὶ τὸν ἄνδρα τοῦτον ἱστορίαν, ἐν δὲ τοῖς ἑξῆς ἀπορῶ τί ποτε χρὴ λέγειν. ».

32 Xenophon's position is less clear. Although he studied at Socrates' feet and was obviously impressed with the man's virtuous conduct and reverence for justice, he never explicitly speaks of philosophical education in his works. He stresses rather, in addition to the practice of virtue, the importance of practical knowledge for a good leader. See J.K. Anderson, (1974), *Xenophon*, London, p. 21-33 ; W.E. Higgins, (1977), *Xenophon the Athenian. The Problem of the Individual and the Society of the Polis*, Albany, p. 21-59.

33 D.H. 2.60.1-2 : « Ὁ δὲ Νόμας ἀφικομένων ὡς αὐτὸν τῶν καλούντων ἐπὶ τὴν ἡγεμονίαν, τέως μὲν ἀντέλεγε καὶ μέχρι πολλοῦ διέμεινεν ἀπομαχόμενος μὴ λαβεῖν τὴν ἀρχήν, ὡς δὲ οἵ τε ἀδελφοὶ προσέκειντο λιπαροῦντες καὶ τελευτῶν ὁ πατὴρ οὐκ ἠξίου τηλικαύτην τιμὴν διδομένην ἀπωθεῖσθαι, συνέγνω γενέσθαι βασιλεύς· τοῖς δὲ Ῥωμαίοις πυθομένοις

This representation of Numa contradicts what Isocrates had claimed in his *Evagoras*, whereas « all would agree that absolute power constitutes the greatest, grandest and most desirable of divine and human goods », as well as Xenophon's statement that kingship was the highest privilege (*Ages.* 1.5).[34] On the contrary, Numa's wisdom in the *Roman Antiquities* is proven by his very reluctance to assume kingship, a reluctance which is reminiscent of the dilemma which Plato foresaw in recruiting the most suitable rulers for his ideal state ; for these rulers whom he identified as those men trained in philosophy would not be keen on taking office and he expected that such men would need some convincing.[35] In no other way did it happen in the Dionysian account than that Numa, being wise, had originally refused to rule and only consented at his family's behest. The manner in which Numa became king of Rome is consistent with the established Platonic and Stoic definition of wise behaviour : a wise man will acknowledge the burden – even servitude (*τὴν βασιλείαν* (...) *δουλείαν*: Ael. *VH* 2.20) – that kingship represents, but will nevertheless accept to rule in accordance with the natural law that made it a duty for the wise and virtuous to rule for the benefit of society.[36] Dionysius' passage may provide an argument in favour of his allegiance to Stoic teachings.[37]

ταῦτα παρὰ τῶν πρεσβευτῶν, πρὶν ὄψει τὸν ἄνδρα ἰδεῖν πολὺς αὐτοῦ παρέστη πόθος, ἱκανὸν ἡγουμένοις τεκμήριον εἶναι τῆς σοφίας, εἰ τῶν ἄλλων ὑπὲρ τὸ μέτριον ἐκτετιμηκότων βασιλείαν καὶ τὸν εὐδαίμονα βίον ἐν ταύτῃ τιθεμένων μόνους ἐκεῖνος ὡς φαύλου τονὸς καὶ οὐκ ἀξίου σπουδῆς πράγματος καταφρονεῖ ».

34 Isoc. *Ev.* 40 : « νῦν δ' ἅπαντες ἂν ὁμολογήσειαν τυραννίδα καὶ τῶν θείων ἀγαθῶν καὶ τῶν ἀνθρωπίνων μέγιστον καὶ σεμνότατον καὶ περιμαχητότατον εἶναι ».

35 Pl. *R.* 347 b : « δεῖ δὴ αὐτοῖς ἀνάγκην προσεῖναι καὶ ζημίαν, εἰ μέλλουσιν ἐθέλειν ἄρχειν ». Cf. *R.* 517 c and *R.* 520 c-d.

36 See P. Grimal, (1986), « Les éléments philosophiques dans l'idée de monarchie à Rome à la fin de la République », in *Aspects de la philosophie hellénistique*, p. 245-246.

37 Aujac addresses the question of Dionysius' philosophical allegiance in her edition of the writer's rhetorical works (*Opuscules rhétoriques*, Vol. 1, (1978), Paris, p. 16-17) : « Denys est-il stoïcien ? De tendance en tout cas et de tempérament, sinon d'obédience stricte. Son souci de l'efficacité politique, sa confiance absolue dans un certain ordre du monde, son culte de la justice et de la vertu sont bien dans la ligne stoïcienne. Il n'a qu'invectives contre la secte des Épicuriens, qui joint à son amour du plaisir une méconnaissance totale des valeurs artistiques, qui ose prétendre qu'écrire est chose facile et qui se fie sur ce point aux hasards de l'inspiration ».

For fourth and last time Dionysius refers to Numa's wisdom when he introduces the role of Egeria in the king's legend : « They relate also many marvellous stories about him, attributing his human wisdom to the suggestions of the gods ».[38] Dionysius goes on to report how the rationalizing authors who dealt with the Numan legend attributed the story of the king's relationship with Egeria to a device employed by Numa, in emulation of the Greek legislators themselves, which consisted in alleging that the lawmakers' legislation was of divine origin, and therefore more worthy of adoption (2.61.1). In support of these authors' claim, Dionysius cites the examples of Minos the Cretan and Lycurgus the Lacedaemonian who maintained that they received direct instruction in lawmaking from Zeus and Apollo respectively (2.61.2). As mentioned in Chapter 1, divine assistance was a *topos* of the Greek lawgivers' legends (*sup.*, p. 18).

Furthermore, aside from reporting the traditional Roman account which usually refers to Egeria as a Nymph or as associating with the Camenae (*sup.*, p. 19, n. 27), Dionysius speaks of a different tradition in which Egeria was identified as a Muse (2.60.5). This identification, especially when it is reported by a Greek author writing for a Greek and philhellene audience, takes on great significance when one recalls the traditional presence of the Muse at the philosopher's side (*sup.*, p. 23-24). It is no accident that Dionysius, although he considers the story of Egeria as altogether fabulous – indeed he uses the verb *μυθολογεῖν* to report the traditions linked to Egeria –, scrupulously records the tradition which regarded Egeria as a Muse. For he was aware of the cultural connotations such an identification would conjure for his readers. The insertion of Egeria right after Numa and Pythagoras would recall the useful traditional links between philosopher and Muse. It was important for Dionysius to associate Numa with philosophical education because, in agreement with traditional thinkers, he considered that it was a requisite for good leadership, especially because of the ethical training it provided. When summarizing

38 D.H. 2.60.4 : « λόγους τε ὑπὲρ αὐτοῦ πολλοὺς καὶ θαυμαστοὺς λέγουσιν ἀναφέροντες τὴν ἀνθρωπίνην σοφίαν εἰς θεῶν ὑποθήκας ».

Numa's life, Dionysius writes : « and he pursued an education which was not the kind of useless training that deals only with words, but a discipline that taught him to practise piety and every other virtue ».[39] The passage confirms Dionysius' will to portray Numa as an educated king, and describes the king's education in virtue. For Dionysius, and Isocrates as well, such an education needed be a philosophical one, as both had criticized the kind of rhetorical education which neglected philosophical training ; in their view, rhetoric would only prove truly useful if it heeded and practised the ethical principles advocated by philosophy.

By linking Numa with Egeria, whether she be Nymph or Muse, Dionysius enhances the king's excellence, for the Graeco-Roman world had established privileged links between kings and gods.[40] Thus Isocrates (*Ev.* 12-18) had linked Evagoras' ancestry with Aeacus, son of Zeus, while Xenophon (*Ages.* 1.2) had included Agesilaus among Heracles' descendants.

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39 D.H. 2.76.4 : « παιδείαν τε οὐ τὴν περὶ λόγους ἄχρηστον ἤσκησεν, ἀλλ' ἐξ ἧς εὐσεβεῖν ἔμαθε καὶ τὰς ἄλλας ἐπιτηδεύειν ἀρετάς ».

40 From the time of Homer and onwards, testimony exists of the privileged links between divinity, especially that supreme divinity who was himself king of the gods, the aegis-bearing Zeus, and kings. Undeniably, as the texts show, the privilege of sovereignty was his to give, and as such he was held as the patron god of kings. Odysseus in the ***Iliad*** (2.203-205) has this to say on the matter : « There must be one master, one king, the man endowed by the son of devious-minded Kronos with the sceptre and the ways of law, to make judgments for his people ». And a few lines earlier (2.196-197) : « Kings nurtured by Zeus have an anger that runs high : their honour comes from Zeus, and Zeus the counsellor loves them ». Hesiod, in his ***Theogonia*** (82), picks up the Homeric epithet *διοτρεφής* (nourrished by Zeus) to describe kings. In the same work (96), the poet writes : « Through Zeus' agency, there are kings on earth ». Aeschylus in the ***Eumenides*** (626) represents Apollo himself speaking of a « high-born man invested with the Zeus-given sceptre ». Callimachus in his ***Hymn to Zeus*** (1.78-82) sings : « But from Zeus come kings ; for nothing is diviner than the kings of Zeus. Wherefore you did choose them for your own lot, and gave them cities to guard. And you did seat yourself in the high places of the cities, watching who rule their people with crooked judgements, and who rule otherwise ».
The relationship of Zeus with kings did not limit itself to the granting of sovereignty. Zeus' gift endowed the king to become like the god, to become his associate. Homer illustrates this when twice he calls Odysseus « Zeus' equal in his mind's resource » (*Il.* 2.169, 2.407) and declares Minos to be « companion of Zeus » (*Od.* 19.179). When philosophical thinking was later developed, the god-given nature, that divine particle present in these excellent men, was localised in the soul where the aspiration to emulate the god originated and was nourished. Philosophy furthermore identified, categorized and described the means towards emulation as the practice of virtue.

Numa's excellence is portrayed twice more in the Dionysian summary of his life. Firstly, Dionysius writes that the king ascended to the throne in legitimate fashion and maintained his sovereignty for the rest of his life, a remarkable achievement if Polybius is to be believed : « And, what is more, he [Hiero] made himself king of Syracuse unaided, without killing, exiling, or injuring a single citizen, which indeed is the most remarkable thing of all ; and not only did he acquire his sovereignty so, but maintained it in the same manner ».[41] That Numa had resisted the ever-present temptations of despotism and remained a good king throughout his entire reign was proof of his excellence.

Secondly, Dionysius describes how Numa's death came gently at a ripe age and without the discomfort of illness. It is noteworthy that Dionysius does not skimp Numa's death, as Cicero and Livy had, but takes pains to embellish the circumstances : « He lived to a very advanced age without any impairment of his faculties and without suffering any blow at Fortune's hands ; and he died the easiest of all deaths, being withered by age, the genius who had been allotted to him from his birth having continued the same favour to him till he disappeared from among men ».[42] That Numa died « without any impairment of his faculties » and apparently disease-free, is contrary to Roman tradition which reported that he died of illness.[43] Even Piso, whose description of Numa's death is closest to Dionysius', records the king's experience of a « mild illness » (*νόσου μαλακῆς*).[44] I believe that Dionysius chooses to represent Numa's death in this fashion in order to emphasize his virtuous life, an enduring example of moderation and justice, especially in view of how his predecessor and successor had died. According to one Roman tradition,

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41 Plb. 8.8 : « καὶ μὴν οὐκ ἀποκτείνας, οὐ φυγαδεύσας, οὐ λυπήσας οὐδένα τῶν πολιτῶν, δι' αὑτοῦ βασιλεὺς κατέστη τῶν Συρακοσίων, ὃ πάντων ἐστὶ παραδοξότατον, ἔτι δὲ τὸ μὴ μόνον κτήσασθαι τὴν ἀρχὴν οὕτως, ἀλλὰ καὶ διαφυλάζαι τὸν αὐτὸν τρόπον ».

42 D.H. 2.76.5 : « ἡλικίας δ' ἐπὶ μήκιστον ἥλασεν ὁλόκληρος οὐδὲν ὑπὸ τῆς τύχης κακωθεὶς καὶ θανάτων τὸν ῥᾷστον ἐτελεύτησεν ὑπὸ γήρως μαρανθείς, ὁμοίου παραμείναντος αὐτῷ τοῦ συγκληρωθέντος ἐξ ἀρχῆς δαίμονος ἕως ἐξ ἀνθρώπων ἠφανίσθη ».

43 Eutr. 1.3 : « morbo decessit [Numa] » ; *Vir. Ill.* 3.2 : « [Numa] morbo solutus in Ianiculo sepultus est ».

44 Calp. Pis. fr. 12P : « Ὁ Νομᾶς ἐτελεύτησεν οὐ ταχείας οὐδ' αἰφνιδίου γενομένης αὐτῷ τῆς τελευτῆς ἀλλὰ κατὰ μικρὸν ὑπὸ γήρως καὶ νόσου μαλακῆς ἀπομαραινόμενος, ὡς ἱστόρηκε Πείσων ».

Romulus had been assassinated by the senators for having assumed the ways of a tyrant near the end of his reign.[45] Tullus Hostilius was also held to have died violently, struck down by Jupiter's bolt for having wrongly performed the expiation rites which Numa had established.[46] Isocrates (*Ev.* 71), whose subject of praise had been killed as a result of a court plot, had had to gloss over Evagoras' death and to concentrate instead on his old age exempt from illness. Xenophon's very old Cyrus (*Cyr.* 7.1 : *μάλα δὴ πρεσβύτης ὢν*) is described as having a vision in his sleep foretelling his departure to the gods (7 2). After settling his affairs, he « covered himself over, and so died » (7.28 : *ἐνεκαλύψατο καὶ οὕτως ἐτελεύτησεν*). It should be pointed out that Hesiod's golden race had never experienced old age (*Op.* 113-114) and that these men had died an easy death, as if overcome by sleep (*Op.* 116 : *θνῆσκον δ' ὡς θ' ὕπνῳ δεδμημένοι*). There seems to be something of this idea behind Dionysius' description of Numa's end of life (as well as that of Cyrus' death) : the good king, whose piety and virtue had kept him in the favour of the gods, had been deemed worthy of a natural and painless end. It may be entertained that if Solon had known of Numa, he might have told of him to Croesus when he had distributed the prizes to the most blessed men. For Solon had given this criteria to identify them : « but whoever continues in the possession of most things, and at last makes a gracious end of his life, such a man, O king, I deem worthy of this title ».[47] Along with Tellus, Cleobis and Biton, Numa, as Dionysius portrays him, would have worn the title well.

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45 See Liv. 1.16.4 ; D.H. 2.56.4-5 ; Plu. *Rom.* 27.9 ; Cic. *Rep.* 2.10.67.

46 The story of Tullus' tragic fate is reported namely in Cic. *Rep.* 2.32, *ap.* Aug. *CD* 3.25 ; Liv. 1.31.8 ; D.H. 3.35.1-2 ; Plin. 2.140 and 28.14. How Numa had obtained knowledge of the expiation rites is recounted in Ov. *F.* 3.285-348 ; Plu. *Num.* 15.3-10 ; Arn. 5.1.

47 Hdt. 1.32 : « ὃς δ' ἂν αὐτῶν πλεῖστα ἔχων διατελέῃ καὶ ἔπειτα τελευτήσῃ εὐχαρίστως τὸν βίον, οὗτος παρ' ἐμοὶ τὸ οὔνομα τοῦτο ὦ βασιλεῦ δίκαιος ἐστὶ φέρεσθαι ».

3.3. Numa's Regal Deeds

Dionysius introduced the section dealing with the enumeration and description of Numa's measures and institutions as follows :

> So Numa, having found the affairs of the State in such a raging sea of confusion, first relieved the poor among the plebeians by distributing to them some small part of the land which Romulus had possessed and of the public land ; and afterwards he allayed the strife of the patricians, not by depriving them of anything the founders of the city had gained, but by bestowing some other honours on the new settlers. And having attuned the whole body of the people, like a musical instrument, to the sole consideration of the public good and enlarged the circuit of the city by the addition of the Quirinal hill (for till that time it was still without a wall), he then addressed himself to the other measures of government, labouring to inculcate these two things by the possession of which he conceived the State would become prosperous and great : first, piety, by informing his subjects that the gods are the givers and guardians of every blessing to mortal men, and, second, justice, through which, he showed them, the blessings also which the gods bestow bring honest enjoyment to their possessors.[48]

According to Dionysius, the first order of business for Numa had been to establish concord among the Roman social classes. He succeeded in bringing this about by granting land to the plebeians and by distributing honours to the disgruntled patricians, in apparent agreement with this advice that Isocrates had imparted to Nicocles : « But see to it that the

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48 D.H. 2.62.4-5 : « ἐν τοιούτῳ δὴ κλύδωνι τὰ πράγματα τῆς πόλεως σαλεύοντα ὁ Νόμας καταλαβών, πρῶτον μὲν τοὺς ἀπόρους τῶν δημοτῶν ἀνέλαβε διανείμας αὐτοῖς ἀφ' ἧς Ῥωμύλος ἐκέκτητο χώρας καὶ ἀπὸ τῆς δημοσίας μοίράν τινα ὀλίγην· ἔπειτα τοὺς πατρικίους οὐδὲν μὲν ἀφελόμενος ὧν οἱ κτίσαντες τὴν πόλιν ἔυροντο, τοῖς δ' ἐποίκοις ἑτέρας τινὰς ἀποδοὺς τιμάς, ἔπαυσε διαφερομένους. ἁρμοσάμενος δὲ τὸ πλῆθος ἅπαν ὥσπερ ὄργανον πρὸς ἕνα τὸν τοῦ κοινῇ συμφέροντος λογισμὸν καὶ τῆς πόλεως τὸν περίβολον αὐξήσας τῷ Κυρινείῳ λόφῳ (τέως γὰρ ἔτι ἀτείχιστος ἦν) τότε τῶν ἄλλων πολιτευμάτων ἥπτετο δύο ταῦτα πραγματευόμενος, οἷς κοσμηθεῖσαν ὑπελάμβανεν ἂν τὴν πόλιν εὐδαίμονα γενήσεσθαι καὶ μεγάλην· εὐσέβειαν μὲν πρῶτον, διδάσκων τοὺς ἀνθρώπους ὅτι παντὸς ἀγαθοῦ θεοὶ δοτῆρές εἰσι τῇ θνητῇ φύσει καὶ φύλακες, ἔπειτα δικαιοσύνην, δι' ἣν καὶ τὰ παρὰ τῶν θεῶν ἀπέφαινεν ἀγαθὰ καλὰς τὰς ἀπολαύσεις οἴσοντα τοῖς κτησαμένοις ».

best among them shall have the honours, while the rest shall suffer no impairment of their rights ».[49] In the same passage, Dionysius relates how Numa, having succeeded in alleviating strife among the orders, proceeded to inculcate piety and justice which would render the state great and prosperous. Again Numa's style of rule seems to echo an Isocratean recommendation : « I think that all would agree that it is a king's business to relieve the state when it is in distress, to maintain it in prosperity, and to make it great when it is small ».[50] Dionysius, having clearly spelled out the essence of Numa's policy as king, proceeds to enumerate and describe the most important Numan measures and institutions, which had best promoted piety and justice respectively.

3.3.1. Promotion of Piety

With regard to measures which nurtured piety, the historian introduces the very lengthy description of the eight parts of Numa's religious system by observing that the king's religious regulations existed « in greater number than are to be found in any other city, either Greek or barbarian, even in those that have prided themselves the most at one time or another upon their piety ».[51] The importance of emphasizing Roman piety in terms that made it outshine even Greek piety was tied into the Graeco-Roman theology of victory. The following extract will help clarify this notion :

> The college of the fetiales was instituted by Numa when he was upon the point of making war on the people of Fidenae, who had raided and ravaged his territories, in order to see whether they would come to an accomodation with him without war ; and that is what they actually did, being constrained by necessity. But since the college of the fetiales is not

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49 Isoc. *Ad Nic.* 16 : « ἀλλὰ σκοπῆς ὅπως οἱ βέλτιστοι μὲν τὰς τιμὰς ἕξουσιν, οἱ δ' ἄλλοι μηδὲν ἀδικήσονται ».

50 Isoc. *Ad Nic.* 9 : « οἶμαι δὴ πάντας ἄν ὁμολογῆσαι προσήκειν αὐτοῖς πόλιν δυστυχοῦσαν παῦσαι καὶ καλῶς πράττουσαν διαφυλάξαι καὶ μεγάλην ἐκ μικρᾶς ποιῆσαί ».

51 D.H. 2.63.2 : « ὅσας οὔθ' Ἕλληνὶς οὔτε βάρβαρος ἔχει πόλις οὐδ' αἱ μέγιστον ἐπ' εὐσεβείᾳ φρονοῦσαί ποτε ».

> in use among the Greeks, I think it incumbent on me to relate how many and how great affairs fall under its jurisdiction, to the end that those who are unacquainted with the piety practised by the Romans of those times may not be surprised to find that all their wars had the most successful outcome ; for it will appear that the origins and motives of them all were most holy, and for this reason especially the gods were propitious to them in the dangers that attended them.[52]

In this informative piece on the fetial priests' college, Dionysius introduces two elements that had not appeared in the Numan accounts of Cicero and Livy : firstly, the attribution to Numa of the fetial college's institution. Cicero and Livy had made no specific reference to such a college ; Cicero (*Rep.* 2.17.31) had written of the establishment of fetial rites which he had attributed to Ancus Marcius instead of Numa. Livy (1.32), although it remains unclear from his work when the fetial rites were established, mentioned their performance for the first time in Tullus Hostilius' reign. Since no other Roman records are extant, there is no way to know if there existed a Roman tradition which attributed the establishment of fetial rites or of a fetial college to Numa ; Dionysius may well have innovated. At any rate, his choosing to insert this institution in the Numan reign was not without logic.

There is the obvious traditional connection between Numa and the foundation of Roman religious institutions. But beyond that, I think that the historian intended to use the fetial material as an opportunity to prove Numa's and Rome's worthiness to rule, an opportunity which a second original element in the Dionysian account set up : the report that under Numa's rule the Romans had received injury from a neighbouring nation. This element of the story seems unique to Dionysius ; nowhere else is it suggested. But the

52 D.H. 2.72.3-4 : « κατεστήσατο δ' αὐτὸ Νόμας ὅτε Φιδηνάταις ἔμελλε πολεμεῖν ληστείας καὶ καταδρομὰς τῆς χώρας αὐτοῦ ποιησαμένοις, εἰ βούλοιντο συμβῆναι δίχα πολέμου πρὸς αὐτόν, ὅπερ εἰς ἀνάγκην καταστάντες ἐποίησαν. οἶομαι δέ, ἐπειδήπερ οὐκ ἔστιν ἐπιχώριον Ἕλλησι τὸ περὶ τοὺς εἰρηνοδίκας ἀρχεῖον, ἀναγκαῖον εἶναί μοι πόσων καὶ πηλίκων ἐστὶ πραγμάτων κύριον διελθεῖν, ἵνα τοῖς ἀγνοοῦσι τὴν Ῥωμαίων εὐσέβειαν, ἣν οἱ τότε ἄνδρες ἐπετήδευον, μὴ παράδοξον εἶναι φανῇ τὸ πάντας αὐτοῖς τὸ κάλλιστον λαβεῖν τοὺς πολέμους τέλος. ἁπάντων γὰρ αὐτῶν τὰς ἀρχὰς καὶ τὰς ὑποθέσεις εὐσεβεστάτας φανήσονται ποιησάμενοι καὶ διὰ τοῦτο μάλιστα τοὺς θεοὺς ἐσχηκότες ἐν τοῖς κινδύνοις εὐμενεῖς ».

anecdote does give Dionysius an occasion to represent Numa as a king who never declared war, not out of lack of opportunity, but because he had come up with a better way, through fetial ritual, to deal with infringement of Roman rights.

This way, unknown to the Greeks, proved of enormous advantage to the Romans. On a practical level it prevented Rome from unnecessarily engaging in resource-consuming war. But more importantly, on a theological level, it assured Rome of victory. For it was firmly believed that victory was a gift of the gods which they tended to bestow on deserving men and nations, such as had proven their worth through virtue.[53] The Romans, who demonstrated piety and justice by scrupulously applying fetial rules, were consequently always prevented from entering an unjust war which had not been sanctioned by the gods' approval. When waging war, the Romans could then experience nothing else but god-given victory. Hence the theology of victory.

This same theology of victory had also been represented in the *Evagoras*. Isocrates had carefully described Evagoras' taking of the throne as a righteous act, free of any impiety or injustice, and which had been wished by the gods themselves : « On the contrary, the Deity took such thought for him that he should honourably assume the throne, that all the preparations which necessarily involved impiety were made by another, while he preserved for Evagoras those means whereby it was possible for him to gain the rule in accordance with piety and justice ».[54] Once established on the throne, Evagoras had ruled in a fashion reminiscent of the Numan policy of pious non aggression : « but this he [Evagoras] took as his guiding principle, which those who would be god-fearing men must

53 See the comprehensive article of J.R. Fears, (1981), « The Theology of Victory at Rome : Approaches and Problems », *ANRW* II.17.2, p. 736-826.

54 Isoc. *Ev.* 25-26 : « ἀλλὰ τοσαύτην ὁ δαίμων ἔσχεν αὐτοῦ πρόνοιαν, ὅπως καλῶς λήψεται τὴν βασιλείαν, ὥσθ' ὅσα μὲν ἀναγκαῖον ἦν παρασκευασθῆναι δι' ἀσεβείας, ταῦτα μὲν ἕτερος ἔπραξεν, ἐξ ὧν δ' οἷόν τ' ἦν ὁσίως καὶ δικαίως λαβεῖν τὴν ἀρχὴν, Εὐαγόρᾳ διεφύλαξεν *. Χφ. *Ε.* 39 · * οὐδεὶς οὔτε θνητὸς οὔθ' ἡμίθεος οὔτ' ἀθάνατος εὑρεθήσεται κάλλιον οὐδὲ λαμπρότερον οὐδ' εὐσεβέστερον λαβὼν ἐκείνου τὴν βασιλείαν ».

take – to act only in self-defence and never to be the aggressor ».[55] In the *Ad Nicoclem*, Isocrates had advised the king along the same lines : « Be warlike in your knowledge of war and in your preparations for it, but peaceful in your avoidance of all unjust aggression ».[56] Conformity to this behaviour is what granted Evagoras victory over the king of Persia who initiated war on Cyprus although its king had never given him due cause (*Ev.* 58). The responsibility of initiating an unjust war had effectively sentenced the king of Persia to fateful defeat.

3.3.2. Promotion of Justice

With regard to measures which encouraged justice, Dionysius (2.74.1) writes that Numa had instituted « exceedingly numerous (*πλεῖστα ὅσα*) » regulations comprised both in written law and in custom. The historian informs the reader that he will limit his exploration of them to the most well known : institution of boundaries, foundation of a cult to Faith, and agricultural organisation.

The law of appointing boundaries to every man's possessions protected the Roman's basic right of property. In the *Pro Caecina* (26.73-74), Cicero had eloquently demonstrated the importance of upholding the law to guarantee the right of property, of its secure acquisition, holding and transmission. So sacred was this right that, according to Dionysius, Numa had consecrated the boundary stones which marked the limits of the land to Jupiter Terminalis and instituted yearly sacrifices to the gods of boundaries at the occasion of the Terminalia festival, thus making it a sacrilege punishable by death to displace the boundary stones. Dionysius (2.74.4) goes on to report that Numa established this law with reference also to public property in order to distinguish the lands of the

55 Isoc. *Ev.* 28 : « λαβὼν δὲ ταύτην ἀφορμὴν, ἥνπερ χρὴ τοὺς εὐσεβεῖν βουλομένους, ἀμύνεσθαι καὶ μὴ προτέρους ὑπάρχειν ».

56 Isoc. *Ad Nic.* 24 : « Πολεμικὸς μὲν ἴσθι ταῖς ἐπιστήμαις καὶ ταῖς παρασκευαῖς, εἰρηνικὸς δὲ τῷ μηδὲν παρὰ τὸ δίκαιον πλεονεκτεῖν ».

Romans from those of their neighbours, and the public lands from private properties. The distinction between private and public land was to become a meaningful one in view of later Roman history which would witness the unlawful holding of public land by private citizens and the problematic allotment of public land to veterans, or, when its availability decreased, of land bought or confiscated by the state.

Numa's institution of boundaries did not only contribute to guaranteeing the right of property, but also encouraged the people to moderation, to be content with what they had and not covet what belonged to others (2.74.2). Dionysius remarks that if the Romans still observe the rites of the Terminalia, they do not necessarily observe the spirit of the festival, which was to encourage citizens to

> content themselves with their own possessions without appropriating those of others either by violence or fraud ; whereas now there are some who, in disregard of what is best and of the example of their ancestors, instead of distinguishing that which is theirs from that which belongs to others, set as bounds to their possessions, not the law, but their greed to possess everything, – which is disgraceful behaviour.[57]

Isocrates had condemned this type of disgraceful behaviour in the *Peace* (34), comparing those who seize another's property to animals lured by bait, whose first momentary pleasure of gain quickly transforms into a desperate situation. In the same speech (84), the orator laments how it was covetousness of the possessions of other states which had led the Athenians to launch the fateful Sicilian expedition. In the *Nicocles*, the Cyprian king puts forward his lack of desire to unjustly acquire neighbouring territories as proof of his worthiness to rule (34) and exhorts his subjects to keep their hands off the possessions of others (49). Frugality and moderation were virtues worth cultivating within a state, as

57 D.H. 2.74.5 : « ἱκανουμένους τοῖς ἑαυτῶν κτήμασι, τῶν δ' ἀλλοτρίων μήτε βίᾳ σφετεριζομένους μηδὲν μήτε δόλῳ. νῦν δ' οὐχ ὡς ἄμεινον οὐδ ὡς οἱ πρόγονοι παρέδοσαν ὁρίζουσί τινες ἀπὸ τῶν ἀλλοτρίων τὰ οἰκεῖα, ἀλλ' ἔστιν αὐτοῖς ὅρος τῶν κτήσεων οὐχ ὁ νόμος, ἀλλ' ἡ πάντων ἐπιθυμία, πρᾶγμα οὐ καλόν ».

Dionysius' Numa understood, he who had devised such laws and regulations as that of boundaries in order to bring the State to frugality (*εὐτέλειαι*) and moderation (*σωφροσύνηι*) (D.H. 2.75.1). In similar vein Isocrates, when advising Nicocles (*Ad Nic.* 31), had considered it a sign of wise rule if the subjects of a king grew more temperate (*σωφρονεστέρους*) because of his leadership.

The second measure for promotion of justice was the establishement of a cult to Faith which would uphold contracts and give weight to a man's oath (2.75). Isocrates as well had recommended to Nicocles to keep good faith : « Throughout your life show that you value truth so highly that your word is more to be trusted than the oaths of other men. To all foreigners, see that the city offers security and good faith in its engagements ».[58] Xenophon (*Ages.* 3.2), moreover, had praised Agesilaus' reverence for oaths and treaties.

The third measure which characterized the just rule of Numa was his care to ensure a means of livelihood for all his citizens, mainly through promotion of agriculture :

> But the measures which I am now going to relate made it both careful to provide itself with necessaries and industrious in acquiring the advantages that flow from labour. For this man, considering that a State which was to love justice and to continue in the practice of moderation ought to abound in all things necessary to the support of life, divided the whole country into what are called *pagi* or 'districts', and over each of these districts he appointed an official whose duty it was to inspect and visit the lands lying in his own jurisdiction. These men, going their rounds frequently, made a record of the lands that were well and ill cultivated and laid it before the king, who repaid the diligence of the careful husbandmen with commendations and favours, and by reprimanding and fining the slothful encouraged them to cultivate their lands with greater attention. Accordingly, the people, being freed from wars and exempt from any

58 Isoc. *Ad Nic.* 22 : « Διὰ παντὸς τοῦ χρόνου τὴν ἀλήθειαν οὕτω φαίνου προτιμῶν ὥστε πιστοτέρους εἶναι τοὺς σοὺς λόγους μᾶλλον ἢ τοὺς τῶν ἄλλων ὅρκους. Ἅπασι μὲν τοῖς ξένοις ἀσφαλῆ τὴν πόλιν πάρεχε καὶ πρὸς τὰ συμβόλαια νόμιμον ».

> attendance on the affairs of the State, and at the same time being disgraced and punished for idleness and sloth, all became husbandmen and looked upon the riches which the earth yields and which of all others are the most just as more enjoyable than the precarious affluence of a military life.[59]

Isocrates had described poverty as « a thing that breaks up friendships, perverts the affections of kindred into enmity, and plunges the whole world into war and strife ».[60] In his speech to Philip, the orator had advocated the need for colonisation for « those who now, for lack of the daily necessities of life, are wandering from place to place and committing outrages upon whomsoever they encounter ».[61] In the *Aeropagiticus*, Isocrates recounts how the wealthier Athenians of old had come « to the rescue of the distresses of the poor, handing over lands to some at moderate rentals, sending out some to engage in commerce, and furnishing means to others to enter upon various occupations ».[62] Providing all subjects with an honourable means of livelihood was to ensure concord and stability in the state.

To feed his subjects and, as Isocrates had recommended to Nicocles (*Ad Nic.* 18), to make their labour profitable, Numa thought it appropriate to encourage agriculture, that art which had been represented in the *Panegyricus* (28) as one of the two greatest blessings

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59 D.H. 2.76.1-2 : «Ἃ δὲ μέλλω νῦν λέγειν ἐπιμελῆ τε αὐτὴν ἀπέδωκε τῶν ἀναγκαίων καὶ τῶν ἀγαθῶν ἐργάτιν. ἐνθυμούμενος γὰρ ὁ ἀνήρ, ὅτι πόλιν τὴν μέλλουσαν ἀγαπήσειν τὰ δίκαια καὶ μενεῖν ἐν τῷ σώφρονι βίῳ τῆς ἀναγκαίου δεῖ χορηγίας εὐπορεῖν, διεῖλε τὴν χώραν ἅπασαν εἰς τοὺς καλουμένους πάγους καὶ κατέστησεν ἐφ' ἑκάστου τῶν πάγων ἄρχοντα ἐπίσκοπόν τε καὶ περίπολον τῆς ἰδίας μοίρας. οὗτοι γὰρ περιιόντες θαμινὰ τοὺς εὖ τε καὶ κακῶς εἰργασμένους τῶν ἀγρῶν ἀπεγράφοντο καὶ πρὸς τὸν βασιλέα ἀπέφαινον, ὁ δὲ τοὺς μὲν ἐπιμελεῖς γεωργοὺς ἐπαίνοις τε καὶ φιλανθρωπίαις ἀνελάμβανε, τοὺς δὲ ἀργοὺς ὀνειδίζων τε καὶ ζημιῶν ἐπὶ τὸ θεραπεύειν ἄμεινον τὴν γῆν προὐτρέπετο. τοιγάρτοι πολέμων τε ἀπηλλαγμένοι καὶ τῶν κατὰ πόλιν πραγμάτων σχολὴν πολλὴν ἄγοντες ἀργίας τε καὶ βλακείας σὺν αἰσχύνῃ τίνοντες δίκας αὐτουργοὶ πάντες ἐγίνοντο καὶ τὸν ἐκ γῆς πλοῦτον ἁπάντων ὄντα δικαιότατον τῆς στρατιωτικῆς καὶ οὐκ ἐχούσης τὸ βέβαιον εὐπορίας γλυκύτερον ἐτίθεντο ».

60 Isoc. *Pan.* 174 : « ἣ καὶ τὰς ἑταιρίας διαλύει καὶ τὰς συγγενείας εἰς ἔχθραν προάγει καὶ πάντας ἀνθρώπους εἰς πολέμους καὶ στάσεις καθίστησιν ».

61 Isoc. *Phil.* 120-121 : « τοὺς νῦν πλανωμένους δι' ἔνδειαν τῶν καθ' ἡμέραν καὶ λυμαινομένους οἷς ἂν ἐντύχωσιν ».

62 Isoc. *Aer.* 32 : « ἀλλ' ὑπολαμβάνοντες αἰσχύνην αὐτοῖς εἶναι τὴν τῶν πολιτῶν ἀπορίαν ἐπήμυνον ταῖς ἐνδείαις, τοῖς μὲν γεωργίας ἐπὶ μετρίαις μισθώσεσιν παραδιδόντες, τοὺς δὲ κατ' ἐμπορίαν ἐκπέμποντες, τοῖς δ' εἰς τὰς ἄλλας ἐργασίας ἀφορμὴν παρέχοντες ».

given to Athens by Demeter. Although promotion of agriculture by Numa had been recorded by Cicero among the Roman authors, this passage of Dionysius is the first extant text which attributes to Numa a division of land into districts and the organization of an administration to oversee these districts. The appointment of officials by district to monitor the productivity of farmers and the establishment of a system of reward and punishment is a procedure closely reminiscent of Cyrus' own administration of the farmland of his kingdom as Xenophon reports it. According to him, Cyrus would examine personally as much land as possible and be informed through the reports of trusted agents concerning the land he could not visit for himself :

> To those governors who are able to show him that their country is densely populated and that the land is in cultivation and well stocked with the trees of the district and with the crops, he assigns more territory and gives presents, and rewards them with seats of honour. Those whose territory he finds uncultivated and thinly populated either through harsh administration or through contempt or through carelessness, he punishes, and appoints others to take office.[63]

It is likely that Dionysius voluntarily constructed this passage in such a way as to bring Xenophon's account of Cyrian land administration to his readers' mind. Pomeroy confirms from extant literature that, although the *Oeconomicus* exercised modest influence in the generations following Xenophon's death, the work had nevertheless been widely read by the Romans and had for the most part been well received.[64] Philodemus discussed the work in his *Περὶ Οἰκονομίας*; Cicero (*Sen.* 59) had portrayed a Cato the Elder recommending the works of Xenophon and remarking on the *Oeconomicus*' praise of

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63 X. *Oec.* 4.8 : « καὶ οὓς μὲν ἂν αἰσθάνηται τῶν ἀρχόντων συνοικουμένην τε τὴν χώραν παρεχομένους καὶ ἐνεργὸν οὖσαν τὴν γῆν καὶ πλήρη δένδρων τε ὧν ἑκάστη φέρει καὶ καρπῶν, τούτοις μὲν χώραν τε ἄλλην προστίθησι καὶ δώροις κοσμεῖ καὶ ἕδραις ἐντίμοις γεραίπει, οὓς δ' ἂν ὁρᾷ ἀργόν τε τὴν χώραν οὖσαν καὶ ὀλιγάνθρωπον ἢ διὰ χαλεπότητα ἢ δι' ὕβριν ἢ δι' ἀμέλειαν, τούτους δὲ κολάζων καὶ παύων τῆς ἀρχῆς ἄρχοντας ἄλλους καθίστησι ».

64 S.B. Pomeroy, (1994), *Xenophon. Oeconomicus. A Social and Historical Commentary*, Oxford, p. 68-71.

agriculture. The same Cicero (*Off.* 2.87) had produced a Latin translation of the work for the Roman audience. It is inconceivable that Dionysius did not know of the work or of its strong circulation among the well-read Romans. Rather, he must have counted on his readers to make the connection between the above passage in the *Oeconomicus* and Xenophon's depiction of Cyrus in the *Cyropaedia* as an ideal king, or, according to Cicero, as « a model of just government ».[65] The same Cicero twice mentions that the great Scipio Africanus continually read Xenophon (*Tusc.* 2.62) and « did not often put those books [*Cyropaedia*] out of his hands, for there is no duty belonging to a painstaking and fair-minded form of government that is omitted in them ».[66] By alluding to Xenophon's Cyrus, a model ruler well-known to both Greeks and Romans, Dionysius therefore emphasizes Numa's agricultural policy as one belonging to an ideal king.

A study of Numa's portrait (his ancestry, physical features, moral characteristics, education), of the circumstances of his rule (remarkable and legitimate ascension to the throne, length of rule, manner of death), and of his deeds (promotion of virtuous behaviour and of civilizing measures) has demonstrated that the king embodies the ideal monarch such as he was essentially represented in works on kingship, particularly those of Isocrates and Xenophon. It has been equally shown that, to achieve this correspondance between Numa and the ideal king, Dionysius sometimes consciously went against the established Roman tradition. What has not as yet been addressed is <u>why</u> Dionysius chooses to model his Numan account from these works on kingship.

65 This is Cicero's evaluation of Xenophon's portrayal of Cyrus in *Q. Fr.* 1.1.23 : « ad effigiem iusti imperii ».

66 Cic. *Q. Fr.* 1.1.23 : « de manibus ponere solebat. Nullum est enim praetermissum in iis officium diligentis et moderati imperi ».

4. Augustus as the Ideal *Princeps*

As Isocrates, in Evagoras' funeral oration, had aimed to instruct Nicocles by presenting to him a model king whom to imitate, Dionysius also pursues a didactic end when writing his Numan account : he wants to demonstrate that the Romans, from the very beginning of their history, had possessed great leaders who conformed to the Greek model of virtue. He does so by suggesting to the reader that Numa corresponds to the commonly received ideal representation of the king, such as had been depicted in certain works on kingship, namely those of Isocrates and Xenophon, which Dionysius knew were familiar to the well-read upper-class Greeks and Romans who constituted his audience. As a figure conforming to the Greek values that made up the ideal king, Numa would moreover give substance to the historian's claim of a kinship between Greece and Rome that went back to the very beginnings of the City.

Dionysius' representation of Numa as an ideal king most likely resonated in the Roman world under Augustus' reign. Were not 'Numan' features and deeds reminiscent of the princeps' own style of rule ? For at the time of composition, measures that would restore the ancestral values of piety, justice, frugality and moderation were on the day's agenda. The princeps' dedication or restoration of shrines and temples (namely one to the deified Caesar), his foundation or reorganization of priesthoods, to most of which he belonged, his taking on the office of *pontifex maximus*, his preference for representations of him veiled in a toga on coins and in statuary (Zanker, 1988, p. 118-128), all promote Augustus' piety. Augustus' interest in justice is manifest in his reorganization of the police-system, in the development of 'extraordinary' criminal jurisdiction, and in the creation of 'Crown'-jurists, measures which significantly improved the speed and impartiality of the judicial prodedure in Rome and in the provinces.[67] The Leges Iuliae of 18 BCE on

67 See W. Kunkel, (1966), *An Introduction to Roman Legal and Constitutional History*, Oxford, esp. p. 66-71 and 99-103.

marriage and morals, although largely unsuccessful, demonstrate Augustus' will to improve the citizenry's ethics (Galinsky, 1996, p. 128-140 ; Zanker, 1988, p. 156-159).

In Dionysius' Numan account, the question of property is an important issue. The historian devotes a chapter to Numa's institution of boundaries, a measure meant to delineate property and curb cupidity (2.74). The king moreover divided the country into *pagi* (2.76.1) and enlarged the circuit of the city to include the Quirinal hill (2.62.5). At the beginning of Augustus' principate, the question of property was still topical. The Civil Wars had rendered ineffective the right of property, and it has been noted in the preceding chapter how land confiscations for the settlement of veterans had turned to bitter conflict (*sup.*, p. 98). As *princeps*, Augustus attached great importance to the protection of properties great or small.[68] He colonized much land in Italy and the provinces, settling veterans without resorting to expropriations.[69] In addition, Augustus was concerned, as Numa was, with delineation : it is reported that he extended the pomerium of Rome (D.C. 55.6.6), divided the city into 14 *regiones* (D.C. 55.8.7 ; Suet. *Aug.* 30), which themselves were divided into *vici* (D.C. 55.8.6 ; Suet. *Aug.* 30), and delimited the banks of the Tiber with boundary stones (*CIL* 6.1235 and 31541). These measures are dated in 8 BCE, a year before the publication of the first part of the *Roman Antiquities*.[70] And if the Dionysian Numa had concerned himself with ensuring the livelihood of his citizens through promotion of agriculture, Augustus too was preoccupied with revitalizing Italian agriculture : « Hanté par le souci de ne plus faire totalement dépendre des provinces l'approvisionnement de Rome, qui risquait la famine si, en cas de guerre civile ou pour

68 See C. Nicolet, (1984), « Augustus, Government, and the Propertied Classes », in *Caesar Augustus. Seven Aspects*, ed. by F. Millar and E. Segal, Oxford, p. 111-114.

69 From 13 BCE onwards, he paid the veterans in money instead of land.

70 Datation of these measures is not absolute : the extension of the pomoerium is tentatively dated in 8 BCE by F.W. Shipley (1931, « Chronology of the Building Operations in Rome from the Death of Caesar to the Death of Augustus », *MAAR* 9, p. 53). Dio (55.8.7) mentions for the first time the division of the city into 14 regions in 7 BCE but Shipley (*id.*) believes it dates back to 8 BCE. For the delimitation of the banks of the Tiber, there is epigraphical evidence for work in both 8 and 7 BCE. According to epigraphical evidence, the organization of the *vici* covered a period ranging from 12 to 6 BCE. Again Dio (55.8.6 sq.) dates it in 7 BCE.

toute autre raison, elle était coupée de certaines sources, l'empereur rêvait d'une Italie capable de se suffire à elle-même ».[71] In these matters, Dionysius may have consciously introduced a parallel between Numa and Augustus. If Martin (1971, p. 178) makes no mention of Numa, he is, however, convinced that Dionysius gave Augustan features to Aeneas, Romulus, Evander and Hercules.[72] He observes that

> la technique de Denys consiste non à identifier ouvertement la personne d'Auguste avec tel ou tel personnage mythique du lointain passé de Rome, mais à prêter à ces personnages qui composent une longue galerie de portraits un certain nombre de traits qui évoquent irrésistiblement l'image de marque qu'Auguste prétendait imposer de lui-même. Toutes les grandes figures du passé sont ainsi mobilisées au service du règne nouveau (1971, p. 178).

My study shows that there is reason to include Numa in the roster.

In conclusion, I should like to draw attention to a passage in Dionysius' Numan account that holds a contemporary flavour for the Greek world at the end of the first century BCE. At 2.76.3, Dionysius writes :

> It was owing to these measures that neither civil dissension broke the harmony of the State nor foreign war interrupted the observance of his most excellent and admirable institutions. For their neighbours were so far from looking upon the peaceful tranquility of the Romans as an opportunity for attacking them, that, if at any time they were at war with one another, they chose the Romans for mediators and wished to settle their enmities under the arbitration of Numa .[73]

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71 P.M. Martin, (1971), « La propagande augustéenne dans les *Antiquités Romaines* de Denys d'Halicarnasse (Livre I) », REL 49, p. 176.

72 Gabba (1991, p. 212-213) judges laudatory allusions to Augustus as nonexistent : « He (Dionysius) was more concerned with the new historical reality, its cultural presuppositions, and its political and social functions than with the form of its government or the dominant ideology expounded by the *princeps* ».

73 D.H. 2.76.3 : « δι' ὧν οὔτε στάσις ἐμφύλιος τὴν πολιτικὴν ἔλυσεν ὁμόνοιαν, οὔτε πόλεμος ἀλλοεθνὴς ἐκ τῶν κρατίστων καὶ θαυμασιωτάτων τὴν πόλιν ἐπιτηδευμάτων ἐκίνησε.

The historian, as far as extant material shows, does not draw this episode of Numan arbitration from Roman tradition. Neither Livy nor Cicero make any reference to it. This is not unexpected as arbitration remains an alien practice to Roman culture until the second century BCE, at which time the growing involvement of Romans in affairs of Greater Greece, mainland Greece and Asia acquainted them with this typically Greek practice.[74] Greek states had been relying on arbitration to resolve their disputes since archaic times but even more so during the third and second centuries when the practice was flourishing. Epigraphical and literary evidence reveals that, even when Rome was familiarized with the practice of arbitration, she was nevertheless always rather reluctant to take on the role of arbiter and was outright opposed to any submission to arbitration of her own disputes with other nations.[75] Matthaei (1908, p. 263) believes that Rome never fully understood the concept of neutrality which constituted the foundation of arbitration. But if arbitration was so clearly an un-Roman practice, why did Dionysius choose to incorporate it in his Numan account ? It can reasonably be maintained that Dionysius' intent was to prove the Romans' kinship with the Greeks by attracting attention to the presence of a Greek custom in archaic Rome. But a stronger reason may reside in the criteria behind a nation's choice for arbiter. The evidence for establishing these criteria is unfortunately meagre but it is still sufficient to determine that ties of kinship played a role. It has also been found that Greek states

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τοσοῦτον γὰρ ἀπεσχον οἱ περίοικοι τὴν ἀπόλεμον ἡσυχίαν Ῥωμαίων ἀφορμὴν τῆς κατ' αὐτῶν ἐπιθέσεως ὑπολαβεῖν, ὥστε καὶ εἴ τις αὐτοῖς πρὸς ἀλλήλους συνέστη πόλεμος διαλλακτῆρας ἐποιοῦντο Ῥωμαίους καὶ ἐπὶ διαιτητῇ Νόμᾳ τὰς ἔχθρας διαλύειν ἠξίουν ».

74 The Romans turned to *recuperatores* in matters of private law to deal with property disputes but they had not developed a procedure to deal with interstate disputes comparable to the arbitration and mediation procedures of the Greeks. See L.E. Matthaei, (1908), « The Place of Arbitration and Mediation in Ancient Systems of International Ethics », *CQ* 2, esp. p. 241-245 and Gruen (1984, Vol. 1, esp. p. 99-101).

75 Matthaei (1908, p. 246-248 and 253-262) has collected and studied all examples in which Rome is called to arbitration as an appellant state. He shows how Rome consistently rejects the idea. For example, Livy (44.14.15) describes Roman indignation at the Rhodians' request that Rome submit her quarrel with Perseus to arbitration in 169 BCE. However, Rome did find arbitration useful as a means to delegate Greek quarrels in which she wanted no part to Greek arbiters. See also Gruen, (1984, Vol. 1, p. 105-110).

appealed to kings for arbitration although it was more common to appeal to a state.[76] In these respects, Numan arbitration is consistent with genuine Greek custom. But key evidence lies in the following text of Polybius which suggests ethical excellence as a criterion for an appointment as arbiter :

> The Thebans and Lacedaemonians referred the matters in dispute to the arbitration of the Achaeans, and to them alone among the Greeks, not in consideration of their power, for at that time they ranked almost lowest of the Greeks in that respect, but rather of their good faith and their moral excellence in general. For beyond question this is the opinion of them which was held at that time by the whole world.[77]

Although the text's objectivity is suspect, as written by one who was himself a patriotic Achaean, the argument of ethical superiority, if it can be legitimately questioned as applying to the Achaeans in this particular instance, remains valid as a general criterion for the choice of arbiter. Dionysius who sets up king Numa as a virtuous figure largely instrumental in forging the ethical foundations of the Romans, likely counted on his audience to pick up on the correlation between Numa's reputation for wisdom, justice and good faith, and his choice as arbiter by other nations. Moreover, it must not be forgotten that arbitration was the last Greek diplomatic resort for avoiding war when negotiation had failed, and that as such it finds a natural place in the legend of Rome's official promoter of peace and concord.

There is another reason, a historical one, for Dionysius to write of Numan arbitration. The Roman state and individual Roman leaders had increasingly been called upon to mediate and arbitrate from the second century onwards. In 184 BCE, the Roman

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76 These conclusions result from Tod's study of epigraphical and literary evidence (1913, *International Arbitration among the Greeks*, Oxford, esp. p. 86-98).

77 Plb. 2.39.9-10 : « Οὐ μὴν ἀλλά γε περὶ τῶν ἀμφιβισβητουμένων ἐπέτρεψαν θηβαῖοι καὶ Λακεδαιμόνιοι μόνοις τῶν Ἑλλήνων Ἀχαιοῖς, οὐ πρὸς τὴν δύναμιν ἀποβλέψαντες (σχεδὸν γὰρ ἐλαχίστην τότε δὴ τῶν Ἑλλήνων εἶχον), τὸ δὲ πλεῖον εἰς τὴν πίστιν καὶ τὴν ὅλην καλοκαγαθίαν· ὁμολογουμένως γὰρ δὴ τότε ταύτην περὶ αὐτῶν πάντες εἶχον τὴν δόξαν ».

senate received ambassadors from Pergamum and from Thessalian cities who complained of treaty violations effected by Philip of Macedon (Plb. 23.1-3 ; Liv. 39.46.6 sq. ; Forte, 1972, p. 46). Rome was also asked to settle disputes on behalf of Greek cities, guilds and individuals (Forte, 1972, p. 69). But most importantly for contemporaries of Dionysius, arbitration became associated to Augustus, who settled numerous cases for cities and individuals alike. Epigraphical testimony suggests that the emperor's verdict was preferred by Greeks to a local one, for Augustus was now a guarantee of justice in the Greek world (Forte, 1972, p. 179). To present Numa as an arbiter must have conjured up the image of Augustus himself as arbiter and dispenser of justice in the provinces.

In this study of Dionysius' Numan account, the evidence is convincing enough to perceive an intent to associate Numa with the figure of the ideal king such as it had been defined in works on kingship. In addition to strengthening the historian's position as to the existence of a Graeco-Roman kinship – the presence of Greek values in the second ruler of Rome being evidence of this –, the conformity of Numa to the ideal king proves to the reader that the Roman knows how to rule and deserves to do so because of the long history of his virtue. The virtuous king Numa, the ruler of archaic times, together with Augustus, the modern embodiment of the ideal leader, constitute two poles in Roman history that guarantee a continuity of good Roman leaders adhering to classical Greek values.

In Rome continuity is not only ensured for the Romans but for the Greeks as well. Athens, at the height of her power, had been praised as a beacon of civilization, and she had impressed her classical style in art and literature. Glorious Athens was no more, but, Dionysius believes, she lives in Rome. Through Rome, the purity of Greek Attic style is promoted once more, civilization is ensured, and the Greek way of life is protected. In his famous *Panegyricus*, Isocrates had once advocated Greek unity in the name of kinship in order to march against the Persians. So too does Dionysius in his *Roman Antiquities*

advocate the unity of Greece and Rome on grounds of kinship. For by convincing Greece that Rome shares her blood and her values, Dionysius invites the Greek world to share in Rome's responsibility of securing civilization, peace and prosperity throughout the Mediterranean world. Greece, he believes, should participate in Rome's destiny instead of merely submitting to it.

CHAPTER 5 : THE OVIDIAN NUMA

The Numan accounts studied up to this point were extracted from prose works in which the authors had a care to meet the contemporary standards for writing history. This is not the case for Ovid. The fanciful, the inaccurate, the mythical, all find a place in Ovid's poetical works and serve to construct his representation of Numa in the *Fasti* and *Metamorphoses*. Objectivity and rationality are not the only requirements from which poetry is exempted. The strictures of a chronological account do not weigh on the poet who can introduce a character recurrently and inconsistently. This proves a more consequential difference from historiographical works since it may render consistent political allusion more difficult to identify. When one adds the possibility of irony, one concludes that any act of interpretation should be cautiously exercised. With these reservations in mind, I now proceed to the examination of Ovid's Numan passages.

1. Numa in the *Metamorphoses*

In the Metamorphoses,[1] we encounter Numa at the beginning of the final book, just as he is designated as Romulus' successor to the Roman throne.[2] His intellectual curiosity,

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1 Scholarship for this work privileges political and apolitical reading. Political reading : Both Segal (1969, « Myth and Philosophy in the Metamorphoses : Ovid's Augustanism and the Augustan Conclusion of Book XV », *AJP* 90, p. 257-292) and Coleman (1971, « Structure and Intention in the *Metamorphoses* », *CQ* 21, p. 461-477) argue that Ovid uses literary material to subvert serious Augustan themes. Apolitical reading : Little (1970, « The Speech of Pythagoras in Metamorphoses 15 and the Structure of the Metamorphoses », *Hermes* 98, p. 340-360) finds allusion to Augustus and Augustan Rome minimal in quantity and importance. In another article (1976, « Ovid's Eulogy of Augustus : *Metamorphoses* 15.851-70 », *Prudentia* 8, p. 19-35), Little asserts Ovid's avoidance of political criticism. For Due (1974, *Changing Forms. Studies in the Metamorphoses of Ovid*, Copenhagen, p. 66-89), Ovid was neither Augustan nor anti-Augustan : he simply had nothing against the established government which secured his *otium*. Galinsky (1975, *Ovid's Metamorphoses : an Introduction to the Basic Aspects*, Berkeley and Los Angeles, p. 217) believes that Ovid is « un-Augustan and indifferent to the moral and political values propagated at his time ». Knox (1986, *Ovid's Metamorphoses and the Tradition of Augustan Poetry*, Cambridge, p. 75-79) observes that Augustus is mostly a literary motif for Ovid.

2 Myers (1994, *Ovid's Causes. Cosmogony and Aetiology in the Metamorphoses*, Ann Arbor, p. 161) reports the observation of commentators that « the transition from the end of Book 14 with the deification of Romulus to the opening of Book 15 with Numa and Pythagoras reflects the similar

the narrator recounts, has led him to Crotona to seek enlightenment (*M.* 15.1-8).[3] There he listens to the teachings of Pythagoras, which are presented to the reader through a speech (*M.* 15.75-478).[4] Filled with this knowledge, Numa is chosen as king of Rome upon his return and introduces his warlike people to the ways of peace (*M.* 15.479-484).

For Knox (1986, P. 67), Numa serves as a mere transitional device. I disagree. Numa participates in the *Metamorphoses*' central theme of change, which Pythagoras eloquently expounds in his speech.[5] Numa himself is an agent of change : he transforms the warlike Romans into a pious and peace-loving people. Glenn (1986, p. 193) more judiciously remarks that

> all the major figures in this book (XV) in some way, directly or metaphorically, have to do with healing, that is, with bringing health, harmony, concord, or wholeness to men singly or collectively and even to their relationship with animals. Numa heals the warlike natures of his people and prevents wounds by training Romans to be peaceable.

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structure of the end of [Ennius'] *Annales* Book 1, the deification of Romulus, and the beginning of Book 2, the meeting of Numa and Egeria (*Ann.* 113 S) ».

3 Buchheit (1993, p. 86-97) remarks that Book Fifteen (15.1 : *tantae pondera molis*) opens with a reference to *Aeneid* 1.33 (*tantae molis erat Romanam condere gentem*). Verse 6 (*quae sit rerum natura*) is a well-known Lucretian reference. Numa's curiosity to know of Crotone's founder opens the way for imitation of the details and structure of *Aeneid* 8. Myers (1994, p. 81-82) shows that the framework of investigation itself is Callimachean.

4 Much has been written about the content of this speech and its structural role. Segal (1969, p. 278-289) notes that Pythagoras and his philosophy are not presented in serious and uplifting fashion. Their role is simply to emphasize the constance of change, indifferent to the direction (upward or downward) of the metamorphosis. Solodow (1988, *The World of Ovid's Metamorphoses*, Chapel Hill, p. 162-167) also interprets the speech along these lines. Little (1970, p. 340-360) believes that Pythagoras' speech is not meant to unify the whole work but only Book 15. Change for Pythagoras is not grounded in myth but in the real world of nature. For Glenn (1986, *The Metamorphoses. Ovid's Roman Games*, Lanham, p. 195-197), Ovid uses the Philosopher to promote Augustus' program of peace and piety. The study of Pythagorean references throughout the work leads Colarito (1989, *The Pythagorean Intertext in Ovid's Metamorphoses. A New Interpretation*, Lewiston) to conclude that Pythagoreanism is a unifying theme of the work. For Galinsky (1975, p. 105-106), Pythagoras' serious and moral use of myth serves as a foil to Ovid's light and amoral use of it.

5 See Ov. *M.* 15.75-478. Every physical form is everchanging and destined to die, be it the world going through seasons as it turns, or man going through the stages of life, or even cities that experience growth and decline. Only the soul is immortal although it may live in many different forms at different times – he himself recalls former lives.

In Ovid's time, Rome had known another healer who, though responsible for causing wounds for piety's sake, had transformed the war-torn commonwealth into a peaceful, prosperous, god-fearing and law-abiding state. Jupiter prophesies his coming in the *Metamorphoses* :

> When peace has been bestowed upon all lands he shall turn his mind to the rights of citizens, and as a most righteous jurist promote the laws. By his own good example shall he direct the ways of men, and, looking forward to future time and coming generations, he shall bid his son, born of his chaste wife, to bear his name and the burden of his cares ; and not till old age, when his years have equalled those of Pylos, shall he attain the heavenly seats and his related stars.[6]

This passage participates also in what appears to me to be Book Fifteen's lesson about change : what at first appears bad may produce good results. Jupiter's prophecy serves to persuade Venus, who wants to prevent Caesar's murder, that it is better to allow it. For the change will bring Augustus at the head of a great Roman Empire, the son who will surpass even the deeds of his father. Change in this instance is to Rome's advantage, to Augustus' and even to Caesar himself, as both men become gods. The book supplies other examples : when Troy lies in ruins, Helenus comforts Aeneas by predicting the birth of an even greater city inhabited by his Trojan descendents (15.438-449). When Romulus is removed to heaven by his father, the Romans benefit from Numa's kinder reign (15.1-4). In this book, which especially emphasizes cyclic change by means of Pythagoras' speech, Romulus and Numa appear to foreshadow in positive fashion their successors Caesar and Augustus.

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6 Ov. *M.* 15. 832-839 : « Pace data terris animum ad civilia vertet // iura suum legesque feret iustissimus auctor // exemploque suo mores reget inque futuri // temporis aetatem venturorumque nepotum // prospiciens prolem sancta de coniuge natam // ferre simul nomenque suum curasque iubebit ; // nec nisi cum senior Pylios aequaverit annos, // aetherias sedes cognataque sidera tanget ».

2. Numa in the *Fasti*

2.1. History and Etymology of the Roman Calendar

The Sabine king's first appearance in the *Fasti* is in relation to the Roman calendar (1.43-44). Romulus had already set up a calendar whose erroneous reckoning of the year matched the human time of gestation (ten months), a miscalculation that Ovid (1.29) attributes to the founder's greater preoccupation with war and conquest. Numa sets things right by inserting two months before March.

The calendar at Rome was never a mere system to keep track of time. Because it appointed market days, religious holidays and festivals, as well as the days on which courts and assemblies could be held, he who controlled the calendar held much power over Rome's religious, political, judicial and social life.[7] The pontiffs, traditionally responsible for drawing up the annual calendar at Rome, were known to obligingly declare a religious holiday in order to postpone elections ; they could also manage calendar intercalations so as to shorten or lengthen the governmental year, and consequently the praetorship or consulship of one belonging to an allied or opposing political faction (Censor. 20.7). But after the Civil Wars, the calendar, based on the lunar year, was in such a chaotic state through pontifical neglect that agricultural festivals were no longer celebrated in accordance with the seasons.[8] With good reason then did Caesar, in 46 BCE (Censor. 20.8-10), reform the calendar, adopting a much simpler method of computation based on the solar year.[9] This apparently simple act had great consequences : as the calendar was now regular

7 Liou-Gille emphasizes these functions of the Roman calendar in (1992), « Le calendrier Romain : histoire et fonctions », *Euphrosyne* 20, p. 319-321.

8 Suetonius (*Caes.* 40) reports that in this period of calendar confusion the harvest Thanksgiving was celebrated before the harvest even began. Cf. Plu. *Caes.* 59.2-3. For studies on the workings of the pre-Julian calendar, see M. York, (1986), *The Roman Festival Calendar of Numa Pompilius*, New York ; C. Guittard, (1973), « Le calendrier romain des origines au milieu du Ve siècle avant J.-C. », *BAGB*, p. 203-219 ; A.E. Samuel, (1972), *Greek and Roman Chronology. Calendars and Years in Classical Antiquity*, Munich, p. 158-170 ; A.K. Michels, (1967), *The Calendar of the Roman Republic*, Princeton.

9 Censorinus (20.10) reports, along with other sources (Macr. *S.* 1.14.6 ; D.C. 43.26 ; Suet. *Caes.* 40 ; Solin. 1.45), that the new calendar had 365 days, with a single day intercalated every fourth year.

and no longer needed intercalary adjustments, the reform stripped the pontiffs of their power and asserted the reformer's own appropriation of Roman political life. Caesar's heir, Augustus, perfected his predecessor's reform of the calendar (Samuel, 1972, p. 156-158) and, as Wallace-Hadrill has demonstrated, inserted himself into Roman time, historical, celestial and calendar.[10] The renaming of the months Quintilis and Sextilis after Caesar and Augustus is a conspicuous example of the Iulii's invasion of the Roman calendar.[11] Herbert-Brown observes that « at the end of the period of rectification ordered by Augustus (9 BCE to 7 CE), the Roman calendar began to function normally, for the first time in its history without error. The first year of normal function was AD 8 ».[12] Not coincidentally, the scholar argues (p. 26), do we find Ovid busy composing his calendar in that very same year.[13] Surely the poet's readers grasped the contemporary significance of the *Fasti* and that of Numa's calendar reforms within it.

When composing his calendar, a topical subject indeed, Ovid had before him various traditions pertaining to the history of the Roman calendar. He drew, among others, on the *Fasti* of Verrius Flaccus, inscribed in Praeneste after 6 CE and most likely circulated

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10 See A. Wallace-Hadrill, (1987), « Time for Augustus : Ovid, Augustus and the Fasti », in *HomoViator : Classical Essays for John Bramble*, Bristol, p. 223-227. The scholar notes that the Fasti Capitolini, records of the consulships of the Republic, and the triumphal Fasti are inscribed on the Parthian Arch celebrating the Parthians' surrender of the Roman standards to Augustus in 19 BCE ; it becomes customary, by 2 CE, to designate the year by grants of tribunicial power to Augustus instead of by consulships ; the Horologium Augusti, put up in the very year of the Asian cities' proposal to begin the civil year with Augustus' birthday (8 BCE), is positioned so as to focus attention on the Ara Pacis on September 23, Augustus' birthday ; the Fasti of Praeneste (6-10 CE) include entries of imperial events alongside events of the Roman past.

11 After the appearance of the comet in July 44 BCE, the renaming of Quintilis to July became legal (D.C. 45.7.2). In 27 BCE, the Senate had voted to honour Augustus by renaming Sextilis after him, an honour that Augustus accepted only in 8 BCE (Suet. *Aug.* 31 ; D.C. 55.6.6).

12 G. Herbert-Brown, (1994), *Ovid and the Fasti. An Historical Study*, Oxford, p. 25.

13 Syme (1978, *History in Ovid*, Oxford, p. 21-36) argues at length that the *Fasti* were composed between 1 and 4 CE, and that Ovid stopped writing in the course of 4 CE. Schilling, in his edition of the *Fasti* (1992, Paris, p. vii-x), establishes at 3 CE the beginning of Ovid's work on the *Fasti*. The poet's exile in 8 CE led to a revision of the exordium. Herbert-Brown (1994, p. ix) sees no reason to dispute the dating of the *Fasti*, as we learn from Ovid himself that the composition of the work was interrupted by his banishment (*Tr.* 2.549-552 : « sex ego Fastorum scripsi totidemque libellos // cumque suo finem mense volumen habet. // idque tuo nuper scriptum sub nomine, Caesar, // et tibi sacratum sors mea rupit opus »). Newlands (1995, p. 5) contends that Ovid began composition in approximately 2 CE and revised the extant poem during his exile.

in a literary version as well (Wallace-Hadrill, 1987, p. 227). To understand the poet's choices and ultimately Numa's place in the *Fasti*, it is important to examine these traditions.

Censorinus, Macrobius and Plutarch are the most exhaustive sources on the history of the Roman calendar. Festus, who heavily used Verrius Flaccus' etymological dictionary, the now lost *De Significatione Verborum*, is also worth exploring. Censorinus (20.4) reports that the original ten-month year became a twelve-month year by the care of Numa, according to Fulvius, or by the care of Tarquinius, according to Junius.[14] According to Plutarch (*Num.* 18.6), many authors attributed the reform to Numa ; we know that this was the case for Macrobius (1.13.2), Livy (1.19.6), Florus (1.1.2) and the author of the *De Viris Illustribus* (3.1).[15] Varro's position is unfortunately unknown.

The twelve-month year, according to Fulvius and Junius, comprised 355 days, even though the completion of twelve circuits of the moon equalled 354 days. The extra day was added, in Censorinus' opinion (20.4), because of the belief that odd numbers are lucky.[16] Macrobius confirms that Numa had added a day to the year « in honour of the odd number (a mystery which nature had brought to light even before the time of Pythagoras) ».[17] By stressing the chronological impossibility of a relationship between Numa and Pythagoras, Macrobius' remark confirms an existing belief that Numa's love of the odd number was born of his Pythagorean learning.[18] Michels (1967, p. 125) suggests that Fulvius looked

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14 Tarquinius Priscus according to Frazer (1929, Vol. 1, p. 9) : « he probably meant Tarquin the Elder (Priscus), for he held that the practice of intercalating days in order to equate the lunar with the solar year was first introduced by Servius Tullius, the immediate successor of Tarquin the Elder (Macr. *S.* 1.13.20) ».

Concerning the number of months contained in the original Roman year, Censorinus (20.2) reports two traditions : Licinius Macer and Fenestella believed there were twelve while Censorinus himself, Junius Gracchanus, Fulvius, Varro, Suetonius and other unnamed authors (such as Plu. *Num.* 18.6 ; Fest. 136.6-10) agreed there were ten. Macrobius (1.12.3, 38), Gellius (3.16.16) and Solinus (1.35) report that a ten-month year had been instituted by Romulus.

15 Eutropius (1.3), probably mistakenly, reports that Numa had divided the year into ten months.

16 Cf. Verg. *E.* 8.75 : « numero deus impare gaudet ».

17 Macr. *S.* 1.13.5 (trans. by P.V. Davies, 1969) : « in honorem imparis numeri, secretum hoc et ante Pythagoram parturiente natura ».

18 Solinus (1.40) reports Pythagoras' preference for the odd number : « (...) imparis numeri, quem Pythagoras monuit praeponi in omnibus oportere ». The preference was born of the Pythagoreans'

to the connection between Numa and Pythagoras to explain the puzzling number of days – 355 instead of 354 – of the pre-Julian calendar : « If Numa was a Pythagorean, he must have liked odd numbers. Ergo, *he* must have invented this peculiar year ».[19] Varro's opinion on the matter has not been preserved.

Pertaining to the names of the months, Ovid faced two 'schools of thought' : one is represented mainly by M. Fulvius Nobilior, the other by Varro. According to Censorinus (22.9), Fulvius and Junius consider that Romulus was responsible for the order and the naming of the months. He called the first month *Martius* in honour of his father Mars and the second month *Aprilis* in honour of Aphrodite, i.e. Venus, from whom his ancestors issued. The two following months were named after the people : *Maius* in honour of the elders (*maiores natu*) ; *Iunius* in honour of the younger (*iuniores*).[20] The other months, from *Quintilis* to *Decembris*, were called in accordance with their numerical order.

Varro contends convincingly according to Censorinus (22.10) that the Romans borrowed their months' names from the Latins and that these designations predated Rome's existence. He believes that the month of *Martius* was indeed named after Mars but because of the Latins' love of war.[21] *Aprilis* did not originate from Aphrodite but from the root of *aperire* because everything 'opens' in spring.[22] *Maius* came from Maia as this month celebrated a holiday in honour of Maia and Mercury.[23] *Iunius* was named from Juno (Fest.

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association of the odd number (*περιττόν*) with the Limited (*πέρας*), the One (*ἕν*) and the Good (*ἀγαθόν*) (Arist. *Metaph.* 986 a ; cf. Plu. *Aet. R.* 270 b).

19 Boyancé (1955, « Fulvius Nobilior et le dieu ineffable », *RPh* 29.3, p. 174-175) had already noted Fulvius Nobilior's role in attributing to Numa the twelve-month year on the basis of the king's reputation for scientific knowledge, allegedly acquired from Pythagoras. Guittard (1973, p. 212) agrees with this observation.

20 This etymology for *Maius* and *Iunius* is also reported by Festus (120.9-12).

21 Cf. Fest. 136.7 : « quod ea gens erat bellicosissima ».

22 Censor. 22.11 : « quod tunc ferme cuncta gignantur et nascendi claustra aperiat natura ». Cf. Varr. *LL* 6.33 : « magis puto dictum, quod ver omnia aperit, Aprilem » ; Fast. Praen. in (1963), *Inscriptiones Italiae*, Vol. 13.12, ed. by A. Degrassi, Rome, p. 127 : « [Aprilis a] V[e]n[e]r[e], quod ea cum [Anchisa iuncta mater fuit Aene]ae, regis [Latinor]um, a quo p(opulus) R(omanus) ortus e[st. Alii ab ape]ri[li] q[uod] am i[n m]ense, quia fruges, flores animaliaque ac maria et terrae aperiuntur ».

23 Cf. Fest. 120.9-12 : « an a Maia, quod Mercurio filio eius res divinae <idibus> fiant sollemnes ; an quod ipsi deae in multis Latinis civitatibus sacrificia fiebant ». Cornelius Labeo (*ap.* Macr. *S.* 1.12.20)

92.6-7) as most holidays of the month were associated with her (Censor. 22.12). *Quintilis* to *Decembris* were named after their rank in the Latin calendar. *Ianuarium* and *Februarium* were later additions although their designations were also borrowed from the Latins. *Ianuarium*, as it was dedicated to Janus, bore his name (Censor. 22.13) ; no alternative tradition seems to exist. *Februarium* was said to come from *februum* (Censor. 22.13).[24] Varro writes that *Februarium* came from *dies februatus*, « because then the people is purified, that is, the old Palatine town girt with flocks of people is passed around by the naked Luperci ».[25] Macrobius (1.13.3) reports that the month was dedicated to Februus, the god who presided over ceremonies of purification. Fulvius and Junius drew the month's etymology from the *di inferi*, to whom expiatory sacrifices were made in this month (Varr. *LL* 6.34). Isidorus (*Orig.* 5.33.4) reunites both positions by identifying Februus with Pluto. Plutarch (*Num.* 19.3-6) objectively reports the position of Fulvius and Varro for all the months' designations without naming the proponents.

2.2. Ovid's Use of the Calendar of Fulvius Nobilior

We now turn to the *Fasti* where, immediately after the opening invocation, Ovid introduces a Roman calendar that clearly follows Nobilior's own :

> When the founder of the City was setting the calendar in order, he ordained that there should be twice five months in his year (....). The

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believes that sacrifice is offered in May not to Maia, mother of Mercury, but to Maia, the Earth, thus called from its great size (*magnitudine*).

24 Censorinus (22.14-15) provides a full explanation : « Est februum quidquid piat purgatque, et februamenta purgamenta, item februare purgare et purum facere. Februum autem non idem usquequaque dicitur ; nam aliter in aliis sacris februatur, hoc est purgatur. In hoc autem mense Lupercalibus, cum Roma lustratur, salem calidum ferunt, quod februum appellant, unde dies Lupercalium proprie februatus et ab eo porro mensis Februarius vocitatur ». Cf. Fest. 75.23-76.5 : « Februarius mensis dictus, quod tum, id est extremo mense anni, populus februaretur, id est lustraretur ac purgaretur, vel a Iunone Februata, quam alii Februalem, Romani Februlim vocant, quod ipsi eo mense sacra fiebant, eiusque feriae erant Lupercalia, quo die mulieres februabantur a lupercis amiculo Iunonis, id est pelle caprina ; quam ob causam is quoque dies Februatus appellabatur. Quaecumque denique purgamenti causa in quibusque sacrificiis adhibentur, februa appellantur. Id vero, quod purgatur, dicitur februatum ».

25 Varr. *LL* 6.34 : « quod tum februatur populus, id est Lupercis nudis lustratur antiquum oppidum Palatinum gregibus humanis cinctum ».

> month of Mars was the first, and that of Venus the second ; she was the author of the race, and he his sire. The third month took its name from the old, and the fourth from the young ; the months that trooped after were distinguished by numbers. But Numa overlooked not Janus and the ancestral shades, and so to the ancient months he prefixed two.[26]

But what motivates Ovid's choice ? It is certainly relevant that Fulvius Nobilior, consul in 189 BCE, was the first to compose a work on the calendar of which a copy was deposited in the temple of Hercules of the Muses (Macr. *S.* 1.12.16).[27] Ovid would naturally acknowledge the first composer of *Fasti*. More importantly Fulvius' conception of the calendar in which Numa appeared provided key opportunities for Ovid to praise Rome's ruling family, as we shall now see.

The Fulvian identification of Numa as a calendar reformer supplied such an opportunity. We know that March, according to Fulvius, was named after Mars by Romulus, who thus wanted to honour his father. Ovid's introduction to March recounts the genealogy of Romulus and how the founder of Rome dedicated the month to Mars, because he was his father : « "Umpire of war, from whose blood I am believed to have sprung (and to confirm that belief I will give many proofs), we name the beginning of the Roman year after thee ; the first month shall be called by my father's name" ».[28] Ovid goes on to prove that March did in fact commence the year and then continues :

> (Numa) Pompilius, who was escorted to Rome from the lands where olives grow, was the first to perceive that two months were lacking to the

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26 Ov. *F.* 1.27-28 ; 39-44 : « Tempora digereret cum conditor Urbis, in anno // constituit menses quinque bis esse suo.// (...) Martis erat primus mensis Venerisque secundus : // haec generis princeps, ipsius ille pater. // Tertius a senibus, iuvenum de nomine quartus, // quae sequitur, numero turba notata fuit. // At Numa nec Ianum nec avitas praeterit umbras, // mensibus antiquis praeposuitque duos. ».

27 The temple had two designations : *Hercules Musaeque* (Serv. *Verg. A.* 1.8) or *Hercules Musarum* (Macr. *S.* 1.12.16 ; Eum. *Pan. Const.* 5.7.3).

28 Ov. *F.* 3.73-76 : « "Arbiter armorum, de cuius sanguine natus // credor et, ut credar, pignora multa dabo, // a te principium Romano dicimus anno : // primus de patrio nomine mensis erit" ». Cf. Ov. *F.* 3.97-98 : « Romulus hos omnes ut vinceret ordine saltem, // sanguinis auctori tempora prima dedit ».

> year, whether he learned that from the Samian sage who thought that we could be born again, or whether it was his Egeria who taught him. Nevertheless the calendar was still erratic down to the time when Caesar took it, like so much else, in charge. That god, the founder of a mighty line, did not deem the matter beneath his attention (....) To three hundred and five days he added ten times six days and a fifth part of a whole day. That is the measure of the year. The single day compounded of the (five) parts is to be added to the lustre.[29]

The adoption of the Fulvian position allows Ovid to create a parallel between the kings of old and the rulers of the day. The Iulian family, it is well known, traced their ancestry back to Aeneas' son, Iulius, and from him eventually sprang Romulus, the illustrious founder of Rome. Caesar, just as his ancestor Romulus, is presented by Ovid as a *deus tantaeque propaginis auctor*, and as establishing a calendar that his successor will reform, evoking Numa's own adjustment of the Romulean calendar .

It is noteworthy that between Caesar's and Ovid's death, the months of *Quintilis* and *Sextilis* had been renamed *Iulius* and *Augustus* (see n. 5), the same number of months that Numa was said to have created and named (*Ianuarium* and *Februarium*). I also draw attention to the reference to Numa's alleged Pythagorean schooling, on which he may have relied to bring about the calendar reform. Ovid may allude here to Fulvius' attribution to Numa of the 355-day lunar year based on the king's Pythagorean love of the odd number.

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29 Ov. *F.* 3.151-158, 163-166 : « Primus, oliviferis Romam deductus ab arvis, // Pompilius menses sensit abesse duos, // sive hoc a Samio doctus, qui posse renasci // nos putat, Egeria sive monente sua. // Sed tamen errabant etiam nunc tempora, donec // Caesaris in multis haec quoque cura fuit. // Non haec ille deus tantaeque propaginis auctor // credidit officiis esse minora suis// (....) Is decies senos ter centum et quinque diebus // iunxit et e pleno tempora quinta die. // Hic anni modus est : in lustrum accedere debet, // quae consummatur partibus, una dies ».

Ovid's declaration that Caesar computed 365 days and one fifth in a year goes against all other ancient testimony (*sup.*, p. 143, n. 9). Frazer argues (1929, Vol. 3, p. 47-48), on the authority of the manuscripts which clearly favour *quinta* in line 164, that Ovid misinterpreted the Latin phrase, *quinto quoque anno*, giving it the regularly used meaning of 'every fourth year' instead of the literal 'every fifth year'. Schilling (1992, p. 142, n. 61) agrees that Ovid wrote *quinta* « par inadvertance ».

In his introduction to April, Ovid clearly spells out the Iulian family's genealogical ties to Mars and Venus and their connection to the Roman calendar :

> If any part of the calendar should interest you, Caesar, you have in April matter of concern. This month you have inherited by a great pedigree, and it has been made yours by virtue of your adoption into a noble house. When the Ilian sire was putting the long year on record, he saw the relationship and commemorated the authors of your race : and as he gave the first lot in the order of months to fierce Mars, because he was the immediate cause of his own birth, so he willed that the place of the second month should belong to Venus, because he traced his descent from her through many generations.[30]

Ovid goes on to sing of the ancient and noble lineage of the Iulian clan. The poet then takes up the disputed etymology of *Aprilis*, acknowledging the envious lot who draw the month's name from *aperire* (Varro and Verrius Flaccus among them : *sup.*, p. 146, n. 22). But Ovid skilfully identifies Venus as the very force that opens everything, thus absorbing the rival etymology into his own. Venus, the poet boasts, does not only hold sway on the month of April but on the entire world (4.91 : *illa quidem totum dignissima temperat orbem*), a claim meant to remind the reader of her famed descendant's own world rule. In addition, as Porte remarks, Ovid's attribution of April to Venus allowed the poet to rival Lucretius' own praise of the goddess.[31]

30 Ov. *F.* 4.19-29 : « Siqua tamen pars te de fastis tangere debet, // Caesar, in Aprili quod tuearis habes. // Hic ad te magna descendit imagine mensis // et fit adoptiva nobilitate tuus. // Hoc pater Iliades, cum longum scriberet annum, vidit et auctores rettulit ipse tuos ; // utque fero Marti primam dedit ordine sortem, // quod sibi nascendi proxima causa fuit, // sic Venerem gradibus multis in gente receptam // alterius voluit mensis habere locum ».

31 D. Porte, (1985), « L'étiologie religieuse dans les *Fastes* d'Ovide », Paris, p. 229.

2.2.1. Janus or Peace (January)

The name of *Ianuarium* was acknowledged by all to come from Janus.[32] Ovid, if he follows the Fulvian tradition that attributed the creation of the month to Numa, makes use of another anonymous tradition that moves the beginning of the year. According to Ovid (1.27-28), the Romulean ten-month calendar began its year in March. When Numa added two months to the calendar, he transferred the beginning of the year from March to January (3.151-154) thus instituting a calendar better suited to the priorities of his reign.[33] The Romulean year, inaugurated in the month of Mars, had reflected Romulus' warlike disposition as well as his filial link to the war god. Numa's year, commencing with the month of Janus, would promote the values of peace and civilization attached to the very ancient two-faced god. Plutarch says as much in the following passages : « And I think that March, which is named from Mars, was moved by Numa from its place at the head of the months because he wished in every case that martial influences should yield precedence to civil and political. For this Janus, in remote antiquity, whether he was a demi-god or a king, was a patron of civil and social order, and is said to have lifted human life out of its

32 Ovid calls Janus *biformis* (*F.* 1.89) ; Janus was said to be two-faced, *bifrons* (Macr. *S.* 1.9.4) or *geminus* (Macr. *S.* 1.9.9 and 1.9.15). He reports that the ancients called the god Chaos (*F.* 1.103) ; Festus writes (45.20-25) : « Chaos appellat Hesiodus (*Th.* 116) confusam quandam ab initio unitatem, hiantem patentemque in profundum. Ex eo et χάσκειν Graeci, et nos hiare dicimus. Unde Ianus detracta aspiratione nominatur id, quod fuerit omnium primum ; cui primo supplicabant velut parenti, et a quo rerum omnium factum putabant initium ». The poet plays on the etymology of *eo* when he claims that Janus is thus called since even Jupiter comes (*it*) and goes (*redit*) by Janus' service (*F.* 1.126-127) ; the name was said to be derived from *eundo* (Cic. *ND* 2.27.67 ; Macr. *S.* 1.9.11). Ovid designates Janus as Patulcius (*F.* 1.129) and Clusius (*F.* 1.130), observing that all things are closed (*sunt clausa*) and opened (*patent*) by Janus' hand (*F.* 1.118) ; Macrobius reports (*S.* 1.9.16) : « Patulcium et Clusivium quia bello caulae eius patent, pace clauduntur, huius autem rei haec causa narratur ». Also Serv. *Verg. A.* 7.611. Ovid calls Janus *caelestis ianitor aulae* (*F.* 1.139) ; according to Macrobius (*S.* 1.9.9), he is *utriusque ianuae caelestis potentem*. The poet reports that Janus grants access to the gods (*F.* 1.173-174). Cf. Macr. *S.* 1.9.9. The poet suggests that the Kalends belong to Janus (*F.* 1.175) ; according to Macrobius (*S.* 1.9.16), Janus is called Junonium « quasi non solum mensis Ianuarii sed mensium omnium ingressus tenentem ; in dicione autem Iunonis sunt omnes kalendae ». Ovid does not identify Janus as Consivius (Macr. *S.* 1.9.15) or Quirinus, although the latter epithet is attested by Horace (*Od.* 4.15.9), Suetonius (*Aug.* 22) and Macrobius (*S.* 1.9.16), nor does he mention the tradition that identifies Janus with Apollo and Diana (Macr. *S.* 1.9.5-8). For modern commentaries on Janus, see Frazer (1929, Vol. 2, p. 90-130) ; P. Grimal, (1945), « Le dieu Janus et les origines de Rome », *Lettres d'humanité* 4, p. 15-121 and G. Capdeville, (1973), « Les épithètes cultuelles de Janus », *MEFRA* 85.2, p. 395-436.

33 Both Plutarch (*Aet. R.* 268 c ; *Num.* 18.5) and Macrobius (*S.* 1.13.3) attest that Numa transferred the beginning of the year from March to January.

bestial and savage state. For this reason he is represented with two faces, implying that he brought men's lives out of one sort and condition into another ».[34] Also : « But Numa, in turn, who was a lover of peace, and whose ambition it was to turn the city towards husbandry and to divert it from war, gave the precedence to January and advanced the god Janus to great honours, since Janus was a statesman and a husbandman rather than a warrior ».[35]

It was said that Janus, king of Italy, received Saturn as his guest and shared his kingdom with him because the latter had taught Janus the art of husbandry (Macr. *S.* 1.7.21). Janus was the first to strike coins of bronze (*id.*), to build temples to the gods and ordain religious ceremonies (*ibid.*, 1.9.3). He instituted the Saturnalia (*ibid.*, 1.7.24) and rendered every man's house inviolable (*ibid.*, 1.9.2). Saint Augustine described Janus as a virtuous god, innocent of crime and scandal (*CD* 7.4). The compatibility with Numa is obvious : like Numa and Nereus (*sup.*, p. 20-21), Janus' associations with sovereignty, fertility, divination and divinities, confirm him as a civilizing figure.[36]

In addition to the shift of Janus' month at the beginning of the year, the Numan tradition retained two other links to Janus. Numa was said to have been buried on Janus' hill, the Janiculum (Plu. *Num.* 22.2), and to have built the gates of Janus, which served as a marker for peace and war (Liv. 1.19.2 ; Plu. *Num.* 20.1 ; Flor. 1.1.2.3 ;*Vir. Ill.* 3.1 ;

34 Plu. *Num.* 19.9-11 : « δοκεῖ δέ μοι τὸν Μάρτιον ὁ Νομᾶς ἐπώνυμον ὄντα τοῦ Ἄρεως ἐκ τῆς προεδρίας μεταστῆσαι, βουλόμενος ἐν παντὶ τῆς πολεμικῆς δυνάμεως προτιμᾶσθαι τὴν πολιτικήν. Ὁ γὰρ Ἰανὸς ἐν τοῖς πάνυ παλαιοῖς εἴτε δαίμων εἴτε βασιλεὺς γενόμενος πολιτικὸς καὶ κοινωνικός, ἐκ τοῦ θηριώδους καὶ ἀγρίου λέγεται μεταβαλεῖν τὴν δίαιταν. Καὶ διὰ τοῦτο πλάττουσιν αὐτὸν ἀμφιπρόσωπον, ὡς ἑτέραν ἐξ ἑτέρας τῷ βίῳ περιποιήσαντα τὴν μορφὴν καὶ διάθεσιν ».

35 Plut. *Aet. R.* 268 c : « Νομᾶς δ'αὖθις εἰρηνικὸς γενόμενος καὶ πρὸς ἔργα τῆς γῆς φιλοτιμούμενος τρέψαι τὴν πόλιν ἀποστῆσαι δὲ τῶν πολεμικῶν, τῷ Ἰανουαρίῳ τὴν ἡγεμονίαν ἔδωκε καὶ τὸν Ἰανὸν εἰς τιμὰς προήγαγε μεγάλας, ὡς πολιτικὸν καὶ γεωργικὸν μᾶλλον ἢ πολεμικὸν γενόμενον ».

36 Janus was king of Italy (Macr. *S.* 1.7.19). He promoted the agricultural way of life which Saturn had introduced (*ibid.*, 1.7.21). He had knowledge of the past and foreknowledge of the future (*ibid.*, 1.9.3) ; some even identified him with Apollo, the great god of prophecy, and Diana (*ibid.*,1.9.5). Even the connection of prophesying figures with water is retained by the Januan tradition : when the traitress Tarpeia led the Sabines to the summit of the citadel, Janus spouted out a sudden gush of sulphuric water to bar the enemy's way (Ov. *F.* 1.259-272 ; Macr. *S.* 1.9.17-18).

Serv.*Verg. A.* 7.607). In an original way Ovid portrays a Janus very partial to peace. Interviewed by the *Fasti*'s narrator, Janus relates how, during Saturn's reign, he had nothing to do with war, guarding peace and doorways, and bearing keys instead of arms (1.253-254). His penchant for peace is revealed further in his explanations relative to the opening and closing of his gates :

> "My gate, unbarred, stands open wide, that when the people has gone forth to war, the road for their return may be open too. I bar the doors in time of peace, lest peace depart, and under Caesar's star I shall be long shut up". He spoke, and lifting up his eyes that saw in opposite directions, he surveyed all that the whole world held. Peace reigned (...).[37]

And again : « When I choose to send forth peace from tranquil halls, she freely walks the ways unhindered. But with blood and slaughter the whole world would welter, did not the bars unbending hold the barricaded wars ».[38] Finally the narrator turns to Janus himself as the appropriate god to fulfill his prayer for eternal peace : « O Janus, let the peace and the ministers of peace endure for aye, and grant that its author may never forget his handiwork ».[39]

Two of the above quoted passages point to another guarantor of peace, Augustus, to whom the *Fasti* allude twice more in that capacity.[40] Augustus' closing of the gates of Janus in 23 BCE had been deemed noteworthy by Livy (1.19.3) and celebrated in the *Res Gestae* (13) as a significant accomplishment of Augustus' principate (*sup.*, p. 96). Ovid's explanations pertaining to the gates of Janus and his peaceful representation of the two-

37 Ov. *F.* 1.279-285 : « "Ut populo reditus pateant ad bella profecto, // tota patet dempta ianua nostra sera. // Pace fores obdo, ne qua discedere possit ; // Caesareoque diu numine clusus ero".// Dixit et attollens oculos diversa videntes // aspexit toto quidquid in orbe fuit ; // Pax erat (...) ».

38 Ov. *F.* 1.121-124 : « Cum libuit Pacem placidis emittere tectis, // libera perpetuas ambulat illa vias ; // sanguine letifero totus miscebitur orbis, // ni teneant rigidae condita bella serae ».

39 Ov. *F.* 1.287-288 : « Iane, fac aeternos pacem pacisque ministros // neve suum praesta deserat auctor opus ! ».

40 Ov. *F.* 1.701-702 : « gratia dis domuique tuae : religata catenis // iampridem vestro sub pede bella iacent » and 1.721-722 : « utque domus quae praestat eam cum pace perennet // ad pia propensos vota rogate deos ! ».

faced god identify peace as a benefaction of the Numan year as well as that of the Augustan *saeculum*.[41]

2.2.2. Jupiter or the Pledge of Empire (March)

One would not expect to encounter the peaceful Sabine king in Mars' month. Yet he is featured in answer to the narrator's question about the origin of the Salii's weapons and of Mamurius' name in their hymn.[42] I note the special relevance of the latter aetiological story for Augustus, as his own name was inserted in the Salian hymn in 29 BCE (*RG* 10 ; D.C. 51.20.1). Barchiesi rightly interprets the measure as « preparing the way for an integration of the Salian cult of Mars with the dawning emperor-cult, while it also projects the presence of the new guarantor of the cult backward in time, enabling it to become definitive ».[43]

The origin of the Salian *ancilia* is thus recounted in Ovid : Numa's faithful companion Egeria relates how she gave him instruction on how to acquire the knowledge to expiate Jupiter's angry thunderbolts.[44] The native Roman deities Picus and Faunus are lured with fragrant bowls of wine and, when sleep overcomes them, are captured by Numa and his company and compelled to summon Jupiter from heaven.[45] The great god complies with Numa's request for knowledge and orders human sacrifice for which the king cleverly substitutes harmless rites through wordplay. Jupiter laughingly accepts the bargain and,

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41 I have discussed the peaceful ideology of Augustus earlier. See *sup.*, p. 93.

42 Mamurius had asked that his name be inserted in the Salian hymn as his reward for crafting the false *ancilia* at Numa's request (Ov. *F.* 3.385-392).

43 A. Barchiesi, (1997), *The Poet and the Prince. Ovid and Augustan Discourse*, Berkeley and Los Angeles, p. 110.

44 Gee (2000, *Ovid, Aratus and Augustus. Astronomy in Ovid's Fasti*, Cambridge, p. 56) submits that Numa's expiation of the thunderbolts may be related to Lucretius' passage describing Epicurus, unafraid of Jupiter's thunderbolts (Lucr. 1.68-69), who victoriously storms heaven, unlike the giants who were defeated by the great god's *fulmina*.

45 For Fox (1996, p. 203), the scene of the capture is reminiscent of Silenus' capture in *Eclogue* 6. The description of the grove on the Aventine where the capture takes place (*F.* 3.295-298) is a parodic reference to *Aeneid* 8.351-353.

well pleased with Numa's cleverness, promises the king pure pledges of empire. The next day a shield falls from the sky and Numa, to foil potential thieves, has copies made which he entrusts to the Salii.

Ovid's linking of the priests to the story of Numa's verbal duel with Jupiter appears to be a novelty.[46] When compared to the accounts of Dionysius of Halicarnassus (2.71) and of Plutarch (*Num.* 13), Ovid's account differs in three other important ways. Firstly, the origin of the shield is specified : it comes from Jupiter. For Dionysius, the shield was found in the palace of Numa. Its unknown origin and its unusual shape prompted the story that it was sent by the gods. According to Plutarch, the shield fell anonymously from heaven into the hands of Numa when the city was afflicted by a plague.[47] Secondly, the shape of the shield is described as « cut away on all sides (*recisum*) » with « no angle that you could mark anywhere ».[48] Dionysius writes that the shield was « a Thracian buckler, which resembles an oval shield with its sides drawn in ».[49] It can be compared to the shields carried by the Curetes. The author adds that « no buckler of that shape had ever before been known among the Italians ».[50] Plutarch reports that « the bucklers themselves are called *ancilia*, from their shape ; for this is not round, nor yet completely oval, like that of the regular shield, but has a curving indentation, the arms of which are bent back and united with each other at top and bottom ; this makes the shape *ἀγκύλοις* the Greek for

46 Cf. Plu. *Num.* 15.3-10 ; Valerius Antias' second book (fr. 6P) recounts a tale identical to Ovid's : Numa sought out from Egeria how he might acquire the knowledge to expiate thunderbolts. Following her advice, he prepares an ambush at the spot where Picus and Faunus are in the habit of drawing water. At the entrance of the fountain he places brimming cups of wine which Picus and Faunus heartily drink, soon falling asleep. Numa and his twelve companions then capture and chain them. The captives are compelled to teach the king how to summon Jupiter to earth. Following their instructions, Numa succeeds and asks Jupiter how to expiate his thunderbolts. Jupiter prescribes for him rites that involve human sacrifice, which Numa cleverly feigns to misinterpret by substituting harmless ones. Jupiter recognizes Numa's ruse but confirms the modified rites as valid.

47 Livy (1.20.4) calls the shields *caelestia arma*, suggesting a divine origin.

48 Ov. *F.* 3.377-378 : « Idque ancile vocat, quod ab omni parte recisum est // quaque notes oculis, angulus omnis abest ».

49 D.H. 2.70.3 : « (...) πέλτην θρακίαν· ἡ δ' ἐστὶ ῥομβοειδεῖ θυρεῷ στενωτέρας ἔχοντι τὰς λαγόνας ἐμφερής ».

50 D.H. 2.71.1 : « μηδ' ἐγνωσμένου πρότερον ἐν Ἰταλοῖς τοιούτου σχήματος ».

curved ».[51] Varro supplies his own etymology of the *ancilia* : « they were named from their incision on both sides (*ambecisu*), because these arms were incised at right and left like those of the Thracians ».[52] Ovid's proposed etymology is close to Varro's : both draw *ancile* from *caedo*. Porte (1985, p. 244) thinks that the metrical impossibility to insert Varro's *ambecisu* into dactylic meter compelled the poet to adapt the expression of Verrius Flaccus, *ex utroque latere (erat) recisum* (Fest. 117.16). Yet compared to the other authors, Ovid is rather vague in his description of the actual shape of the *ancile* ; all he tells us is that it had no angles, suggesting either an oval, curved, or round shape.[53] Porte (1985, p. 227) contends that the poet's use of *angulus* translates *ἀγκύλος*; a Greek etymology for *ancile* found in Juba's works and reported by Plutarch (*Num.* 13.9).[54] I agree with Porte on her identification of Ovidian wordplay based on a Greek etymology. But the ambiguity of *angulus omnis abest* serves, I think, an additional purpose. It is related to the third discrepancy of Ovid's account : the shield is a pledge of empire.[55]

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51 Plu. *Num.* 13.9 : « Αὐτὰς δὲ τὰς πέλτας ἀγκίλια καλοῦσι διὰ τὸ σχῆμα· κύκλος γὰρ οὐκ ἔστιν, οὐδ' ἀποδίδωσιν ὡς πέλτη τὴν περιφέρειαν, ἀλλ' ἐκτομὴν ἔχει γραμμῆς ἑλικοειδοῦς, ἧς αἱ κεραῖαι καμπὰς ἔχουσαι καὶ συνεπιστρέφουσαι τῇ πυκνόντητι πρὸς ἀλλήλας ἀγκύλον τὸ σχῆμα ποιοῦσιν ».

52 Varr. *LL* 7.43 : « dicta ab ambecisu, quod ea arma ab utraque parte ut T<h>racum incisa ». Cf. Fest. 117.14-17 : « Numa Pompilio regnante e caelo cecidisse fertur ancile, id est scutum breve, quod ideo sic est appellatum, quia ex utroque latere erat recisum, ut summum infimumque eius latius medio pateret » ; Serv. *Verg. A.* 8.664 : « Regnante Numa Pompilio scutum breve et rotundum caelo lapsum est (...) Ancile autem dicitur aut quasi undique circumcisum, aut quasi ἀμφίχειλον, id est undique labrum habens » ; Isid. *Orig.* 18.12.3 : « Ancile vocatur scutum breve et rotundum (...) Et ancile dictum ab ancisione, quod sit [ab] omni parte veluti ancisum ac rotundum ».

53 Coins (28-29) from the moneyer P. Licinius Stolo dated 17 BCE represent an *apex* between two figure-of-eight shields. Although there is no evidence that the moneyer himself belonged to the college of the Salii, the presence of the *apex* has led Babelon (1963, *Description historique et chronologique des monnaies de la République romaine vulgairement appelées monnaies consulaires*, Vol. 2, Bologne, p. 138-139) to believe that the shields may be Salian. Closer to Ovid's description, Harrison (1927, *Epilegomena to the Study of Greek Religion and Themis. A Study in the Social Origins of Greek Religion*, 2nd rev. ed., Cambridge, p. 194-196) discusses a relief from Anagnia that represents two Salian priests holding slightly oblong shields without indentation. The relief's inscriptions confirm that the two priests are Salii. See (1902) *Inscriptiones Latinae Selectae*, , Vol. 2.1, ed. by H. Dessau, Berlin, #6259 and #6260.

54 If Plutarch undoubtedly attributes to Juba the etymology from *ἄγκος*; I am not so sure that *ἀγκύλος* should be attributed to him.

55 Cf. Fest. 117.17-19 : « unaque edita vox omnium potentissimam fore civitatem, quamdiu id in ea mansisset » ; Serv. *Verg. A.* 7.188 : « illic fore summam imperii, ubi illud esset » and 8.664 : « illic fore orbis imperium, ubi illud fuisset ».

Dionysius knows of no symbolism attached to the shield while Plutarch presents it as a symbol of the city's salvation from the plague. The shield as pledge of empire, as an object to which the fate of a city is inextricably linked, is reminiscent of other fateful objects in Greek mythology. The Palladium, a small wooden image of armed Athena fallen from the sky, guaranteed Troy's safety so long as the city possessed it (D.H. 1.68.4 ; Ov. *F.* 6.427-428 ; Sil. 13.45-46). Legend has it that the city fell when Odysseus and Diomedes stole it. Roman tradition adds that Aeneas rescued the Palladium and brought it to Lavinium whence it ultimately reached Rome.[56] In Ovid's day, it was still believed to rest in Vesta's temple (Ov. *F.* 6.435-436). In Megara the purple lock of Nisus was believed, according to Ovid (*M.* 8.8-10), to preserve the safety of his throne (*magni fiducia regni*).[57] When his daughter cut it out of love for her father's enemy, the king lost both his throne and his life (Ov. *M.* 8.84-94 ; A. *Ch.* 613-622). In our own day, the Tower of London still keeps ravens on its grounds, in accordance with a prophecy told to Charles II that the English monarchy would fall if ever the ravens left the Tower.

But why does Ovid turn the *ancile* into a pledge of empire and what relevance does its shape have ? Gee (2000, p. 44) believes that Ovid's terminology (*angulus omnis abest*) suggests that the *ancile* is round. She supports her interpretation with Ovid's choice of words to describe the globe of the earth at *F.* 6.271 : « ipsa volubilitas libratum sustinet orbem // quique premat partes *angulus omnis abest* ». It is known that, since Homer, the shield is a metaphor of the world.[58] These cosmic shields are generally represented as

56 Authors have tried to reconcile the legends by alleging that Odysseus and Diomedes stole only a copy (Arctinus *ap.* D.H. 1.69.3) or that Diomedes came to Italy and returned the Palladium to Aeneas out of guilt (Cass. Hem. fr. 7P ; Varr. *ap.* Serv. *Verg. A.* 2.166.5-9 ; Sil. 13.51-78). Strabo (6.264) reports that other Italian cities besides Rome claimed to own it : Heraclea, Luceria, Siris and Lavinium. Servius (*Verg. A.* 7.188) reports that there were seven *pignora* that guaranteed Roman *imperium* : « † aius matris deum, quadriga fictilis Veientanorum, cineres Orestis, sceptrum Priami, velum Ilionae, palladium, ancilia ».

57 According to Aeschylus (*Ch.* 619), the lock made him immortal (*Νίσου ἀθανάτας τριχός*). The king's death led to the country's fall but its fate was never directly tied to Nisus' lock, as it is in Ovid.

58 See P. Arnaud, (1984), « L'Image du globe dans le monde romain », *MEFRA* 96.1, p. 86.

round, sometimes oblong, reflecting the shape of the globe and constituting an *imago mundi* (*id.*). Hence Ovid's desire to describe an *ancile* that may be interpreted as round.

An analogy can be made between Ovid's *ancile* and Virgil's Shield of Aeneas.[59] Specifically, the latter was « a guarantee of victory over Turnus and a guarantee of the world empire it represents » (Gee, 2000, p. 43). Gee has, I believe, rightly understood that Numa's shield is a fitting symbol of the Principate (2000, p. 43-46). Born out of the violence of the Civil Wars and of world conquest, the Principate had inaugurated a period of universal peace (*pax Augusta*), and of religious restoration in Rome. The cultic *ancile*, whose acquisition by the peaceful and pious Numa had involved a degree of violence, (i.e. the capture of Picus and Faunus), itself guaranteed Roman rulership over the world (*pignus imperii*) which its own round shape represented (*imago mundi*).

The introduction of Jupiter into the story accentuates the merit of a pacific leader as ruler of an empire. In a clever twist, Numa's reward for disarming Jupiter's own weapons, his thunderbolts, is to receive an arm from him. And the Salii, priests of Mars, end up carrying the weapons of the king of gods. It is remarkable that an aetiological legend involving the priests of Mars leaves no room for the war god himself. Rome traditionally considered herself born of Mars and endebted to him for her empire acquired through strength of arms.[60] Yet in Ovid's account it is Jupiter, the sovereign god and dispenser of sovereignty, who grants Rome empire, not in warlike Romulus' reign, as might be expected, but in peaceful Numa's. What kind of reign does Jupiter acknowledge with his pledge ?

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59 Both shields are gifts from heaven, both descents are described in the same cosmic language. Aeneas' shield is military while Numa's is religious, reflecting respectively Virgil's epic and Ovid's religious project (Gee, 2000, p. 42-43).

60 Even the *Fasti* (3.85-86) acknowledge this : « Mars Latio venerandus erat, quia praesidet armis : // arma ferae genti remque decusque dabant ».

> At first the Quirites were too prone to fly to arms ; Numa resolved to soften their fierce temper by force of law and fear of gods.[61] Hence laws were made, that the stronger might not in all things have his way, and rites, handed down from the fathers, began to be piously observed. Men put off savagery, justice was more puissant than arms, citizen thought shame to fight with citizen, and he who but now had shown himself truculent would at the sight of an altar be transformed and offer wine and salted spelt on the warm hearths.[62]

In the wake of Horace who identified Rome's piety as the guarantor of empire (*sup.*, p. 95), and of Cicero, who exhorted that *togae cedant arma* (*sup.*, p. 69) as a mark of ideal statesmanship, Ovid confirms the role of justice and piety in Rome's claim to empire. Through this aetiological story and its analogy with Aeneas' Shield, the poet indicates that Romulus' rule of armed conquest is over and that Numa's reign of civilization has come, an allegory for contemporary Rome who had been built on military conquest and violence, but now enjoyed in Augustus' time the return of peace, law, and religious observance.

2.2.3. Venus or Fertility (April)

The *Fasti* report that Romulus had placed the month of Venus right after the month of his father because she was the author of his race (1.39-40). Numa has no such connection with Venus. Yet in the *Fasti*, he makes an appearance on the Fordicidia, the fifteenth of Venus' month (4.641-672). His actions are to explain why a sacrifice of a pregnant cow (*forda*) is offered on this day.[63] Because of a bad year for agriculture and

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61 Fox (1996, p. 202) sees in verse 277-278 (« Principio nimium promptos ad bella Quirites // molliri placuit iure deumque metu ») a reference to Livy 1.19.1-2.

62 Ov. *F.* 3.277-284 : « Principio nimium promptos ad bella Quirites // molliri placuit iure deumque metu. // Inde datae leges, ne firmior omnia posset // coeptaque sunt pure tradita sacra coli. // Exuitur feritas armisque potentius aequum est // et cum cive pudet conseruisse manus ; // atque aliquis, modo trux, visa iam vertitur ara // vinaque dat tepidis farraque salsa focis ».

63 Ovid closely follows Varro's proposed etymology : « Fordicidia a fordis bubus ; bos forda quae fert in ventre ; quod eo die publice immolantur boves praegnantes in curiis compluris, a fordis caedendis Fordicidia dicta » (*LL* 6.15).

husbandry, Numa consults Pan through incubation for advice. With the help of his wife Egeria, the king understands that he must sacrifice the innards of a pregnant cow to restore fertility. Herein lies the connection with Venus. She is represented in the *Fasti* as a force of creation, whether it be procreative (4.94-106) or artistic (4.113-114). Hers is a civilizing force (4.108), and fertile Spring is her season (4.129). Her month was especially rich in feasts dedicated to fertility and agriculture, namely the great Megalensian feast of Cybele celebrated on April fourth (4.179-372) and the games of Ceres held on the twelfth (4.393-620). Numa's successful efforts to restore fertility to his land are right at home in Venus' month.

Zanker (1988, p. 172-183) has shown how imagery of fertility and abundance flourished in Augustan iconography : the Tellus relief on the Ara Pacis, coins stamped with grazing sheep and raised stalks of grain, animals nurturing their young on the reliefs of a public fountain in Praeneste, and everywhere vines and luxuriant foliage. The representation of Pax herself as a mother on the Ara Pacis identifies her as the origin of fertility and abundance in Augustan times. Ovid too made the connection between agriculture, peace and Rome's leader some two hundred verses before the Fordicidia, at the beginning of the games of Ceres : « Ceres delights in peace ; and you, ye husbandmen, pray for perpetual peace and for a pacific prince ».[64]

Barchiesi (1997, p. 131-133) argues that Numa's role in the Fordicidia as restorer of fertility could have been directly exploited by celebrating Augustus' own role in restoring Italian agricultural prosperity. Instead, the Fordicidia are followed by a martial anniversary, commemorating Augustus' title of Imperator bestowed upon him for his relief of Mutina. If there is an apparent lack of harmony, no express conflict exists between the two anniversaries, as Barchiesi himself admits (1997, p. 132). I would say even that

64 Ov. *F.* 4.407 : « pace Ceres laeta est. Et vos orate, coloni, // perpetuam pacem pacificumque ducem ».

commemorating an Augustan victory on the morrow of an agricultural anniversary is a reminder of how exactly fertility and agricultural prosperity are assured in the first place. I have discussed earlier the Roman definition of *pax* and its dependence on military subjugation and pacification (*sup.*, p. 63), as well as Livy's care to rest Numa's effectiveness in maintaining a peaceful reign on Romulus' martial achievements (*sup.*, p. 77-78). I find no firm reason then to suspect that the mainly aetiological story serves here to undermine an Augustan ideological theme. On the contrary, it is complementary to another Augustan theme, peace and prosperity achieved through martial victory.

2.2.4. Vesta or Piety and Cosmology

On the Kalends of February, a paraphrase referring to Vesta's sanctuary names Numa, recognized as the builder of her shrine (*F.* 6.259-260 ; D.H. 2.64.5 ; Plu. *Num.* 11.1) and the founder of her organized cult (Liv. 1.20.3 ; D.H. 2.64.5 ; Plu. *Num.* 9.9). The metrical requirement for the short -u in Numae instead of the first long syllable in Vestae may alone justify the paraphrase : ad pene/trale Nu/mae Ca/pitoli/umque To/nantem (*F.* 2.69). Yet, when dealing with such a versatile poet as Ovid, one questions the validity of sole metrical considerations. And indeed, if one reads a few verses earlier which praise Augustus' care to build and rebuild temples, one begins to suspect that the poet is associating Augustus' role as builder of shrines to Numa's.

> At the beginning of the month Saviour (*Sospita*) Juno, the neighbour of the Phrygian Mother Goddess, is said to have been honoured with new shrines. If you ask, where are now the temples which on those Kalends were dedicated to the goddess ? Tumbled down they are with the long lapse of time. All the rest had in like sort gone to wrack and ruin, had it not been for the far-seeing care of our sacred chief, under whom the shrines feel not the touch of time ; and not content with doing favours to mankind he does them to the gods. O saintly soul, who builds and rebuilds the

> temples, I pray the powers above may take such care of you as you of them ! May the celestials grant you the length of years which you bestow on them, and may they stand on guard before your house ![65]

Moreover, another connection emerges when one remembers how Augustus, on becoming *pontifex maximus* in 12 BCE, declined the custom to take up residence in the Regia, traditionally Numa's home, and instead made a part of his own house public property, to satisfy the high priest's requirement of living in a public residence (D.C. 54.27.3). In addition, Numa had established that only priestesses would serve Vesta, the pontiffs acting only in a judicial capacity (D.H. 2.67.3 ; 2.73.2). But Augustus creates a new relationship between Vesta and the *pontifex maximus*, wherein the latter becomes the former's priest, by incorporating the goddess into his own family history : associated with the penates that Aeneas brought to Rome from Troy (Verg. *A.* 2.296), Vesta becomes cognate of Augustus.[66] Welcoming her into the dynastic family had great symbolic consequence since it inextricably linked the destinies of the Roman hearth and that of the *princeps*, both under Vesta's guardianship ; for whoever attacked her priest now attacked Rome herself (Herbert-Brown, 1994, p. 70-72).

The narrative for the Vestalia in June adds a cosmic dimension to the connection between Vesta and her Julian relative. Numa, the peaceful and god-fearing king, is named once more as the founder of Vesta's temple (6.258-260). The structure's circular shape attracts the narrator's attention who links it to the Earth, the equivalent of Vesta, which rests in the center of a spheric universe.[67] Porte (1985, p. 346) observes that Ovid's description

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65 Ov. *F.* 2. 55-66 : « Principio mensis Phrygiae contermina Matri // Sospita delubris dicitur aucta novis. // Nunc ubi sunt illis quae sunt sacrata Kalendis // templa deae ? Longa procubuere die. // Cetera ne simili caderent labefacta ruina // cavit sacrati provida cura ducis, // sub quo delubris sentitur nulla senectus ; nec satis est homines, obligat ille deos. // Templorum positor, templorum sancte repostor, // sit superis opto mutua cura tui. // Dent tibi caelestes, quos tu caelestibus annos // proque tua maneant in statione domo ».

66 Ovid himself uses the expression in *F.* 4.949-950 : « cognati Vesta recepta est // limine ».

67 Plutarch (*Num.* 11.1) reports that Numa gave the temple of Vesta a round shape in imitation not of the earth, but of the universe : « Νομᾶς δὲ λέγεται καὶ τὸ τῆς Ἑστίας ἱερὸν ἐγκύκλιον

of the Earth borrows terminology from other authors. The comparison of the earth to a ball (6.269 : *terra pilae similis*) is also found in Varro (*LL* 7.17 : *pila terrae*) and possibly Verrius Flaccus (Fest. 320.15-16 : *eamque [terram] pilae forma[m] esse*). The poet's verse 271, *ipsa volubilitas libratum sustinet orbem*, may be reminiscent of Plato's *Phaedo* (108 e), where the Greek expression *περιφερής* corresponds to the Latin word *volubilitas*, while *sustinet* literally translates *πρὸς τὸ μὴ πεσεῖν*.[68] Postgate, who discusses the world picture in *F.* 6.269 sq., is certain that it is Stoic in nature.[69] Pythagorean philosophy, which viewed the world as a sphere and the earth as round, may also have influenced Ovid.[70]

Gee (2000, p. 104) notes Ovid's comparison of the temple's round shape to the Sphere of Archimedes :

> There stands a globe hung by Syracusan art in closed air, a small image of the vast vault of heaven, and the earth is equally distant from the top and bottom. That is brought about by its round shape. The form of the temple is similar : there is no projecting angle in it ; a dome protects it from the showers of rain.[71]

She interprets this as associating Vesta's temple to an *imago mundi* of Stoic inspiration. The cosmographic globe had become a Roman political symbol in the late Republic.[72] It becomes in Ovid's passage a symbol of Augustan world rule.[73] Williams summarizes :

περιβαλέσθαι τῷ ἀσβέστῳ πυρὶ φρουράν, ἀπομιμούμενος οὐ τὸ σχῆμα τῆς γῆς ὡς Ἑστίας οὔσης, ἀλλὰ τοῦ σύμπαντος κόσμου».

68 See also J.P. Postgate, (1918), « On Ovid *Fasti* 6.271 sq. », *CQ* 12, p. 139.

69 Postgate (1918, p. 139) ; (1914), « On the Text of the *Stromateis* of Clement of Alexandria », *CQ* 8, p. 247.

70 D.L. 8.25 : « και γίνεσθαι ἐξ αὐτῶν κόσμον ἔμψυχον, νοερόν, σφαιροειδῆ καὶ περιοικουμένην » ; Philol. *ap.* Stob. *E. Phys.* 1.22.1, p. 488.

71 Ov. *F.* 6.277-282 : « Arte Syracosia suspensus in aere clauso // stat globus, immensi parva figura poli, // et quantum a summis, tantum secessit ab imis // terra ; quod ut fiat, forma rotunda facit. // Par facies templi ; nullus procurrit in illo // angulus, a pluvio vindicat imbre tholus ».

72 See Weinstock (1971, p. 42-50) and Arnaud (1984, p. 53-116).

73 Hardie (1986, *Virgil's Aeneid. Cosmos and Imperium*, Oxford, p. 368-369) gives two examples of the globe as an Augustan symbol of world rule : a silver cup of Boscoreale represents Augustus holding in

« Since Vesta is the earth which Rome dominates with a supremacy vouchsafed by the goddess's sacred flame, Augustus' guardianship of the flame as *pontifex maximus* is inseparable from his guardianship of Roman *imperium* between its eastern and western extremes ».[74] That Numa serves as link to introduce Vesta's cosmological symbolism is the work of a skilful poet, especially in view of the possibility, since the Pythagoreans viewed the world as a sphere, to present Numa's choice of a circular shape as the deliberate act of a disciple. This reinforces the parallel between Numa and Augustus. For not only did they both have a hand in the organisation of Vesta's cult, but they both recognized the importance of the goddess' cosmological meaning : Rome is the focal point of the universe.

2.3. Ovid's Use of Alternative Etymologies

From what has been studied up until now, we may infer that Ovid has consistently followed the calendar tradition as put forward by Fulvius Nobilior. We shall now examine three instances where this is not the case and why.

2.3.1. February

According to Varro (*LL* 6.34), Fulvius and Junius drew February's etymology from the *di inferi*, to whom expiatory sacrifices were made in this month. Macrobius explains that Numa had assigned to January the additional day needed to complete his 355-day calendar, « in order that the principle of the odd number might be preserved and both the year and each month, with the sole exception of February, consist of an odd number of days (....). February alone kept its twenty-eight days, as though the shortness of the month

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his right hand a globe upon which Venus is about to place a small figure of Victoria ; a sphere once crowned the obelisk of Augustus' horologium in the Campus Martius.

74 G. Williams (1991), « Vocal Variations and Narrative Complexity in Ovid's Vestalia : Fasti 6.249-468 », *Ramus* 20, p. 196.

and the even number of its days befitted the denizens of the world below ».[75] A Pythagorean influence may be detected at the heart of Fulvius' position. For immediately after reporting Pythagoras' preference for the odd number, Solinus (1.40) confirms that February belonged to the gods of the underworld because of its unlucky even number of days.

According to Ovid, *Februarium* is derived from *februa* (plur. of *februum*), i.e. any instrument of purification. It is likely that the poet preferred this etymology because of its link with the Lupercalia, the month's great festival of purification, to which Ovid devotes the largest section of the second book (2.267-474). The poet accentuates the festival's role in ensuring human fertility and its connection with the she-wolf who nursed Romulus and Remus, no doubt reacting to Augustus' promotion of Julio-Romulean ties and his legislation to encourage marriage and procreation. Significantly the *Res Gestae* (19) name the Lupercal as an Augustan construction and Suetonius (*Aug.* 31) records that Augustus revived the Lupercalian festival.

2.3.2. May and June

In answer to the narrator's question regarding the etymology of *Maius*, three Muses each propose a different derivation. Polyhymnia instructs her audience that *Maius* comes from *Maiestas*, the goddess who sprang from Honour and Reverence at the beginning of the world. Urania and Calliope respectively support what are known to be Fulvius' position – the name is derived from the elders (*maiores*) –, and Varro's – the designation comes from Maia, the mother of Mercury.[76] These discordant answers leave the disoriented

75 Macr. *S.* 1.13.5,7 : « (5) ut tam in anno quam in mensibus singulis praeter unum Februarium impar numerus servaretur (....) (7) sed solus Februarius viginti et octo retinuit dies quasi inferis et deminutio et par numerus conveniret ».

76 Can something be inferred from the identity of the Muse and the position she adopts ? Mackie (1992, « Ovid and the Birth of Maiestas », in *Roman Poetry and Propaganda in the Age of Augustus*, ed. by A. Powell, London, p. 84) does not believe so ; Polyhymnia, the Muse of mime, need not be

narrator to exclaim : « What am I to do ? Each side has the same number of votes ».[77] If each party has equal claim to validity, it may be significant that Polyhymnia is the only one whose position is explicitly supported by other Muses : « Polyhymnia ended. Clio and Thalia, mistress of the curved lyre, approved her words ».[78] Ovid may thus want to attract attention to the derivation of Maius from *maiestas*.

This etymology does not seem to have any support from ancient sources.[79] Porte (1985, p. 217) argues that Ovid is the inventor of the new etymology, which, if it brings nothing new to the debate as it is derived from the same root as *maiores* (*-*mag*), allows him not to choose between two traditional and equally worthy derivations.[80] The same applies to *Iunius* for which Ovid invents a derivation from *iungere* instead of favouring either one from *Iuno* or *iuniores*, respectively Varro's and Fulvius' proposed etymologies. Ovid's inventions are not only literary solutions, as Porte seems to suggest (1985, p. 217), but political ones as well. Maiestas and Concordia, the advocate of June's derivation from *iungere*, were both deified abstractions that Augustan ideology promoted.[81]

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irreverant, her presence perhaps explained by « the prominence of mimes at the festival of the Floralia, which spanned the end of April and the beginning of May and which Ovid goes on to describe ». Thalia, the Muse of comedy, and Urania, the Muse of astronomy, have no apparent connection with the etymologies they endorse. At best a case could be made for Clio, the Muse of history, lending some authority to Polyhymnia's and Thalia's position while Calliope, the Muse of epic poetry, would be comfortable recounting the story of a goddess such as Maia.

77 Ov. *F.* 5.108 : « Quid faciam ? Turbae pars habet omnis idem ».

78 Ov. *F.* 5.53-54 : « finierat voces Polyhymnia : dicta probarunt // Clioque et curvae scita Thalia lyrae ».

79 A single manuscript of Macrobius' *Saturnalia* is the exception : at 1.12.18, Calpurnius Piso reacts to Cingius' assertion that the month of May takes its name from Maia, wife of Vulcan, by pointing out that Vulcan's wife is not called Maia but Maiesta (*Maiestam*). The manuscript D (Bodleiano Auct. T II 27), the second oldest for the *Saturnalia* (probably end of the ninth century), supplies the questionable reading *maiestatem*.

80 Yet at the same time she observes (1985, p. 203) that May's etymology from old men (*maiores*) is plainly false since old men in Latin, as Ovid himself proves in Urania's speech (4.57-78), are called *seniores*. The speech is in fact a variation on the word *senex* : *senilis* (58), *senatus* (64), *senior* (65), *sene* (69), *senecta* (70), *senibus* (76).

81 Augustus set up statues of Salus Publica, Concordia, and Pax (D.C. 54.35.2). On 1 January 7 BCE, Tiberius vowed to rebuild the Temple of Concordia Augusta (D.C. 55.8.2 ; Suet. *Tib.* 20). The Porticus of Livia, dedicated on the same day by Tiberius and his mother, contained a shrine to Concord (Ov. *F.* 6.637-638). On the anniversary of Octavian's assumption of his cognomen Augustus (Jan. 16, 10 CE), Tiberius dedicated the *aedes Concordiae Augustae* (Ov. *F.* 1.640, 643-648 ; D.C. 56.25). On the concept of *concordia*, see Jal (1961, esp. p. 218-231). On the pictorial and sculptural program of her temple, see B.A. Kellum, (1992), « The City Adorned : Programmatic Display at the *Aedes Concordiae*

As Numa's name appears in Polyhymnia's speech, particular attention shall be paid to the Roman concept of *maiestas*. *Maiestas* had, from the beginning, a dual character.[82] It was a relationship that marked one's superiority (*maior esse*) over another person or group of people, and it was a quality that one possessed, « a 'majesty' that explained and expressed one's superiority to others » (Mackie, 1992, p. 88). The phrase *maiestas populi Romani* expressed the superiority of the Roman people over other states or over other powers within the state. Magistrates, as representatives of the people, could possess *maiestas* by extension (cf. *F.* 5.51). It also usually characterised gods and kings, as well as the *paterfamilias* and the *matrona* (cf. *F.* 5.49).

This concept of *maiestas* pervades Polyhymnia's tale, as now recounted : at the beginning of the world, the gods lived with equal honours and knew of no hierarchy (5.17-22) until Majesty sprang from the lawful union of Honour and Reverence. « Straightway respect for dignities made its way into their minds ; the worthy got their due, and nobody thought much of himself ».[83] Then, when Saturn was banished and the Giants coveted Heaven, Jupiter's thunderbolts triumphed (5.33-44). The Muse concludes :

> Hence she [Majesty] sits beside Jupiter, she is Jupiter's most faithful guardian ; she assures to him his fearful sceptre without violence. She came also to earth. Romulus and Numa worshipped her, and others after them, each in his time. She keeps fathers and mothers in honour due ; she bears boys and maidens company ; she enhances the lictor's rods and the ivory chair of office ; she rides aloft in triumph on the festooned steeds.[84]

Augustae », in *Between Republic and Empire*, ed. by K. Raaflaub and M. Toher, Berkeley and Los Angeles, p. 276-307.

82 On the definition and evolution of *maiestas*, see R. Bauman, (1967), *The Crimen Maiestatis in the Roman Republic and Augustan Principate*, Johannesburg ; Hellegouarc'h (1972, p. 314-320) ; G. Dumézil, (1952), « *Maiestas* et *gravitas* : de quelques différences entre les Romains et les Austronésiens », *RPh* 3.26, p. 7-28 and Mackie, (1992, p. 83-97).

83 Ov. *F.* 5.31-32 : « Protinus intravit mentes suspectus honorum. // Fit pretium dignis nec sibi quisque placet ».

84 Ov. *F.* 5.45-52 : « Assidet inde Iovi, Iovis est fidissima custos // et praestat sine vi sceptra timenda Iovi. // Venit et in terras : coluerunt Romulus illam // et Numa ; mox alii, tempore quisque suo. // Illa

Mackie (1992, p. 92), in her analysis of Polyhymnia's tale, acknowledges the presence of a traditional kind of *maiestas*, but also observes two untraditional aspects :

> First, she [Majesty] is very interested in upholding sexual morality : she is born out of a legitimate marriage, and she keeps an eye on the purity of young people (50) ; (in this, she is unlike the old Hesiodic gods ; she is Augustan). Secondly, Polyhymnia's Maiestas is an upholder of social hierarchies ; and not just the obvious hierarchies of gods versus men, kings versus their subjects. Before she arrived on the scene, mere plebeians were seating themselves on Saturn's throne (19).[85] In lines 29-32 she conducts a clean sweep of social morals, making sure that those who deserve honours receive them, and that others treat them with proper respect.

Surely Mackie is right in identifying the upholding of sexual morals as an Augustan preoccupation. It is recorded that Augustus forbade smooth-cheeked young boys to run at the Lupercalia and young people of both sexes to see any night show during the Secular Games without an adult relative as escort (Suet. *Aug.* 31). He enacted legislation dealing with adultery, unchastety and encouragement of marriages in the Orders (*ibid.*, 34). Such was the rigour of the latter, according to Suetonius, that it was rendered inapplicable. Augustus shortened the permissible period between betrothal and marriage and limited the number of divorces (*id.*). In 2 BCE Augustus relegated his adulterous daughter Julia to Pandateria and sentenced her paramours to death or exile, « calling [Julia's conduct] by the weighty name of a breach of religious duty and a violation of majesty ».[86] But Augustus had also been preoccupied with redefining social hierarchy. He insisted that every commander, including members of the ruling family, forgo familiarity with the soldiers as it

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patres in honore pio matresque tuetur, // illa comes pueris virginibusque venit ; // illa datos fasces commendat eburque curule, // illa coronatis alta triumphat equis ».

85 Ov. *F.* 5.19-20 : « saepe aliquis solio quod tu, Saturne, tenebas // ausus de media plebe sedere deus ».

86 Tac. *Ann.* 3.24.2 : « gravi nomine laesarum religionum ac violatae maiestatis appellando ». Bauman (1967, p. 198-245) devotes a chapter to this particular case.

was incompatible, in the case of the *princeps* and his sons, with *sua domusque suae maiestas* (Suet. *Aug.* 25). At public shows he assigned seats to each social category, separating senators from commonfolk, men from women, civilians from soldiers (*ibid.*, 44). He hosted very formal dinner parties, paying strict attention to the personal quality and rank of his guests (*ibid.*, 74).

How then should we interpret Numa's presence in the Muse's speech ? As seen, Ovid's description of *maiestas* combines both Republican and Augustan elements. By retroactively inserting the concept in Rome's earliest years, the poet justifies its contemporary definition and importance. If Maiestas was deemed worthy of worship in both Romulus' warlike reign and in Numa's peaceful one, Augustus, the heir of both, was right to venerate her.

2.4. Numa, the Calendar and the End of the *Fasti*

The final passage of the *Fasti* wraps up the connections between Numa, Fulvius Nobilior and the calendar tradition. At lines 799-800 the narrator asks the Muses : « Tell me, Pierides, who associated you with him to whom his stepmother was forced to yield reluctantly ».[87] And Clio answers : « You behold the monument of that famous Philip from whom the chaste Marcia is descended, Marcia who derives her name from sacrificial Ancus ».[88] When asked to identify the original founder of the temple of Hercules Musarum, Clio gives the wrong answer. She speaks of L. Marcius Philippus who restored the temple in the time of Augustus (Suet. *Aug.* 29.5). Obviously, the connection to the ruling family which this answer provides serves Ovid's laudatory aim.[89] But it is

87 Ov. *F.* 6.799-800 : « Dicite, Pierides, quis vos adiunxerit isti // cui dedit invitas victa noverca manus ».

88 Ov. *F.* 6.801-803 : « Clari monimenta Philippi // aspicis, unde trahit Marcia casta genus : // Marcia, sacrifico deductum nomen ab Anco ».

89 Ovid says at *F.* 6.809 : « Nupta fuit quondam matertera Caesaris illi ».

significant that the original founder was in fact M. Fulvius Nobilior.[90] I cannot but think that Ovid is acknowledging once more the author whose calendar tradition he mainly follows in his own *Fasti*. As Barchiesi remarked (1997, p. 270), « Ovid's annals, an original version of the traditional record, glance back to a remote predecessor, and to a place that was a repository for the ancient material used in this poem ».

More importantly for my study of Numa, the epithet *sacrificus* applied to Ancus at line 803 is reminiscent, as Frazer points out (1929, IV, p. 350), of Livy's description of him as a king intent on carrying out his grandfather Numa's religious observances. He even orders the pontiffs to publish a digest of these based on Numa's papers (Liv. 1.32.1-2). The connection with Numa is not meaningless when one remembers that Fulvius had transferred in the temple of Hercules of the Muses a small bronze shrine for the Muses that Numa had made (Serv. *Verg. A.* 1.8).

It has been shown that Ovid largely follows, though not exclusively, the history of the Roman calendar according to Fulvius Nobilior. The consular's explanation of the months' designation and his attribution of important reforms to Numa and his Pythagorean learning gave Ovid satisfying opportunities to praise the ruling dynasty. In Numa's legend, the reform of the calendar, involving the naming of two months and the inauguration of a new peaceful civil year that begins in January instead of March, the closing of Janus' gates, which symbolized renewed peace after war, Jupiter's granting of empire based on Rome's civilizing accomplishments after martial ones, the insertion of a man's name in the Salian hymn, the building of a temple to Vesta that reflects her cosmological meaning, all offer pleasing analogies and allegories of Augustan ideology.

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90 Barchiesi (1997, p. 269-270) comments on Clio's omission of Fulvius' temple and the importance of the temple as « the first official repository of the Fasti of Rome, edited and commented by the same Nobilior » (p. 270).

Regarding the aetiological story of the Fordicidia, Barchiesi has criticized a missed opportunity to fully exploit the Numan-Augustan associations of agricultural prosperity and fertility (*sup.*, p. 160). According to Feeney, this results from the habit of scholars to allocate works to compartments : Ovid's poetry can therefore only be interpreted either in literary or political terms – never in both –, and in 'Augustan' or 'anti-Augustan' terms.[91] Regarding the latter, Newlands (1995, p. 236) detects an Ovidian voice of scepticism : « Like Augustus, Ovid through his play with time in the *Fasti* inserted himself centrally into Roman time, but with opposite effect. His quest for origins leads repeatedly to rupture with the past and disenchantment with a political system that could not protect and value its poets ». Barchiesi and Hinds have read Numa's more flattering characterisation over that of Romulus as a setup for political interpretation ; Barchiesi (1997, p. 174-178), in addition to what has been reported above, suggests that Numa may be a prefiguration of the reign of Augustus' successor, perhaps Germanicus. For Hinds, who places undue stress on the association between Augustus and Romulus, Numa reinforces the *Fasti*'s anti-Augustan tendencies.[92]

One should certainly not take Ovid at face value. Concerned with the literary demands of didactic poetry (Schilling, 1992, p. xxi), he need not always write a commentary of Augustan rule. Yet in his endeavour to maximize the literary and ideological

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91 D.C. Feeney, (1992), « *Si licet et fas est* : Ovid's *Fasti* and the Problem of Free Speech under the Principate », in *Roman Poetry and Propaganda in the Age of Augustus*, ed. by A. Powell, London, p. 4-5.

Regarding the antithesis between 'literature' and 'politics', McKeown (1984, « Fabula Proposito Nulla Tegenda Meo. Ovid's *Fasti* and Augustan Politics », in *Poetry and Politics in the Age of Augustus*, ed. by Woodman and West, p. 177) argues that « the *Fasti* as a whole was inspired primarily by the literary tradition, and not conceived as a eulogy of the emperor and his regime ». Fantham (1995), « Rewriting and Rereading the *Fasti* : Augustus, Ovid and Recent Classical Scholarship », *Antichthon* 29, p. 42-59) observes that present scholarly currents have too readily dismissed the simple literary objectives of the *Fasti*.

92 If Hinds (1992, « Arma in Ovid's *Fasti* Part 2 : Genre, Romulean Rome and Augustan Ideology », *Arethusa* 25.1, p. 115-153) recognizes that certain aspects of Augustan ideology, (namely promotion of peace and religion) may hold a Numan tinge, he argues that the *Fasti* present Romulus and Numa « as such complete and irreconcilable opposites » (p. 131) that it disrupts Augustan ideology which leans heavily on a Romulean imagery containing the seeds of Numa's civilizing rule.

potential of existing stories, Ovid, I find, in his representation of Numa, « the most likeable and provident among the characters that appear recurrently in the *Fasti* » (Barchiesi, 1997, p. 131) does not do Augustus disservice either in the *Metamorphoses* or the *Fasti*.

CONCLUSION

By producing a critical analysis of literary texts that recount fully or briefly Numa's life and legend, I aimed to fill a gap in classical scholarship. Focusing on the 'Golden Age', a period most comfortably represented in full treatments, my study comprised the Numan accounts of Cicero, Livy, Dionysius of Halicarnassus and Ovid. These authors lived at a time when Rome was trying to reconcile, for herself and for her subjects, the social, political, economic and demographic costs of her military world domination – the Civil Wars being its clearest manifestation – with the belief in her foreordained supremacy. This reconciliation was to be achieved by a reacquaintance with the Roman ancestral values whose observance had merited Rome her dominion and whose neglect had driven the state to civil war.

The question of Roman national identity is at the heart of the Numan accounts of the chosen prose-writers. In his portrayal of Numa, Cicero offers a rebuttal for Greek critics who questioned Rome's supremacy because of her lack of civilizing virtues. Numa, Cicero proves, ruled in accordance with the civilizing virtues of classical Athens such as they had been listed in Isocrates' *Panegyricus*, and this before the arrival of Greek influences in Latium. Numa, then, had counted on a native aptitude for civilizing arts which, in addition to the civilizing virtues common to both Greek and Roman worlds (such as piety and justice), advantageously comprised typically Roman virtues such as *humanitas* and *fides*. And this native aptitude, beyond the City's military supremacy, is what made Rome deserving of world rule.

When investigating the leading causes of Rome's world domination, Livy identifies national values and institutions. They were not, Livy shows, imports from Greek culture but native ones ; they were not the accomplishment of a single man, but that of a

community realized over several generations. Numa, according to Livy, played an important part in forging the national values and institutions of the Romans : he established laws and religious rite and taught the citizens the ways of peace. By thus complementing Romulus' arts of war, Numa merited the title of second founder of Rome and paved the way for refounders.

In his *Roman Antiquities*, Dionysius wanted to win over the Greek world to Rome's supremacy by proving the kinship between the two nations. He composed his account with a care to represent Numa, in the fashion of Isocrates and Xenophon, as the Greek ideal of kingship. For if one finds in early Rome a Numa whose rule is based on the practice of Greek virtues, it follows that Rome was Greek from the beginning. Indeed in Dionysius' view, the excellence of the Roman national identity is guaranteed by its Greek roots. And it is precisely this kinship to Greece that allowed Rome to achieve world domination. Rome, Dionysius believes, has proven her kinship and her worth through leaders such as Numa and deserves the acceptance and support of the Greek world.

When Livy and Dionysius were composing their Numan accounts, Augustus, as *princeps* of Rome, was dealing with the aftermath of the Civil Wars. He knew, as did his contemporaries, that the Roman people needed the state to reassert the national values and institutions that had built their City. His architectural programme, his religious restoration, his legislative and social reforms, all aimed at giving back pride of place to the *mos maiorum*.

Do my prose-writers draw a direct parallel between Numa and Augustus ? Although they list many 'Numan' virtues that could be applied to Augustus, these virtues could just as well apply to any good leader. Nowhere do my authors directly compare Numa and Augustus. And yet, their narration sometimes suggests a special relevance to

Augustan rule. Livy makes a rare mention of Augustus' name when he applauds his closing of the gates of Janus, a precedent created by Numa. A seemingly voluntary omission of Numa's traditional role in land allotment may distract from the *princeps*' own sad role in veteran land allotment. Dionysius, who publishes his work some twenty years after Livy, devotes a chapter to Numa's institution of boundaries, likely suggesting a favourable parallel with recent Augustan delineation measures. Dionysius' representation of Numa as arbiter also seems to reflect positively Augustus' own role of arbitration in the Greek world.

Ovid, the only poet, did not use Numa to define his concept of national identity. His *Fasti*, officially composed to praise Rome's ruling family, offers analogies and allegories of certain Augustan ideas and measures through recounting of traditional Numan tales. The reform of the calendar, the closing of Janus' gates, the building of temples, the links with Vesta and the Salian hymn are the main points of contact.

It is noteworthy though that no direct comparison between Numa and Augustus exists either in my authors or in Graeco-Roman literature. Nowhere is Augustus called a Numa. The plastic arts establish no more connections than literature does. A few coins, with the head of Augustus on one face and what is conjectured to be the head of Numa on the other, may be the possible exception (*sup.*, p. 9-10). There does seem in this instance to be a direct link between Augustus and Numa, but one that is somewhat diluted by the moneyer's own family ties to Numa.

With these very coins Buchheit (1993, p. 99) supports his claim that Augustus used Numa as a model for his reforms. My own literary study does not produce irrefutable proof to back this claim. Yet Numa held enough importance and authority, as proven by the 'Numan books' affair of 181 BCE, to have been of use to Augustus. Numa's recurrence

and representation in Augustan literature does give a sense that he could enhance Augustus' image as a worthy ruler. So why is he not used ?

I would say because Roman history and tradition offered greater examples to illustrate 'Numan' virtues : Romulus instituted the first cults and laws, Venus smiled on fertility, Peace was a divinity in her own right, and piety, surely, was better served by Aeneas. Romulus and Aeneas, sons of Mars and Venus respectively, held an authority – barring for a moment the Julian family connections – that Numa could never have as consort of a minor Nymph. Numa was not a warrior, a liability for a Roman leader ; Romulus and Aeneas were warriors as well as statesmen. Numa was Rome's mortal caretaker while the heroes Romulus and Aeneas fulfilled divine missions that brought about Rome's foundation. Romulus and Aeneas, then, held the *auctoritas* and the *gravitas*, especially as ancestors of the Julian clan, to appropriately illustrate Augustan ideology. Numa lacked the required 'seriousness'. Still Ovid found the king's lightness congenial and well adapted to his own light poetry, as Numa's recurrence in the *Fasti* proves.

In this respect Numa fared better in later literature, perhaps in no small part owing to Aeneas' irrelevance to the emperors' genealogy once the Julio-Claudians were removed from the throne. In fact authors of the fourth century link Marcus Aurelius not to Aeneas or Romulus but to Numa through his father's family (*Hist. Aug. Aur.* 1.6 ; Eutr. 8.9). Numa, Bird writes, « enjoyed a remarkably high reputation in the fourth century » and was frequently used as an *exemplum.*[1] Ammianus Marcellinus cites the legendary tranquility of Numa's reign (14.6.6), the honest Numa and Socrates (16.7.4), and the high-principled Numa and Cato (28.1.39). Antoninus Pius is four times said to be deserving of comparison with Numa because of his virtue.[2] The *Historia Augusta* (*Hadr.*

1 H.W. Bird, (1986), « Eutropius on Numa Pompilius and the Senate », *CJ* 81.3, p. 244.

2 *Hist. Aug. Anton.* 2.2 : « Fuit vir forma conspicuus, ingenio clarus, moribus clemens, nobilis, vultu placidus, ingenio singulari, eloquentiae nitidae, litteraturae praecipuae, sobrius, diligens agri cultor, mitis, largus, alieni abstinens, et omnia haec cum mensura et sine iactantia, in cunctis postremo

2.8) reports that Hadrian, worried for his chances at imperial succession, consulted the *sortes Vergilianae* and drew the passage that foresees Numa's reign (*A.* 6.808-812).[3] Aurelius Victor (*Caes.* 14.2-3) writes that Hadrian attended to religious ceremonies, laws, gymnasiums and learned men « in the manner of the Greeks or of Numa Pompilius » (*Graecorum more seu Pompilii Numae*). Christian authors of the same period use Numa as a symbol of Roman paganism (Prud. *Perist.* 2.1-20, 413-562 ; Paul.-Nol. *Carm.* 19.53-75).

It is a sign of the figure's appeal that authors from Cicero to Paulinus could, and did, answer Anchises' query : « But who is this at a distance resplendent in his crown of olive and carrying holy emblems ? » (Verg. *A.* 6.808-809). My dissertation, I hope, provides a satisfactory answer for Aeneas' father and for modern classical scholarship.

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laudabilis et qui merito Numae Pompilio ex bonorum sententia conparatur » ; *Hist. Aug. Anton.* 13.4 : « solusque omnium prope principum prorsus <sine> civili sanguine et hostili, quantum ad se ipsum pertinet, vixit et qui rite comparetur Numae, cuius felicitatem pietatemque et securitatem cerimoniasque semper obtinuit » ; Eutr. 8.8 : « Ergo Hadriano successit T. Antoninus Fulvius Boionius, idem etiam Pius nominatus, genere claro, sed non admodum vetere, vir insignis et qui merito Numae Pompilio conferatur, ita ut Romulo Traianus aequetur. Vixit ingenti honestate privatus, maiore in imperio, nulli acerbus, cunctis benignus, in re militari moderata gloria, defendere magis provincias quam amplificare studens, viros aequissimos ad administrandam rem publicam quaerens, bonis honorem habens, inprobos sine aliqua acerbitate detestans, regibus amicis venerabilis non minus quam terribilis, adeo ut barbarorum plurimae nationes depositis armis ad eum controversias suas litesque deferrent sententiaeque parerent. Hic ante imperium ditissimus opes quidem omnes suas stipendiis militum et circa amicos liberalitatibus minuit, verum aerarium opulentum reliquit. Pius propter clementiam dictus est » ; Front. 12, p. 209 vdH : « Aurel (ius) Antoninus sanctus imp (erator) retinuisse se fertur a sanguine abstinendo uni omnium Romanorum principum Numae regi aequiperandus ».

[3] Zoepffel (1978, « Hadrian und Numa », *Chiron* 8, p. 391-427) argues that Hadrian may have used Numa to justify his departure from Trajan's policy of expansion. Brandt agrees (1988, « König Numa in der Spätantike. Zur Bedeutung eines frührömischen *exemplum* in der spätrömischen Literatur », *MH* 45, p. 100-101).

APPENDIX

THE BIOGRAPHY OF NUMA, CONSTRUCTED FROM ANCIENT SOURCES[1]

Numa Pompilius was a Sabine from Cures (Cic. *Rep.* 2.25 ; Verg. *Aen.* 6.809-11 ; Flor. 1.1.2.1 ; Serv. *Verg. A.* 6.808), son of Pompon (D.H. 2.58.2 ; *Vir. Ill.* 3.1), and he was born on the day that Rome was founded (Plu. *Num.* 3.6). When Romulus died, Numa was about forty years of age (D.H. 2.58.2) and well thought of by both Sabines and Romans (Liv. 1.18.5). He had been a prominent citizen and a son-in-law of Titus Tatius, the Sabine who had ruled Rome jointly with Romulus, but he had retired from public life after the early death of his wife, Tatia (Plu. *Num.* 3.8-4.1). Accordingly an embassy came to him from Rome, consisting of the Roman Proculus and the Sabine Valerius (Plu. *Num.* 5.1-2), to ask him if he would consent to be nominated as successor to Romulus (D.H. 2.58.3). After some hesitation (Plu. *Num.* 5.3-6.5), he accompanied them to Rome, where he was duly elected king by the *comitia curiata* (Cic. *Rep.* 2.25), and, when his election had been confirmed by the senate and approved by the augurs (Liv. 1.18.6-10), he accepted the royal insignia (Plu. *Num.* 7.1-7). The people also voted for his admission into the Roman patrician order (D.H. 4.3.4) and passed a *lex curiata* introduced by Numa himself *de suo imperio* (Cic. *Rep.* 2.25). During his reign the Romans enjoyed peace and good government. He introduced land reforms, distributing part of Romulus' land and the public land among the more needy citizens (Cic. *Rep.* 2.26 ; D.H. 2.62.4), marked out boundaries to every holding (D.H. 2.74.2 ; Plu. *Num.* 16.3-4) and divided the whole country into *pagi* (Plu. *Num.* 16.6), each with officials to inspect farms and encourage good husbandry (D.H. 2.76.1-2). In order to unite the Alban and Sabine elements of the population without disturbing the Albans he incorporated the Quirinal, which was settled by Sabines, in the city (D.H. 2.62.5) and himself lived there in the early part of his reign (Solin. 1.21), while the townsfolk he grouped by their trades, without reference to their original nationality (Plu. *Num.* 17.2-3). He next reformed the calendar, adding the two months, January and February (Ov.

[1] Reproduced here in full and with a revision of the references to ancient sources is the effective summary of E. Hooker, (1963), « The Significance of Numa's Religious Reforms », *Numen* 10, p. 90-93.

F. 1.43-46 ; Plu. *Num.* 18.6 ; *Vir. Ill.* 3.1), to an older calendar of ten months, so as to produce a year divided into twelve lunar months (Ov. *F.* 3.151-152 ; Plu. *Num.* 18.6 ; Flor. 1.1.2.3) starting with January (Plu. 2.268 c ; *Num.* 18.5) and adjusted to the solar year by intercalation (Liv. 1.19.6-7 ; Cic. *Leg.* 2.29.8 ; Plu. *Num.* 18.3). This calendar included *dies fasti* and *nefasti* (Liv. 1.19.7), marketdays and festivals (Cic. *Rep.* 2.27).

At first he undertook the performance of the traditional religious rites, but he soon found that they left little time for other royal duties and he proceeded to overhaul the state religion (Liv. 1.20.1-2). First he took the precaution of providing himself with divine authority for his reforms. He gave out that he consorted with the goddess Egeria in a sacred grove and that she instructed him (Enn. *Ann.* 113S ; Cic. *Leg.* 1.4 ; Liv. 1.21.3 ; D.H. 2.60.4-5 ; Val. Max. 1.2.1 ; Ov. *F.* 3.261-94 ; Plu. *Num.* 4.12, 13.2 ; Flor. 1.1.2.4 ; *Vir. Ill.* 3.2 ; Serv. *Verg. A.* 7.763) ; he claimed to have met Jupiter face-to-face and tricked him into forgoing human sacrifice (Ov. *F.* 3.295-348 ; Plu. *Num.* 15.3-10 ; Arn. 5.1) ; and he produced a bronze shield of curious design, called an *ancile* (Enn. *Ann.* 114S ; D.H. 2.71.1), which was supposed to have fallen from heaven (Plu. *Num.* 13.2) and in which the sovereignty was believed to reside (Enn. *Ann.* 125 ; Ov. *F.* 3.361-92 ; Fest. 117.13 ; Serv. *Verg. A.* 8.664, 2.166, 7.188). Armed with this supernatural support he instituted a full-time professional priesthood. He himself remained at the head of the state religion, but he was assisted by the *flamen Dialis*, who was a permanent full-time priest (Liv. 1.20.2). He also appointed *flamines* for Mars and Quirinus (Plu. *Num.* 7.9) and probably minor *flamines* for lesser deities (Liv. 1.20.3 ; *Vir. Ill.* 3.1). He turned the service of the Vestals into a salaried profession, imposing virginity and other restrictions on them (Liv. 1.20.3-4) and entrusting them with the care of the sacred fire, the Palladium and the *ancile* (Flor. 1.1.2.3). He chose twelve young patricians to be Palatine Salii for Mars Gradivus (Liv. 1.20.4). He had replicas of the *ancile* made by a craftsman called Mamurius Veturius, and gave them to the Salii for use in their rites (D.H. 2.71.1-2 ; Plu. *Num.* 13.6-7 ; Serv. *Verg. A.* 8.285). He instituted the 'greater auspices' and appointed two extra *augures* (Cic. *Rep.* 2.26). He dispensed with the

Celeres as a bodyguard (Plu. *Num.* 7.8) and he established a college of *fetiales* to deal with the formalities of peace and war (Plu. *Num.* 12.4-8). The hearths of the *curiae* he left undisturbed in the care of the *curiones*, but he established a common hearth and entrusted it to the Vestals (D.H. 2.66.1 ; Plu. *Num.* 9.10). The supervision of this organization he placed in the hands of five *pontifices* (Cic. *Rep.* 2.26), giving them a written copy of his religious laws (Liv. 1.20.5) in eight sections (D.H. 2.63.4) : 1) *curiones* (D.H. 2.74.1) ; 2) *flamines* (D.H. 2.64.2) ; 3) *celeres* (D.H. 2.64.3) ; 4) *augures* (D.H. 2.64.4) ; 5) *Vestales* (D.H. 2.64.5-69 ; Plu. *Num.* 9.9-10.13) ; 6) *Salii* (D.H. 2.70-71 ; Plu. *Num.* 13) ; 7) *fetiales* (D.H. 2.72) ; and 8) *pontifices* (D.H. 2.73 ; Plu. *Num.* 9.1-8). The centre of religious life he transferred to the area later occupied by the Forum. Here he built a round house for Vesta (Ov. *F.* 6.257-282 ; Fest. 320.12) and his own official residence close by (Ov. *Tr.* 3.1.27-30 ; Plu. *Num.* 14.1 ; Solin. 1.21). At the bottom of the Argiletum, just to the north-east of the Forum, he set up the Ianus (Flor. 1.1.2.3 ; *Vir. Ill.* 3.1), a small shrine with two doors which were to be opened only in time of war (Liv. 1.19.2 ; Plu. *Num.* 20.1 ; Serv. *Verg. A.* 7.607). He is also said to have built a small shrine for the Muses (Serv. *Verg. A.* 1.8).

In addition to reforms of the existing cults, he introduced some new cults. He erected a temple to Fides (D.H. 2.75.3 ; Plu. *Num.* 16.1) and instituted regular rites in which the *flamines* drove there in covered chariots with their hands swathed to the fingers (Liv. 1. 21.4-5). He consecrated his new boundary-stones to Iuppiter Terminalis and established the festival of the Terminalia, at which bloodless offerings of first-fruits were made (D.H. 2.74.2-4 ; Plu. 2.267 c ; *Num.* 16.2). He introduced the practice of baking the spelt for sacrifices and hallowed the innovation by the new feast of Fornacalia, the festival of ovens (Plin. 18.7-8). He was also credited with adding Tacita to the number of the Muses (Plu. *Num.* 8.11), with dedicating the Argei as places for ritual (Liv. 1.21.5), with founding an altar of Iuppiter Elicius on the Aventine (Liv. 1.20.7), and with introducing games in honour of Mars (Tert. *Spect.* 5) and the festivals of Robigalia (Plin. 18.285 ; Tert. *Spect.* 5), Agonalia (Macr. *S.* 1.4.7), and Fordicidia (Ov. *F.* 4.629-72). In addition a number

of miscellaneous provisions from his laws are quoted by Plutarch and other writers. He banned statues of gods in human or animal form (Plu. *Num.* 8.13) ; he forbade work on a festival day (Plu. *Num.* 14.3) ; he laid down regulations for the offering of the *spolia opima* (Fest. 204.9) ; he forbade the sprinkling of wine on funeral-pyres (Plin. 14.88), the pouring of libations with wine from unpruned vines (Plin. 14.88 ; Plu. *Num.* 14.7), the offering of sacrifices without meal (Plu. *Num.* 14.7). He prescribed a penalty for concubines who touched the temple of Iuno (Gell. 4.3.3). He regulated mourning and laid it down that widows who re-married before the completion of ten months' mourning should sacrifice a cow with calf (Plu. *Num.* 12.3). He forbade fathers to sell married sons (Plu. *Num.* 17.5).

Numa died of old age, when over eighty (Plu. *Num.* 21.7), after a reign of forty-three years (Liv. 1.21.5 ; D.H. 2.76.5 ; Solin. 1.21).[2] He left one daughter, Pompilia, probably by his second wife, Lucretia, and a five year-old grandson, Ancus Marcius, who was later also to become king of Rome (Plu. *Num.* 21.4, 7). Some writers ascribed to him four sons, Pompon, Pinus, Calpus and Mamercus, said to be ancestors of great families (Plu. *Num.* 21.2). He was, at his own request, not cremated but buried in a stone coffin on the Janiculum near the altar of Fons. His own copies of his *commentarii* were buried near him in a stone box (Plu. *Num.* 22.2).

2 Cicero differs from other authorities in giving the length of Numa's reign as 39 years (*Rep.* 2.27).

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