

ROMAN RELIGION
IN VALERIUS
MAXIMUS

Hans-Friedrich Mueller



London and New York

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FOR TSAPL

Man wird am besten für seine Tugenden bestraft.

Friedrich Nietzsche *Jenseits von Gut und Böse* § 132

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PREFACE

The present essay represents the intermittent efforts of some eight years. What survives the editorial knife (likely still too much) represents a fraction of what I wrote – in its turn, only a beginning of what might have been said. For my own part, I have found this inquiry into Roman religion in Valerius Maximus sometimes arresting, at times deeply repulsive, but always absorbing, and for these reasons I offer my results in the hope that others may find something of interest as well. I hope too that my essay's defects will find readers willing to correct and improve whatever I have only darkly begun to comprehend.

A word about format is in order. The main text should be accessible to anyone with a command of English. Although much Latin and some Greek will appear throughout, I have provided translations for all of the original sources as well as for any quotations from German, French, Italian, or Spanish scholarship (unattributed translations are my own). I have also aimed to gloss technical terms. The notes, on the other hand, make no effort to appeal to anyone except those interested in the range of my scholarly debts (which are large), technical details, and further references to the sources and secondary literature. The chapters themselves shift in focus as familiarity with Valerian religion in its various contexts accrues. The first chapter is the most technical, the fifth the most general. The first three chapters attempt to place the work of Valerius Maximus in its literary and historical contexts as well as in the scholarly context of the study of Roman religion. The number of anecdotes from Valerius' text discussed is rather smaller in the first three chapters than in chapters four and five. By way of compensation, comparative materials and notes are thicker. The final two chapters (especially chapter five), which offer general surveys, seek to explore the religious voice of Valerius Maximus on its own terms with as little diversion into subsidiary issues as possible. These chapters consequently offer more generous doses of Valerius Maximus. My hope is to have thereby struck a balance that will help illuminate Valerius' religion in as many contexts as possible.

PREFACE

I have not been alone in my studies. With deep appreciation I acknowledge the decisive debt I owe to my former teacher and dissertation advisor, Professor Jerzy Linderski, without whose instruction and scholarship I could hardly have begun or concluded this investigation. I may single out too the friendship, erudition, and wit of Professor W. Jeffrey Tatum, who, for the last eight years, has provided a ready ear, a judicious eye, and essential advice. Professor R. Elaine Fantham, Professor Jennifer Rea, and Professor Timothy Johnson read the penultimate draft in its entirety, and saved me from many embarrassments. In this project I have contracted other debts as well, and am grateful for the opportunity to acknowledge them here. I have benefited much from the careful readings and commentary of various anonymous readers as well as those, whom I may list by name and who, over the years, have read various portions of this work in draft: Prof. Mark Beck; Prof. Francis R. Bliss; Prof. W. Martin Bloomer; Prof. Dr J. N. Bremmer; Prof. John Briscoe; Prof. Dr Carl Joachim Classen; Prof. Debbie Felton; Prof. Duncan Fishwick; Prof. George W. Houston; Prof. Gerhard M. Koeppl; Dr Joann McDaniel; Dr Bruce A. Marshall; Prof. Robert E. A. Palmer; Dr Brent W. Sinclair; Prof. Peter M. Smith; Prof. Philip A. Stadter; Dr D. Wardle; and Prof. Cecil W. Wooten. They too have saved me from many errors. Needless to say, none of these kind people bears the least responsibility for defects that remain.

I thank Professor Gareth Schmeling for encouraging me to send the manuscript to Routledge. I have received from my editor, Dr Richard Stoneman, as well as from his senior editorial assistant, Ms. Catherine Bousfield, and their copy editor, Mrs Anne Marriott, patience beyond expectation and helpful expertise in all things.

Institutions too deserve my thanks. I began the work as a graduate student at the University of North Carolina at Chapel Hill. I continued it in Munich during a lexicographical stay at the *Thesaurus Linguae Latinae* and in Tallahassee as an assistant professor of Classics at the Florida State University. I have concluded the work in Gainesville at the University of Florida. I esteem my colleagues at all these institutions, and am honored to call them teachers and friends.

My personal obligations are extensive. To my parents, Hans O. and Dorothy C. Mueller, I owe life itself and many, many years of support in all the many meanings of that word. To my sister Karla, and to my brothers Kurt and Niels, I owe, if not life (and if not in the word's every signification), likewise a lifetime of support. To my daughters Sarah, Anna, Paula, and Laura, and to my wife Terri, I cannot return the time these labors have cost, but I do offer this book to them in grateful dedication.

Hans-Friedrich Mueller
Rothman Term Professor
University of Florida

LIST OF ABBREVIATIONS

ANRW	Temporini, H. and Haase, W. (eds) (1972–) <i>Aufstieg und Niedergang der römischen Welt: Geschichte und Kultur Roms im Spiegel der neueren Forschung</i> . Berlin and New York.
CIL	<i>Corpus Inscriptionum Latinarum</i> (1863–). Berlin.
DA	Daremberg, C., Saglio, E. and Pottier, E. (eds) (1875–1919) <i>Dictionnaire des antiquités grecques et romaines d'après les textes et les monuments</i> . 5 vols in 10. Paris.
DGRBM	Smith, W. (ed.) (1899 [1844]) <i>Dictionary of Greek and Roman Biography and Mythology</i> . 3 vols. Boston and London.
Drumann-Groebe	Drumann, W. K. A. (1964 [1899–1929]) <i>Geschichte Roms in seinem Übergange von der republikanischen zur Monarchischen Verfassung oder Pompeius, Caesar, Cicero und ihre Zeitgenossen nach Geschlechtern und mit genealogischen Tabellen</i> . 2nd edn rev. P. Groebe. 6 vols. Hildesheim.
Forcellini	Forcellini, A., Furlanetto, I., Corradini, F. and Perrin, I. (1940) <i>Lexicon totius latinitatis</i> . 4 vols. Padua.
Fustel de Coulanges, <i>La cité</i>	Fustel de Coulanges, Numa Denis, (1984 [1864]) <i>La cité antique</i> . Paris.
Jordan, <i>Topogr.</i>	Jordan, H. (1871–1907) <i>Topographie der Stadt Rom im Alterthum</i> . Edn rev. C. Huelsen. 2 vols in 5. Berlin.
KP	Ziegler, K. and Sontheimer, W. (eds) (1964–75) <i>Der Kleine Pauly: Lexikon der Antike auf der Grundlage von Pauly's</i>

LIST OF ABBREVIATIONS

- Realencyclopädie der classischen Altertums-
wissenschaft*. 5 vols. Munich.
- Latte, *Religionsgeschichte*
Latte, K. (1960) *Römische Religionsges-
chichte*. Munich.
- LCL
Henderson, J. (ed.) (1911–) *The Loeb
Classical Library*. Cambridge, MA.
- Lewis and Short
Lewis, C. T. and Short, C. (1879) *A New
Latin Dictionary*. Oxford.
- Marquardt, *Privatleben*
Marquardt, J. (1886) *Das Privatleben der
Römer*. 2nd edn rev. A. Mau. Leipzig.
- Marquardt, *Staatsverwaltung*
Marquardt, J. (1881–5) *Römische Staatsver-
waltung*. 2nd edn. 3 vols. (vol. 2 rev. H.
Dessau and A. von Domaszewski; vol. 3
rev. G. Wissowa and L. Friedlaender
[*ludi*]). Leipzig.
- Mommsen, *Staatsrecht*
Mommsen, T. (1887–8) *Römisches Staats-
recht*. 3 vols in 5. Leipzig.
- Mommsen, *Strafrecht*
Mommsen, T. (1955 [1899]) *Römisches
Strafrecht*. Graz.
- MRR
Broughton, T. R. S. (1984 [1951–2])
The Magistrates of the Roman Republic. 3
vols. Chico, CA.
- Nash, *PictDict*
Nash, E. (1968) *Pictorial Dictionary of
Ancient Rome*. Rev. edn. 2 vols. London.
- OLD
Glare, P. G. W. (ed.) (1968–82) *Oxford
Latin Dictionary*. Oxford.
- OCD
The Oxford Classical Dictionary 2nd edn:
Hammond, N. G. L. and Scullard, H. H.
(eds) (1970); 3rd edn: Hornblower, S. and
Spawforth, A. (eds) (1996). Oxford.
- Platner-Ashby
Platner, S. B. (1929) *A Topographical Dicti-
onary of Ancient Rome*. Rev. edn T. Ashby.
London.
- Preller, *RömMyth*
Preller, L. (1978 [1881–3]) *Römische Myth-
ologie*. 3rd edn rev. H. Jordan. 2 vols. New
York.
- RE
Wissowa, G. *et al.* (eds) (1893–1978)
*Paulys Real-Encyclopädie der classischen
Altertumswissenschaft*. 33 vols and 15
supplemental vols. Stuttgart.
- Roman Papers*
Syme, R. (1979–91) *Roman Papers*. 7 vols.
Oxford.

LIST OF ABBREVIATIONS

- Rosch. *Lex.* Roscher, W. H. (ed.) (1884–1937) *Ausführliches Lexikon der griechischen und römischen Mythologie*. 6 vols in 9. Leipzig.
- s.c. de Cn. Pisone patre* Eck, W., Caballos, A. and Fernández, F. (1996) *Das senatus consultum de Cn. Pisone patre*. Munich
- Schanz-Hosius Schanz, M. (1935) *Geschichte der römischen Literatur bis zum Gesetzgebungswerk des Kaisers Justinian, zweiter Teil: Die römische Literatur in der Zeit der Monarchie bis auf Hadrian*. 4th edn rev. C. Hosius. Munich.
- TLL* *Thesaurus Linguae Latinae*, (1900–). Leipzig.
- Wissowa, *Kultus* Wissowa, G. (1912) *Religion und Kultus der Römer*. 2nd edn. Munich.

Journals are abbreviated according to the conventions of *L'Année Philologique*. Abbreviations of ancient authors derive from the *OCD*, the *OLD*, and the Greek Lexicon of Liddell and Scott.

INTRODUCTION

TERENTIUS: Let this example move th'insolent man
Not to grow proud, and careless of the gods.
It is an odious wisdom to blaspheme,
Much more to slighten or deny their powers.

Ben Jonson, *Sejanus His Fall* (1604), 908–11.

Roman religion between republic and empire

Jupiter, Most High, Most Great (*Iuppiter Optimus Maximus*), an ancient source of Rome's power, received many a republican general's vow in moments of military crisis. For centuries his temple atop the Capitol served the spiritual needs of a martial commonwealth.¹ Jupiter received too the ministrations of a special priest dedicated to his service. In his *Memorable Deeds and Sayings*, Valerius Maximus records the death of the old republic's last *Flamen Dialis*²:

qua tempestate rei publicae L. quoque Cornelius Merula consularis et flamen Dialis, ne ludibrio insolentissimis uictoribus esset, in Iouis sacrario uenis incisis contumeliosae mortis denuntiationem effugit, sacerdotisque sui sanguine uetustissimi foci maduerunt.

(Valerius 9.12.5)

Also during that storm of the republic Lucius Cornelius Merula, of consular rank and priest of Jupiter, to avoid becoming a target for the mocking violence of the victors, cut his own veins in the inner sanctuary of Jupiter, thereby escaping the threat of an abusive and humiliating execution; and the most ancient hearth was drenched in the blood of its priest.³

Barely a teenager, Julius Caesar himself was nominated to the vacant post, but was never inaugurated.⁴ Merula's suicide in 87 BC would in fact require more than seventy years and the reconstruction of the republic itself before

allowing of correction.⁵ Augustus, after restoring the republic, finally filled the flamine in 11 BC, with difficulty.⁶ In Valerius' own times, Tiberius too had trouble filling the post. Patrician women remained unwilling to marry according to the ritually prescribed form of *confarreate* marriage, a union stipulating that the wife enter into the *manus*, or full legal power, of her husband. To fill the post, ceremonial rules were changed: the priest's wife was to be subject to her husband's power only in sacred affairs, while in all other matters freely making use of the same legal rights enjoyed by other women.⁷ Times had changed. The restored religion of the restored republic mirrored a changed political reality.

Change was rarely trumpeted or celebrated in Rome. According to the standard tropes of Latin literature, change was bad, change was corruption, change was revolution. But just as free institutions yielded before Caesars and military despotism, republican religion, despite its occasional Merula, was flexible and survived. The altar thrived under the Caesars, but the gods, to whom republican generals vowed temples⁸ while others looked in the forum (or elsewhere) for omens, found other uses. Like the institutional machinery of the free state, which survived in name in annual magistracies and senate, the old divine apparatus lived on, luxuriously clothed in rebuilt temples and amply stocked priesthoods. But what was the point? Could adverse omens be deployed against the first citizen, the princeps?⁹ Hardly. How, then, could fellow citizens participate in the restored religion inaugurated by Augustus? Does evidence exist, from the ground, as it were, to help us in reconstructing the religious experience of early imperial citizens who lived under the triumphant Augustan restoration? Astonishingly, evidence abounds.

A neglected source for early imperial religion¹⁰

Valerius Maximus dedicated his *Facta et dicta memorabilia* to the emperor Tiberius.¹¹ He had culled some thousand anecdotes from Greek and Roman history, and arranged them in nine books,¹² not chronologically, but rather according to various categories of virtue and vice.¹³ Valerius further subdivided his material according to whether anecdotes relate domestic (Roman) or foreign (mostly, but not exclusively, Greek) history.¹⁴ Because Valerius composed set pieces (*exempla*) on historical commonplaces (*topoi*), we can compare the work of other ancient authors who treat the same *topoi*, allowing us to isolate what is peculiar to Valerius. Valerius, however, it must be stressed, does not narrate history. Valerius illustrates virtue and vice through historical vignettes removed from their historical context. An early imperial prose writer (and a middle-brow one at that¹⁵) harnesses the republican history of Rome to the moral concerns of his own day. It would be hard indeed to imagine a potentially better guide to an early imperial consensus on the meaning of republican history and its intersections with the moral politics of late Augustan and Tiberian Rome.

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Nevertheless, although his work has long served as a treasure trove for rhetoricians, moralists, and ancient historians (categories not always mutually exclusive),¹⁶ Valerius Maximus until recently remained unappealing to literary critics. But Valerius is a crucial author. Augustan literature, Augustan culture, Augustan legislation, Augustan renewal (moral, religious, and institutional), Augustus, and the irrevocable passing of the free state were still living memories.¹⁷ The age of Tiberius had dawned. Valerius is very much a denizen of that new society and his peculiar literary perceptions of the republican past offer insight into his view of the contemporary scene. Indeed, because Valerius Maximus comes so close on the heels of Augustus' efforts at religious revival and moral reform, his views of religion and personal morality in the context of Tiberian Rome are essential.¹⁸

A relatively straightforward methodology is here adopted for recovering the religious sensibilities of Valerius Maximus. This study takes as its starting point the suggestion of Agnes Kirsop Michels in her review of Kurt Latte's *Römische Religionsgeschichte* (which, in her view, was too static):

One wonders what results might be obtained if one worked on the perhaps naive assumption that most Latin authors (not all) in most of their works (not all) were saying quite sincerely just what they really thought. One would have to allow for the possibility that they frequently changed their minds, but the experiment might be interesting.¹⁹

This volume represents part of such an experiment. We begin with a close study of the role that three traditional state gods, Juno,²⁰ Vesta, and Jupiter, play in Valerius' work, and follow these close studies with a survey of the ways in which religion in general, not only gods, but also ritual and religious vocabulary, intersects with the promotion of virtue. The veneration of Greek philosophy among the ruling classes of the late republic (and early empire) was very thin; Cicero was an exception.²¹ Valerius himself praises the Athenians for putting Socrates to death because Socrates had attacked religion (1.1.*ext.*7), and when Valerius praises philosophers (including Socrates!), it is not for their insight into intellectual matters, but for their apprehension of matters sacred to gods and religion.²² Valerius Maximus was no theologian, even less a philosopher, and his work, no *De natura deorum*, is consequently most useful. Valerius is middle-brow, and thus likely represents attitudes more commonly diffused – attitudes not necessarily strictly logical or without internal contradictions, but so much the better for approaching a living system of belief.

In our studies of Juno, Vesta, and Jupiter, we shall examine each anecdote in which these gods play a role, and observe behavior, both human and divine, as well as narrative choices. In order to observe the peculiarities of Valerius' presentation of traditional material, Valerius' versions will, where

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possible, be compared to the presentations of the same material by other authors. Comparison of Valerius' versions to those of his predecessors and observation of what is changed and for what reason will tell us much both about Valerius' peculiar narrative choices and about the exigencies of his genre. We will not limit ourselves, however, to Valerius' predecessors. The presentation of traditional Roman material by hostile Christian authors can also throw Valerius' very different rhetorical goals into sharp relief. Observation then of conduct – human and divine – and rhetorical strategy will enable us to draw general conclusions about Valerius' attitude both to three important state gods and to traditional Roman religion. Do these gods appear to be living gods? If living, what does their presence in the rhetorical context of moral persuasion imply? We shall, in other words, attempt to discern the rhetorical function of divinity in Valerius' anecdotes. Does the presence of a Juno, a Vesta, a Jupiter, help Valerius' argument in favor of specific modes of behavior? Does Valerius in fact view these gods as interested in moral behavior or are they mere ornament, the divine trappings of an earlier republican past? What values do Valerius' gods promote, and how do their divine concerns relate to the political context of Tiberian Rome? Does there appear to be a cogent connection or correspondence? Do Valerius' deities, for example, promote moral values that correspond to contemporary laws? We shall discover through detailed analysis that, at least in Valerian rhetoric, our divine guides are living gods, that they care deeply about human conduct, especially as prescribed by Valerius Maximus, and that this conduct in turn corresponds closely to the values promoted by Augustan moral legislation.

Similarly, general surveys of religious language and thought in Valerius, ritual vocabulary, sacrificial imagery, veneration, faith, zealous devotion, private religion in death, household gods, and the like will reveal that religion deeply permeates the fabric of Valerian rhetoric. In the *Facta et dicta memorabilia*, religion plays a role in friendships, wills and testaments, trials, the practice of temperance, generosity, death, repentance from wrong-doing, and much more. Religious values are in fact so intimately bound up with Valerius' thinking that only a detailed commentary could do justice to the entire work. Our goals for these general surveys will thus be more limited in scope than our detailed inspections of three representative state gods. We shall strive to gain a sense of how Valerian religion was experienced and lived according to its rhetorical representation. How might a citizen of the early empire have perceived such a faith? Is a word like "faith" even justified? How great was Valerian devotion? We shall discover more than mere morality. Valerius' religion is passionate.

We shall, in short, discover a rhetoric of living faith and of a religion that lends zealous support to the promotion of morality. This religion of an early imperial author should not be without interest, especially as the traditional view of Roman religion, formulated by the eloquence of Warde Fowler, is slow to fade:

we must not underrate the religiousness of the Roman character, which was never entirely lost; but the secret of its comparative usefulness lies in this – that the natural desire to be right with the Power manifesting itself in the universe, and to know more of that Power, became weakened and destroyed by overscrupulous attention to the means taken to realise it, and by the introduction of foreign methods which had no root in the mental fibre of the people, and reflected no part of their experience. *Religion was effectively divorced from morality* [emphasis added].²³

On the contrary, in Valerius Maximus at least, religion was essential to morality.

Recent work on Valerius Maximus

For much of the last two centuries, Valerius rarely attracted critical attention, and even then usually negative. Eduard Norden refused to include Valerius in his survey of Roman prose style:

Valerius Maximus opens that long series of Latin authors who, on account of their artificiality, are unendurable to the point of desperation ... I have no desire to investigate the disgusting elements of his style.²⁴

This is not to say that Valerius' text has lain wholly devoid of students. Nor will we ignore their contributions.²⁵ The last decade of the twentieth century was particularly kind, and Valerian studies may stand now at the cusp of a renaissance.

Recent studies of Valerius as an author constitute the foundation from which this book takes its start. W. Martin Bloomer, whose study appeared in 1992, may be credited with inaugurating the current spate. He not only examined and reassessed a century of *Quellenforschung*, but, more to the point, came to the conclusion that, although Valerius did indeed read other authors, and appropriate his material from literary predecessors, he in fact reworked and recast this material according to his own narrative and rhetorical purposes. Bloomer deserves lasting gratitude. He has revealed precisely that which is often most difficult to demonstrate, namely, what should have been obvious: in short, that Valerius Maximus is an author²⁶ (with all the critical problems attendant on that word). And, because he is an "author," much work remains to be done.

Also crucial to this study is the work of Clive Skidmore, who traces the longstanding argument between those who believe Valerius was merely a sourcebook for declamations and those who believe Valerius wrote with the moral edification of his reader in mind. Skidmore effectively demonstrates

Valerius' deeply moral purpose. Moral purpose is, of course, not incompatible with practical rhetoric and the needs of declaimers as well as with Bloomer's thesis that Valerius' work was written to be read continuously and recited publicly. Valerius has been condemned for rhetorical artifice, but he simply uses the idiom of his times. We may safely assume that Valerius was employing rhetoric in service of what was right and good, that is, the *patrius mos*, a union of rhetoric and morality that Giovanni Comes suggested we call "patriotism."²⁷ Andreas Weileder, whose recent study of Valerius Maximus will long remain essential reading for those whose primary interest is the political ideology of Tiberian Rome, has more recently demonstrated the truth of Comes' suggestion in great historical detail. In light of these works – as well as others to which we shall in the course of this study have occasion to refer – we have the luxury of limiting our own goals within a narrower, religious compass.

Exempla: a generic way of life

Valerius, although frequently mined for historical data,²⁸ did not write history. Valerius wrote historical anecdotes illustrative of some virtue or vice. He wrote *exempla*. Examples teach. This doctrine is implicit and explicit throughout Valerius' work. In his preface, Valerius promises *documenta*, a word that conjures meanings ranging from lessons, examples, and patterns to proof. Let us examine one such Valerian "document." Quintus Fabius Maximus, gentle by nature, compelled himself to practice a more savage severity in order to punish effectively those who deserted to the rebel cause. He did so by chopping off the hands of deserters. What did Fabius accomplish?

rebelles ... manus a corporibus suis distractae inque cruentato solo
sparsae ceteris ne idem committere auderent *documento* fuerunt.
(Valerius 2.7.11)

The rebel hands torn from their bodies and scattered about the
blood-soaked soil served as "documents" warning the rest not to
dare do the same thing.

Severed hands scattered across bloody ground can serve as powerful "documents," even if only symbolically in rhetorical representation. Similarly, the Roman citizens crucified by Scipio Africanus after his capture of Carthage (2.7.12) or the deserters whom Lucius Paullus had trampled by elephants during games (2.7.14) serve as an example Valerius terms most useful (*utilissimo ... exemplo*; 2.7.14).

One sees intuitively the power of such examples; ancient rhetoric provided theoretical justification as well. Examples, according to Aristotle's

Rhetoric, appeal to the emotions, and are thus employed in preference to reason by those who want to convince an audience.²⁹ *Exempla* are also especially useful in political discourse, because anecdotes can portray political and moral concepts with an immediacy impossible in a discourse of rational analysis. Rational analysis can discuss pertinent issues only individually. Logic should not leave gaps (*non facit saltus*, so to speak). Nevertheless, although “language is in a sense linear ... as obvious[ly] as ... perceptual space is three-dimensional,” anecdote overcomes this limitation of language both by conveying deeply held convictions in a way that others can intuitively grasp and by presenting material the way people actually think – that is, not in terms of formal logic, but “in terms of situations and events.”³⁰ Or, as a Roman rhetorician put it:

[Exemplum] rem ornatiorem facit, cum nullius rei nisi dignitatis causa sumitur; apertioem, cum id quod sit obscurius, magis dilucidum reddit; probabiliorem, cum magis verisimilem facit; ante oculos ponit, cum exprimit omnia perspicue ut res prope dicam manu temptari possit.

(*Rbet. Her.* 4.62)

[The example] renders a thought more brilliant when used for no other purpose than beauty; clearer, when throwing more light upon what was obscure; more plausible, when giving the thought greater verisimilitude; more vivid, when expressing everything so lucidly that the matter can, I may almost say, be touched by the hand.³¹

Rhetorical examples convince audiences.

Examples, however, as Valerius’ contemporary in Roman Palestine also understood, are more than merely a powerful means of persuasion. They can illustrate patterns of behavior, patterns to imitate. Indeed, rhetorical examples are not easily separated from moral precedents. We hardly need remind ourselves that Romans traditionally looked to the authority of ancestral usage, the *mos maiorum*, not only when judging whether or not an action was done rightly or wrongly, but also when learning how to conduct themselves; *mos* (custom) was almost law.³² Indeed, in spite of Rome’s reputation for flexibility and adaptation, “original ideas,” *novae res*, were anathema unless well cloaked in ancient garb.³³ Precedent was important, and it was considered proper, right, and obligatory to follow the examples of the past. Traditional values were, in the new Rome, also an effective means by which its elites could gain social legitimacy:

Novi homines tended to be traditionalist in sentiment; and the profiteers of the Revolution were eager to become respectable through the painless process of social mimesis.³⁴

INTRODUCTION

Examples, both rhetorical and customary, mattered.

Augustus not only passed laws by which he restored ancestral *mos*³⁵ (the moral corollary to his religious revival³⁶), but also himself provided fellow-citizens examples to imitate:

Legibus novis m[e auctore l]atis [multa] exempla maiorum exolescentia iam ex nostro [saeculo]o red[uxi et ip]se multarum rerum exempla imitanda post[eris tradidi].

(*Res gestae divi Augusti* 2.8)

By means of new laws passed under my authority I restored many examples of our ancestors that had almost vanished from our own age and I myself bestowed upon posterity examples in many matters for imitation by them.

Augustus' monumental architecture (especially the Forum of Augustus) with statuary of republican exemplars of traditional virtues, complete with descriptions (*elogia*),³⁷ allowed male citizens to gaze,³⁸ listen to recitations,³⁹ digest virtue, and imitate:

As a practitioner of the art of persuasion the greatest rhetorician of antiquity was the man born C. Octavius One of the most interesting features of the new Augustan 'rhetoric' is its use of imitation. . . . [A] philosophy lies behind the technique: excellence can be imparted to the contemporary by careful study of the noble quality of the past. Instead of taking classical Greek writers as models for literary imitation, the new Augustan rhetoric inculcated a moral imitation of the creed of the heroes of the past The goal was a style of life: patriotic, serious, self-sacrificing.⁴⁰

Livia analogously sponsored construction projects designed to inspire female citizens to imitate virtue.⁴¹

Livy too, an older contemporary of and source for Valerius, wrote history with *exempla* and moral purpose in mind:

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

(Livy *praef.* 10)

What chiefly makes the study of history wholesome and profitable is this, that you behold [the "documents" of every kind of example] set forth as on a conspicuous monument; from these you may choose

for yourself and for your own state what to imitate, from these mark for avoidance what is shameful in the conception and shameful in the result.⁴²

Livy was, of course, heir to a long historiographical tradition reaching back through Polybius to Isocrates,⁴³ a tradition that saw history's value in helping its students improve themselves in virtue.

The passing of Augustus brought no end to the prominence of *exempla* in contemporary thought. Tiberius, to whom Valerius dedicates his *exempla*, proclaimed that in governing he would strictly adhere to his divine father's examples. Syme puts a negative spin on Tiberius' promise:

Compelled to honour the precedents set by Augustus everywhere, Tiberius was hampered in thought and deeds by his own past, and by the oppressive memory of Augustus.⁴⁴

On the other hand, one person's oppression is another's sacred tradition. Examples provided general and approved methods of argument, thought, instruction, and life. Only a literary iconoclast or political innovator could have disregarded examples. And, whatever Tiberius' own inner conflicts regarding his divine father, his ardent literary devotee, Valerius Maximus, was no revolutionary. He collected examples from the works of literary authorities, and he adored his sovereign (*praef.*).

Valerius' general view of religion

Although he is neither critically nor philosophically oriented, Valerius does clearly state a general attitude towards religion: "since it is my intention to start with the services devoted to the gods, I shall provide an overview of the terms involved" (*quoniam initium a cultu deorum petere in animo est, de condicione eius summatim disseram; praef.*), and in this statement we may view a fundamental concept of Valerius' faith: the *condicio*, the contract, or mutual obligations of human beings and deities.⁴⁵ In other words, in religious matters, it is not the gods *per se* who are the main focus, but rather Valerius scrutinizes how people should treat the gods, discern their will, approach them. What constitutes proper behavior? The simplest solution would obviously be a set of guidelines people could follow. They would thus be released from the terrors of blind experimentation likely to cause offense and disaster. And, as we have seen, the *exemplum* was in Valerius' day considered an excellent vehicle in rhetoric for winning arguments, and in historical narrative for setting out general modes of conduct. The fact that Valerius illustrates, rather than codifies, does not, moreover, preclude a set of moral principles or rules. Acceptable patterns of behavior, custom, *mos*, handed down by tradition, are a source of strength (*virtus*) for society. Observance of custom and

regard for it because it is “true” (that is, the way things are done), because it is a source of power, and because it is an obligation, could be termed “moral.” Likewise, unwritten rules, as the history of the struggle of the *plebs* for written laws adequately demonstrates, can also sometimes be an effective measure of social control. Lack of codification creates ambiguity. From the perspective of those interested in power and control, examples might possess a virtue (or strength) that more transparent rules lack. Not only can examples instruct, they can confuse. Those who interpret meaning control the agenda. This too can be a source of power. The gods, to the extent that they concern themselves with Rome’s fate, do concern themselves with the sources of Rome’s power. And, as the examples that follow will illustrate, it is in this light that Roman gods can be said to concern themselves with “morality.”

Before we begin an investigation of religion in Valerius according to our own principles (by means of three state gods and by general surveys of the intersections of virtue and religion), it will be useful, since Valerius himself actually devotes the first book of the *Facta et dicta memorabilia* to religion,⁴⁶ to view the organizational principles Valerius himself employs in discussing this topic. His organization reveals a great deal about his conception of religion. He begins with an outline of what constitutes the topic. That the opening sentence of Valerius’ book on religion shares phrases with a speech by Cicero need not detain us. Valerius uses the borrowed phrasing for different purposes, as any cursory examination will reveal.⁴⁷ He outlines four main branches for study: established rituals, augury, prophecy, and portents. Approximately the first third of book one concerns itself with general attitudes towards religion. The first half of the first chapter, “On Religion” (*De religione* 1.1.1–15), concerns itself specifically with examples of those who observed the strictest adherence to ritual,⁴⁸ and is followed by examples that illuminate the fate of those who failed to observe the same: “On Neglected Religion” (*De neglecta religione* 1.1.16–21). Strict obedience to ritual procedure is crucial. The chapter concludes (in epitome only)⁴⁹ with foreign examples of both proper regard for and improper neglect of the same (1.1.*ext.*1–8). The second chapter, “On Pretended Religion” (*De simulata religione* 1.2.1–4 and 1.2.*ext.*1–4), exists only in epitome, and presents those who pretended religion for good purposes. The third chapter, “On Superstitions” (*De superstitionibus* 1.3.1.1–3), also only in epitome, offers specious religion, namely, foreign rites that threatened established Roman practices and that were consequently expelled. Four chapters, “On Auspices” (in epitome; *De auspicio* 1.4.1–7 and 1.4.*ext.*1–2), “On Omens” (*De ominibus* 1.5.1–9 and 1.5.*ext.*1–2), “On Prodigies” (*De prodigiis* 1.6.1–13 and 1.6.*ext.*1–3), and “On Dreams” (*De somniis* 1.7.1–8 and 1.7.*ext.*1–10), deal with communications from gods. The final chapter, “On Miracles” (*De miraculis* 1.8.1–19), illustrates the power of gods to intervene in the world open to the inspection of human senses (the world we commonly call nature).

Valerius' organization thus illustrates the themes we will soon examine in the context of specific historical situations as described by him. The gods and religious ritual *per se* are not in general Valerius' main focus, which is always on human conduct. Religion deals with how humans act in accord with divine forces. Scrupulous attention to human conduct in relation to divine forces and divine protocols, however, will indicate to us that Valerius (and others like him) viewed those divinities and their ceremonial perquisites as powerful indeed.

To summarize the main themes: the first obligation is correct ritual; the gods are not mute; they speak a language of their own, and this language can be understood, usually by specially trained human beings (magistrates and priests); finally, and this particular emphasis represents a departure from Valerius' immediate republican predecessors,⁵⁰ the gods manifest their power through actions in this world. Focus on three major state gods individually will allow a conspectus of these varied themes in relation to divinities whose spheres and responsibilities may overlap but whose interests vary enough to allow patterns of divine concern for the affairs of this world to emerge. These patterns will reveal not only that gods are intimately involved in the rhetorical fabric of Valerius' work, but also that Valerius conceives of them as concerning themselves with specific patterns of behavior that we may loosely term "moral." Having established the active interest that gods take not just in ritual, but also in moral behavior, we shall be in a position to look at traditional Roman religion of a more strictly ritual nature in more general outline. The saturation of Valerius' rhetoric of virtue with this religious vocabulary of ritual and traditional Roman religion will have interesting and perhaps even profound implications for the intersections of religion and morality in imperial Rome.

Religion, virtue, and politics in Valerius' programmatic preface

We would be remiss to neglect what Valerius himself tells us about his purposes.⁵¹ Naturally, readers should trust no author's introductory remarks, but, that said, prefaces remain crucial for understanding authors' representations of their purposes, and prefaces thus deserve especially close attention.⁵² Significantly, the greatest of the traditional Roman Jupiters, *Iuppiter Optimus Maximus*, makes his first appearance in Valerius' preface. This might appear appropriate and fitting, because "until the destruction of the Roman empire *Iuppiter Optimus Maximus* remained the divine embodiment of the empire's continued existence: without exception, he takes first place in the long lists of gods"⁵³ Closer examination of the preface, however, reveals that the attitude Valerius displays towards Jupiter is, to say the least, somewhat odd. Rather than invoke this traditionally most powerful member of Rome's pantheon, Valerius mentions Jupiter, only to invoke Tiberius instead. We thus find in Valerius' preface very clear clues that we are dealing with a

religion rather different from the late republic's. There were likely good reasons for Valerius' choice:

the supreme god of the *res publica* seems to have played an extremely insignificant role in the propaganda of the rabid young triumvir and son of Venus' deified darling.⁵⁴

Moreover, the temple of Tiberius' father, the god Augustus (*diuus Augustus*), on the Palatine was deliberately modeled on that of Jupiter's temple on the Capitoline, thus impressing on all passers-by the new religious foundation of contemporary political power.⁵⁵ The worship of a political ruler as a god, either after his death or as a god on earth,⁵⁶ remains perhaps abhorrent to modern feeling, in spite of the fact that Roman religion in general⁵⁷ and emperor worship in particular (as a politically unifying symbolic system)⁵⁸ are gaining a sympathetic hearing and re-assessment. Nevertheless, reason, common sense, and our own beliefs regarding reality and the nature of the human condition often combine to prevent us from accepting that ancient authors could possibly have believed what they were saying. That, for example, people could believe that either the murderous triumvir Octavian, or, even worse, the grim Tiberius, was a living god appears patently absurd. Thus, when Seneca writes a satire of Claudius' deification, we are told that this in fact "shows the attitude of a sophisticated Roman toward the ceremony,"⁵⁹ although "it would be of interest to determine the attitude of the educated Italian ... to the ruler cult."⁶⁰ The likes of Seneca, a sophisticated, philosophically inclined member of the imperial family's inner circle, or of poets,⁶¹ strange creatures with intensely individual personalities, hardly seem likely to give us the "average ... view." Idiosyncratic views are more likely. Even, however, when their expressed views are in accord with historical developments (emperor worship), they are often rejected. "Flatterers" (Ovid and Manilius, for example)⁶² are rejected as insincere; orators because they are constrained by "free speech ... no longer known."⁶³ It soon becomes obvious that many simply reject the possibility that ancient authors believed what they tell us.⁶⁴ We thus discount unwelcome statements uttered by greater literary artists, and contemptuously dismiss lesser lights as flatterers and propagandists. The resulting view of ancient society is, admittedly, more agreeable. In the current scholarly climate, however, where new voices are assiduously eked out from the canonized elite,⁶⁵ it will perhaps prove an interesting exercise to listen again to one long muzzled who in fact corroborates historical developments:⁶⁶ Valerius Maximus.

Valerius' preface has cost him many readers for at least a century and a half.⁶⁷ Let us put disbelief aside for a moment, however, and scrutinize Valerius' religion at its most odious:

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te igitur huic coepto, penes quem hominum deorumque consensus maris ac terrae regimen esse uoluit, certissima salus patriae, Caesar, inuoco, cuius caelesti prouidentia uirtutes, de quibus dicturus sum, benignissime fouentur, uitia seuerissime uindicantur: nam si prisci oratores ab Ioue optimo maximo bene orsi sunt, si excellentissimi uates a numine aliquo principia traxerunt, mea paruitas⁶⁸ eo iustus ad fauorem tuum decurrerit, quo cetera diuinitas opinione colligitur, tua praesenti fide paterno auitoque sideri par uidetur, quorum eximio fulgore multum caerimoniis nostris inclitae alacritatis⁶⁹ accessit: reliquos enim deos accepimus, Caesares dedimus.

(Valerius *praef.*)

You, therefore, to the beginning of this my work, in whose power the convictions of mortals and gods alike unite in their desire that with you the command of both the sea and the land should abide, upon you, staunchest guardian of our nation, O Caesar, I call, by whose heavenly provision the virtues I am about to describe are most liberally succored, but by whom vices are most rigidly revenged. Surely it must be obvious that if the orators of old could properly take their beginnings from Jupiter Most High, Most Great, if the most exalted prophets and poets could derive the source of their inspiration from some divine power, then so much the more rightly does my own insignificant self rush to your side, especially as the other divine powers are worshipped on the basis of belief, but you appear through manifest faith like the stars your father and grandfather have become, whose glorious illumination has added such celebrated zeal to our religion: indeed, although we inherited all the other gods, we ourselves have bestowed the Caesars.

To Valerius Tiberius is a manifest god. Valerius' invocation may justly be termed worship (*adoratio*).⁷⁰

This opinion has not been shared by all critics of Valerius Maximus:

Valerius Maximus ... stopped well short of viewing Tiberius as a god – as distinct from praising him as godlike – and he made the proper distinction between the traditional gods and the Caesars (the deification of the latter is honorific for qualities shown and services done).⁷¹

That the *Caesares* are new additions to the traditional pantheon is clear enough, but novelty hardly diminishes divinity. When Juno was brought to Rome from Veii, she did not become an “honorific” deity, nor Aesculapius, nor Cybele.⁷² The addition of new gods was not new. Senators did not claim to sight “honorific” gods ascending into heaven. These gods became visible,

not “honorific,” stars in heaven.⁷³ Sceptics may doubt, but Valerius and his contemporaries had miraculous proof. Stars were gods.⁷⁴

Valerius’ rhetoric also befits the common citizen:

Horace, Vitruvius, Seneca the Younger, and Pliny the Elder had reached such a position that they had real contact with the emperor. Valerius Maximus, on the other hand, seems to have remained on a more modest social level. For such a man it would hardly be fitting to address Tiberius in a personal manner. Evoking him as a god was a different thing altogether. It must, after all, be open to any citizen to call upon the gods of the state.⁷⁵

Tiberius is simply and matter-of-factly invoked by a citizen of Rome as a living god.

Valerius employs the language of prayer. Given the formal nature of prayer-language, we may easily identify the god from whom Valerius seeks leave to speak: “upon you ... O Caesar (*te ... Caesar*, i.e. Tiberius).”⁷⁶ The author also speaks in the first person: “I call” (*inuoco*). The prayer seems rather straightforward. In accordance with the standard formulae of Roman prayer-language, the speaker has named the deity he addresses.⁷⁷ Valerius describes the god in some detail; this is likewise standard.⁷⁸ Tiberius has command of both sea and land (*maris ac terrae regimen*) and this is agreed upon by the *consensus*⁷⁹ not only of human beings (*hominum*), but also of the other gods (*deorum*).⁸⁰ Some see in such phrases mere propaganda:

Much rhetoric was devoted by the emperors and their propagandists to claims that they ruled by the universal consensus of men (Augustus *Res gestae* 34.1; cf. 25.2), or even of men and gods (Val. Max. *praef.*; Tac., *Hist.* 1.15 etc.). ... [T]he absurd fiction that the consent of the people had actually been given to the rule of the Princeps served only to conceal the reality and make the constitutional propriety of the regime an even more flagrant deception.⁸¹

Absurd from our point of view and flagrant deception, perhaps, but we inquire here as to what such a religion meant on the ground, to a rhetorician and moralist who supported his government and would have found his religion as absurd as today’s average citizens might find their national anthems or the religiously inclined their modern creeds (that is, not at all).

Jupiter was traditionally termed Rome’s guardian (*custos*). Juno and Vesta too were guardians. As such they were obligated to fulfill a bargain, namely, to promote the success and prosperity of the Roman state. After civil war and social disruption, honors were logically due not only to the ancient divinities, but also to the divine powers who re-established civil peace and who maintained that peace.⁸² Jupiter and Augustus received their due

honors, and Tiberius is analogously the surest safety of the state (*certissima salus patriae*). Rome remains safe under this tutelary deity.⁸³

There is more. Tiberius possesses (*cuius*) a divine oversight (*caelesti prouidentia*) that promotes virtue and punishes vice (*uirtutes ... benignissime fouentur, uitia seuerissime uindicantur*).⁸⁴ Such an idea corresponds well to the dual functions of a father and a god (*parens ac deus nostrae uitae*),⁸⁵ and Valerius' conception has been held up as adequate summation of Tiberius' legal position as well:

In rather flowery language to be sure, but not without considerable truth, I believe, [Valerius has] briefly characterized the administration of justice during Tiberius' reign.⁸⁶

Tiberius is the divinity most clearly concerned with Valerius' subject-matter (*de quibus dicturus sum*), and in fact is active on earth promoting the conduct about which Valerius requests permission to speak. Valerius, whether sincere or insincere (I shall argue the former), is logically consistent when he invokes this deity for assistance with his work (*huic coepto*).⁸⁷

Tiberius' divine predecessor, we may recall, had introduced unprecedented and now famous moral legislation concerning marriage.⁸⁸ Tiberius, as the successor to the god Augustus, would naturally be concerned with continuing his divine father's sacred work. We know from history that this god (Tiberius) was also a temporal ruler who could initiate legislation and who would sometimes sit in judgment over others. This knowledge adds significance to the fact that Valerius' god is concerned with morality – namely, conduct deemed appropriate (*uirtutes*) and conduct deemed inappropriate (*uitia*) – because this god possessed the means to promote his moral views actively. The gods had thus, if we may pursue the logic, come to earth and were concerning themselves with regulating human behavior according to notions of what was appropriate or inappropriate.⁸⁹ “Morality” seems an adequate description of such divine concern, and Valerius indeed provides some thousand examples, or *documenta*, to illustrate conduct in a variety of situations. (We shall turn to some of these “documents” shortly.) And, if we may anticipate the chapters that follow, just as Valerius' preface suggests that the god Tiberius in particular concerns himself with “morality,” so also (as we shall soon discover) the other gods as well as the whole religious apparatus will in general analogously and actively lend support to the moral content of the actions Valerius promotes or condemns. Such syncretism of old and new religious ideas would not constitute an exceptional phenomenon in the history of Roman religion,⁹⁰ and divine support will manifest itself in a variety of ways. Valerius' version of Roman religion will add rhetorical force. Gods and ritual vocabulary can, for example, raise a scene up from a merely human or political realm to a larger cosmic scale. Valerius' religious rhetoric can add moral authority through approval or

disapproval (for instance, communicated through omens) of the conduct described. Gods and an animated nature also possess the power to enforce appropriate conduct through direct intervention (sometimes miraculous) in the world commonly open to the inspection of the human senses.⁹¹ We shall have to take Valerius' gods seriously. Tiberius, whether god or not, wielded considerable power. He had the means and cunning to enforce his will. Because, however, Valerius was a polytheist and described for the most part actions that took place before the *Caesares* were actively promoting virtuous conduct on this earth, other gods, who were more prominent in the republican past, require our closer inspection, but we must do so with the knowledge that the new gods deserve our serious consideration too, especially in regard to their interactions with Rome's traditional guardians.

Such religious notions may well represent innovation and change from republican conceptions. Valerius himself is well aware that invoking Tiberius rather than a traditional deity in itself represents innovation. He thus justifies his choice, and through this justification, we learn what he requests from the deity he invokes, that is, what he prays for: *fauorem tuum*. *Fauor*, or good-will, represents the opposite of *inuidia* or "ill will,"⁹² and, like *inuidia*, was sometimes personified as a god in its own right. It is thus a powerful force that actively promotes the success of an undertaking, and a force that can plausibly be considered divine in nature.⁹³

Ancient orators took their beginning, according to Valerius, from *Iuppiter Optimus Maximus*.⁹⁴ Ancient *uates*,⁹⁵ (poet-prophets, that is, the religiously inspired) took their beginnings from a particular god (*numine aliquo*). Now there can be no doubt that *Iuppiter Optimus Maximus* was a god. There can likewise be no doubt that *numina* were divine forces and, by Valerius' time, also gods.⁹⁶ The parallelism that Valerius sets up between the orators, the *uates*, and himself strictly corresponds to *Iuppiter Optimus Maximus*, *numine*, and Tiberius. Only perverse denial could refuse to acknowledge what Valerius openly states. Valerius, however, offers even greater, less rhetorically "subtle," proof of his beliefs. Other gods are worshipped on the basis of "opinion" (*cetera diuinitas opinione colligitur*⁹⁷). This does not deny the validity of the traditional gods. Valerius, as we shall observe, respects *opinio* and exalts tradition. Nevertheless, visible proof of the newer gods is available for all who can discern the face of the sky: "your divinity appears by manifest faith equal to your paternal and grandpaternal star" (*tua [i.e. diuinitas] praesenti fide paterno auitoque sideri par uidetur*).⁹⁸ Tiberius is rendered the equivalent of his deified father and grandfather (now visibly resident in the heavens) by manifest faith (*praesenti fide*) corresponding to the belief (*opinione*) that cultivates the other collective divinity (*diuinitas*). Valerius' contemporary, Velleius Paterculus, expresses similar sentiments regarding Tiberius' ancestors: "Tiberius Caesar did not consecrate his father by command, but by religion, he did not call him a god; he made him one" (*sacrauit parentem suum Caesar [Tiberius] non imperio, sed religione, non appellauit eum, sed fecit*

deum; 2.126.1).⁹⁹ Velleius has recently won praise for his perceptive descriptions of his contemporary scene.¹⁰⁰ The *Caesares* were not gods only in theory, but were living, present, and powerful deities.¹⁰¹

Roman religion has traditionally been viewed as a religion lacking excessive or even strong emotion.¹⁰² Hence, it is so often argued, there was a lack, a deep spiritual void, that the populace sought to fill with mystery religions and, finally, with another more famous import. It is therefore somewhat surprising, even a shock perhaps, to discover what these new gods (the *diui Caesares*) have added to the ancient Roman forms (*caerimoniis nostris*): “gladness, joy, even ecstasy (and widespread at that) among a celebrating populace” (*multum ... inclitae alacritatis*). Roman religion thus has for Valerius a strong emotional content, and he views these emotions as shared by the populace at large.¹⁰³

The word *alacritas* demands comment and close attention. Although well-attested by the best manuscripts, *alacritatis* (zealous joy) has caused discomfort and been replaced in recent editions by *claritatis* (brilliance), a reading found only in inferior manuscripts.¹⁰⁴ The original reasoning of Kempf (who later changed his mind) on behalf of the better manuscripts is worth quotation:

Adulator Valerius nouum quodam modo uigorem eximiamque alacritatem, qua tum maxime excelluerint Romanorum caerimoniae, splendidis sacris in honorem diui Iulii et Augusti institutis accessisse praedicat.

The servile worshipper Valerius claims that somehow a new strength and extraordinary zeal, with which at that time Roman rituals were especially conspicuous, accrued to the sumptuous ceremonies established in honor of the deified Julius and Augustus.¹⁰⁵

We may cite a close parallel to Valerius' prefatory alacrity in connection with the imperial family in another preface in book eight:

Candidis autem animis uoluptatem praebuerint in conspicuo posita quae cuique magna merito contigerint, quia aequae praemiorum uirtutis atque operum contemplatio iucunda est, *ipsa natura nobis alacritatem sumministrante*, cum honorem industrie appeti et exsolui grate uidemus. uerum etsi *mens hoc loco protinus ad Augustam domum, beneficentissimum et honoratissimum templum, omni impetu fertur*, melius cohibebitur, quoniam cui ascensus in caelum patet, quamuis maxima, debito tamen minora sunt quae in terris tribuuntur.

(Valerius 8.15.*init.*)

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The honors awarded to conspicuous merit occasion pleasure to the fair-minded, because it is equally pleasant to contemplate the rewards and the works of virtue, *inasmuch as nature itself fills us with joy*, whenever we gaze upon honor diligently pursued and gratefully rewarded. *But although one's mind here is immediately and irresistibly attracted to the house of Augustus, the most beneficial and revered temple of all*, it is better we refrain, since all the honors we may bestow on earth, no matter how great they may be, remain, nevertheless, less than what we owe to him, whose ascent to heaven is secure.

When Valerius' religious heart thrills with *alacritas* his pious spirit turns to the temple that houses the object of his devotion. Again, when Valerius invokes Tiberius later in the same book, zeal is mixed with gratitude that he lives in times more blessed than any other:

Senectus quoque ad ultimum sui finem prouecta in hoc eodem opere inter exempla industriae in aliquot claris uiris conspecta est. separatum tamen et proprium titulum habeat, ne, cui deorum immortalium praecipua indulgentia adfuit, nostra honorata mentio defuisse existimetur, et simul spei diuturnioris uitae quasi adminicula quaedam dentur, quibus insistens *alacriorem* se respectu uetustae felicitatis facere possit, tranquillitatemque saeculi nostri, qua nulla umquam beatorum fuit, subinde fiducia confirmet, salutaris principis incolumitatem ad longissimos humanae condicionis terminos prorogando.

(Valerius 8.13.*init.*)

Among my book's examples of hard work we have already glimpsed in several famous men old age advanced to its farthest limits. Let old age, however, have its own separate chapter, lest anyone especially blessed by the immortal gods be thought to lack our reverent mention, and, at the same time, let us provide some supports, as it were, to our hope for a very long life, leaning upon which (supports) our hope can, through contemplation of happiness in old age, become *enthusiastic indeed*, and let our steadfast faith ever gladden the peace of our own times (than which none have ever been more blessed) by preserving the life of our savior and prince to the outermost limit permitted by the human condition.

Did *alacritas* fill the hearts of Tiberius' loyal citizens? Could Valerius' professed *alacritas* towards Tiberius possibly have been sincere? Greater absurdities are recorded in recent history. Evidence suggests that large numbers were inspired by sincere *alacritas* under Hitler. Whether or not fascism is a useful point of comparison with Caesar-worship,¹⁰⁶ we leave

aside, but we may at least recognize in recent history's improbable spectacles that less likely political figures than Tiberius have been the objects of intense religious fervor and devotion.¹⁰⁷ Valerius' professed *alacritas* is not outside the realm of human possibility. It is not even unlikely.

That Valerius uses the word *alacritas* in a strong sense can be appreciated from his other uses of it. When, for example, the Roman people are convinced that Equitius is the true son of Tiberius Gracchus, Valerius terms their transport the "highest zeal of spirits" (*summam animorum alacritatem*; 9.7.1). The emotion is a powerful one, and it is the emotion that the military leader Tullus Hostilius, when attacking Fidenae and confronted with the treacherous retreat of Mettius Fufettius, successfully seeks to inspire in the hearts of his soldiers to replace the terror they felt at their comrades' unexpected departure: "in place of fear and trembling ... he filled their hearts with frenzied enthusiasm" (*pro ... trepidatione alacritate suorum pectora repleuit*; 7.4.1). The strength of *alacritas* can be discerned from the power of the emotion it replaces. Fear and trembling (*trepidatio*) before violent battle and slaughter cannot be construed as mild discomfort. Correspondingly, the enthusiasm of *alacritas* must be overwhelming. We do not deal with emotions easily controlled by philosophical reason, but with the basic components out of which societies are unified, battles are won, faiths are animated.¹⁰⁸

Valerius' religious zeal may, not improperly, be read as patriotic; Latte called it *Loyalitätsreligion*,¹⁰⁹ commenting, however, that its main features could be characterized as "religious meaninglessness" (*religiöse Bedeutungslosigkeit*).¹¹⁰ Valerius, on the other hand, on the ground, an eyewitness, testifies to some emotional depth, his "alacrity." Inquiry into emotion, we must also note, is not necessarily "covertly Christianizing."¹¹¹ Although it is eminently correct to argue that Christian conceptions have long interfered with the analysis of ancient religion,¹¹² the emotions (as well as terms like "belief") should not be neglected.¹¹³ Emotions are in general crucial not only to persuasion (as Plato feared and Aristotle analyzed) but also to winning acquiescence, unquestioning adherence, or, even better, spontaneous conviction.¹¹⁴ Emotions should thus not be left out of discussions of ancient religion as if they constitute some sort of post-antique monopoly. We need not capitulate before we begin.

Interestingly, this emotional investment will be carried by (or transferred to) Rome's traditional gods as well. Valerius also states the relation between the old and new forms. Similarly, ritual and its vocabulary, animated by the accrual of *alacritas* for Caesar to the ancient ceremonies, may in turn bestow religious fervor in other contexts. Old gods and their rites are inherited (like family property, like one's family's religious rites, one's paternal *sacra*), and the new divine property, the *Caesares* and their rites, will likewise be bestowed on future generations (similar to the fashion in which one, while alive, cares for the *manes* of one's ancestors, but then likewise in death

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bestows one's own *manes* on descendants):¹¹⁵ "The other gods indeed we inherited, we have bestowed the Caesars" (*Reliquos enim deos accepimus, Caesares dedimus; praef.*).

This programmatic preface then not only anticipates many of the religious themes we will soon examine in our investigation of three representative state gods and the general intersections of religion and rhetoric in Valerius Maximus, but also reveals clearly an important aspect of Valerius' professed purpose: the role of divinity in proper conduct. As Tiberius exists, gods exist. Gods promote Rome's power through *virtus*. Gods punish vice. Gods fill citizen-hearts with strong emotion. Gods are popular. Gods care about and animate sacred rites. Gods are also in close connection with the imperial family, whose *pater familias*, Tiberius, also happens to be pontifex maximus of the state religion, princeps of the restored republic, and a participant in the divinity of his ancestors. Religion and virtue are in Valerius inextricably linked.

JUNO VALERIANA¹

We must never forget that Juno, like all else Roman and Italian, ... was remolded and viewed differently by the common people, the politicians, and finally the poets.

Palmer (1974), 4

Valerius Maximus viewed Juno not only as a living goddess, but also as a goddess who concerned herself with personal morality in general and chastity (*puđicitia*) in particular. In fact, this virtue was – in the Valerian view – essential to the political stability of the state, and its burdens were shared by both men and women alike, but by no means whatever, as we shall see, by both equally.

Valerius' Juno appears as a stern goddess, somewhat prone to anger. She is animated by the power of chastity (6.1.*imit.*), sets an austere example of earlier manners (2.1.2), takes offense at the presence of a beautiful male actor in her husband's chariot (1.1.16), takes vengeance on Quintus Fulvius Flaccus for stealing marble from her temple (1.1.20), receives a temple on the spot where Marcus Manlius Capitolinus' house once stood (6.3.1), but, in spite of all provocations, comes willingly to Rome from Veii (1.8.3).² Juno also appears in non-Roman history. Her temple is the site of a miracle, winds cannot move ashes there (1.8.*ext.*18), she forgives the sacrilege of Masinissa (1.1.*ext.*2), and she takes the lives of Cleobis and Biton (5.4.*ext.*4). The rubrics under which Juno appears are revealing also: she is harsh, she is concerned with proper behavior, and she has power to intervene in the affairs of this world; – “On Neglected Religion” (1.1.16, 1.1.20, 1.1.*ext.*2), “On Miracles” (1.8.3, 1.8.*ext.*18), “On Severity” (6.3.1), “On Chastity” (6.1.*imit.*), “On Ancient Institutions” (2.1.2), “On Piety toward Parents and Brothers and County” (5.4.*ext.*4), and “On Parents, who Bravely Bore the Death of their Children” (5.10.2).³

Numen pudicitiae: chastity's divinity or divine power

More detailed examination of course reveals a clearer picture. Chastity was

always a concern to Juno.⁴ Fittingly, when Valerius introduces a series of examples illustrating *pudicitia* (6.1.*init.*),⁵ he invokes the places where the abstract goddess *Pudicitia* resides.⁶ Traditionally included among these places are, according to the ancient religion (*prisca religione*), Juno's *puluinaria*. *Pudicitia* also resides, not surprisingly, at the hearth of Vesta. Valerius concludes, however, by invoking the places where *Pudicitia* resides in his own times, that is, both among the gods as well as in the imperial household itself: "the peak of the Palatine, the household gods of Augustus, and the most holy marriage bed of Julia" (*Palatii columen, augustos penates sanctissimumque Iuliae genialem torum* [problems to which we shall return]).⁷ Just as Juno, although a deity with a special relationship to women, was also a protector of the Roman state and was thus concerned with men as well, so also *Pudicitia* is principal support of both men and women alike (*uirorum pariter ac feminarum praecipuum firmamentum*). We thus have a chance to see both how the goddess of the old religion, Juno,⁸ relates to moral virtue and how she is accommodated to contemporary imperial conditions and religious developments.⁹

From Julia's holy bed (6.1.*init.*) we pass immediately to Lucretia's manly spirit mistakenly allotted by fate (*fortunae errore*) to a female body (6.1.1). An inspection of the thirteen Roman and three foreign examples illustrating chastity (*pudicitia*) quickly demonstrates that *Pudicitia* may be a support to men and women, as Valerius tells us, equally, but that unequal indeed, we must note, are the requirements and consequences. Only free men violate the *pudicitia* of others, while only free-born females (*ingenuae*) and free-born boys (*ingenui*) have *pudicitia* that can be violated.¹⁰ *Pudicitia* is thus revealed as residing in free-born females and boys in a fashion analogous to the manner in which it resided on Vesta's hearth, on Juno's sacred couches (*puluinaria*), and on Julia's bed. Valerius' organization by category rather than chronology brings the past into close proximity to the present (all events become equally past and relevant to the present purpose), and thus creates the impression of an unchanging, divinely sanctioned, and eternal chastity.

We may view this very conception also in Valerius' opening invocation to *Pudicitia*. By the divine sanction of this holy power, boys, all youth, and married women are kept safe:¹¹

tu praesidio puerilis aetatis insignia munita sunt, tui numinis respectu
sincerus iuuentae flos permanet, te custode matronalis stola cen-
setur.

(Valerius 6.1.*init.*)

Through your vigilance the glorious honors of childhood were
protected, by the cultivation of your divine power the flower of adoles-

cence remains uncut, under your guardianship the matron's garb receives its just recompense.¹²

We may note especially the word *numen*. Because *numina* are “divine forces” or even “gods” *numen* underscores the divine nature of this moral force or virtue. *Numen* in fact reveals that *Pudicitia* possesses a manifest power greater than mere abstraction.¹³ The *exempla* that Valerius relates will illustrate how *Pudicitia* – and thus Juno as well – wishes behavior regulated: “Be present, therefore, and recall those events that you yourself desired should occur” (*ades igitur et <re>cognosce quae fieri ipsa uoluisti*; 6.1.*init.*). Juno is demonstrably linked then not just to a moral virtue, but to a virtue considered a divine goddess in her own right, one with a long-established cult of her own. This indeed accords well with the traditional associations of Juno as a goddess to whom chastity mattered. More importantly, this link allows us a glimpse into Valerius’ personal religious conceptions, namely, the manner in which a moral force (considered divine) relates to the ancient goddess Juno. We may, for our part, desire to separate Juno’s *numen* from that of *Pudicitia*, but we must admit that Valerius views the possibility that the one can reside on the other’s sacred couches (*puluinaria*), and in fact elsewhere as well, without thereby losing her own divinity. Divine interests are not discrete; they are interlocking.

Marius and German chastity

The connection of gods with moral virtue is also confirmed at the end of the chapter. Although he admires the German women captured by Marius who committed suicide after having been denied their request for chaste slavery in the service of Vesta, Valerius is thankful that the gods did not grant the German men similar strength of character during the battle¹⁴:

di melius, quod hunc animum uiris earum in acie non dederunt:
nam si mulierum suarum uirtutem imitari uoluissent, incerta
Teutonicae uictoriae tropaea reddidissent.

(Valerius 6.1.*ext.* 3)

It was a rather good thing that the gods did not bestow this spirit on the German women’s men in the battle line, for if the men had been willing to imitate the virtue of their women, they would have rendered the trophies of our Teutonic victory less than certain.

How, we might ask, would “imitation” of this female virtue, *pudicitia*, by German men have caused trouble for Roman troops? The German men, we must conclude, were not as zealous in the defense of this crucially important

virtue as were their women.¹⁵ Again, reflection on Roman examples shows that, beginning with Lucretia, Roman greatness is often revealed in how jealously Roman women guard their chastity, and how zealously Roman men vindicate violated chastity. In fact, proper regard for this virtue can often either usher in great political change or root out political corruption.¹⁶ Moreover, Valerius illustrates clearly that it is especially incumbent on those invested with military authority to respect chastity: a centurion is executed for relations with a free-born male (6.1.10); a military tribune meets a similar fate (6.1.11).¹⁷ Power may be vested in males and standards of conduct may vary according to gender and status. Nevertheless, the privileges of power do not, in the Valerian view, render anyone less beholden to the demands of chastity.

That Valerius was not alone in making *pudicitia* a male concern we may confirm with later numismatic propaganda. We find, for example, an issue of Hadrian from AD 119 to 122 with the reverse legend *P. M. TR. P. COS. III. PVDIC.*¹⁸ Hadrian also put the chaste goddess Juno on his coins.¹⁹ Hadrian was, moreover, hardly the only emperor or male member of the imperial family to display *pudicitia* as one of his own special virtues. Among issues of Antoninus Pius from AD 140 to 144 we find depictions of a personified *Pudicitia*.²⁰ We find further examples of reverse legends proclaiming “*PVDICITIA*” in issues of Septimius Severus, Severus Alexander as Augustus, Gordian III, Trajan Decius, Herennius Etruscus as Augustus, Hostilian, Trebonianus Gallus, Volusian, and Gallienus as sole regent, all of whom, we may emphasize, display their own names and offices in the obverse legends.²¹ We need not therefore express surprise that Valerius should have felt relief that German men had not imitated this Roman virtue.²²

Chastity: Julia and Livia

In Tacitus we also see that vindicating *pudicitia* was for Valerius a contemporary religious concern. Tacitus not only relates that Augustus offered “violated religion,” *laesarum religionum* (*Ann.* 3.24), as part of his justification for severity towards Julia, but also goes on to similar examples in the time of Tiberius. Tacitus thus reveals a grim religious relevance in the old tales or, in more Valerian terms, the time-honored *exempla*.²³ Valerius, moreover, allows us to see that the great goddess Juno Regina is still concerned with this moral value. Juno is more than merely associated with chastity – her name is invoked because *Pudicitia*, a manifest and divine power, actually resides on Juno’s *puluinaria* in the great Capitoline temple.

Pudicitia also, however, resides on the marriage bed of Julia. This, especially in light of Tacitus (*Ann.* 3.24), could be construed as a problem – Julia, Augustus’ daughter, wife to Tiberius, exiled for scandalous adultery? Pighius wished to insert *gentis*, thus making the Julian *gens* chaste.²⁴ The

problem is Julia, and Lipsius offered the most logical way out of the problem in 1585.²⁵ After the death of her husband Augustus, Tiberius' mother Livia was adopted into the Julian *gens* (hence Julia), and was granted the name *Augusta* by the senate.²⁶ Lipsius' supposition of 1585 is, in addition to the supporting chronological arguments of Helm,²⁷ corroborated also by the fact that the name *Iulia Augusta* appears closely associated with Tiberius' in the contemporary *Acta Fratrum Arvalium*, where she is even termed, in direct reference to Tiberius, "his mother" (*eius mater*).²⁸ One may also adduce coins minted at Rome during the reign of Tiberius each bearing the legend *S · P · Q · R · IVLIAE AVGVST·*²⁹ Thus, "the peak of the Palatine" (*palatii columen*), "the household gods of Augustus' family" (*augustus penates*), and "Julia's most holy marriage bed" (*sanctissimum Iuliae genialem torum*), all refer to places where *Pudicitia* resides in the imperial household³⁰ in strict analogy to its traditional places of residence (including the sacred couches or *puluinaria* of Juno) according to the ancient religion (*prisca religio*).³¹

The connections of chastity, Juno, and the imperial family are interesting in light of later developments in the early imperial period as well. Just as every man had long had his own Genius, so also every woman would soon have her own Juno.³² Not only are regular sacrifices recorded during the reign of Tiberius in the *Acta* of the Arval Brethren to the Juno in whose *puluinaria* Valerius told us chastity resides,³³ but sacrifices are also eventually recorded to the individual Junos of women belonging to the imperial family.³⁴ Valerius thus both quite perceptively saw (and felt) the close connection between Juno and Livia,³⁵ perhaps even anticipating later developments. Valerius' view at the very least, however, not only corresponds to contemporary evidence, but more significantly provides a contemporary literary perspective on how such religious, legal, and political ideas would be synthesized by a supporter of the new order.

Later numismatic propaganda reveals that the rhetorical passions of Valerius for Juno and the chastity of the imperial family once again anticipate later developments. *Pudicitia* does not seem to appear on republican coinage (although Juno, Juno Regina, and Juno Sospita certainly do),³⁶ nor do we find Juno or *Pudicitia* on early imperial coinage. We do find Juno again, however, on the coins of Hadrian's wife Sabina.³⁷ During the reign of Antoninus Pius we also find that the coins of Faustina I, in addition to numerous reverses with legends dedicated to Juno, portray *Pudicitia* herself with the legend *AETERNITAS* (Eternity).³⁸ The coins of Faustina II, moreover, not only offer reverse legends dedicated to Juno, but also display the legend *PVDICITIA*.³⁹ *Pudicitia* (like Juno) is thereafter – and until the murder of Carinus in AD 285⁴⁰ – regularly employed as a legend on coins issued in honor of women belonging to the imperial family. A survey of coins displaying the reverse legend *PVDICITIA* will illustrate just how standard this virtue and legend became for such women (with corresponding regent in parentheses): Faustina Iunior (Marcus Aurelius), Lucilla (Marcus

Aurelius), Julia Domna (Septimius Severus), Julia Paula (Elagabalus), Julia Soaemias (Elagabalus), Julia Maesa (Elagabalus), Orbiana (Severus Alexander as Augustus), Julia Mamaea (Severus Alexander as Augustus), Otacilia Severa (Philip I), Herennia Etruscilla (Trajan Decius), Salonina (joint reign of Gallienus and Saloninus), Salonina (sole reign of Gallienus), and Magnia Urbica (Carinus).⁴¹ Mattingly summarizes the meaning of this legend and associated legends in reference to Julia Domna:

Her types ... are partly devoted to the goddesses whom she chiefly worshipped and whose characters serve as divine patterns of her functions on earth – Juno, Diana Lucifera, Venus Genetrix, Vesta – ... [and to] the central sanctity of Roman religion. Scenes of sacrifice to Vesta suggest a special interest in the correct performance of religious ceremonies at Rome. ... Domna is above all closely assimilated to the Great Mother, Cybele⁴² – she is ‘mother of the Augusti, mother of the senate, mother of the fatherland’ – the counterpart on earth of the mother of the gods. Her special virtues are her ‘Fecunditas’, ‘Felicitas’, ‘Pietas’ and ‘Pudicitia’. ... She is devoted to religious duty and ... personal purity of character.⁴³

Valerius was early in sympathy with later imperial developments.

At Jupiter’s table: Juno and traditional female conduct

Valerius’ testimony regarding Juno’s conduct at the feast of Jupiter (*epulum Iouis*; 2.1.2)⁴⁴ also attests not only to Juno’s concern with austere and upright conduct, but also Valerius’ admiration for his own idealized view of the female conduct of earlier ages:

Iouis epulo ipse in lectulum, Iuno et Minerua in sellas ad cenam inuitabantur. quod genus seueritatis aetas nostra diligentius in Capitolio quam in suis domibus conseruat.

(Valerius 2.1.2)

At the feast of Jupiter, Jupiter himself was invited to a couch, but Juno and Minerva were offered chairs at the meal; our own age preserves this decorum (“severity”) with greater care on the Capitol than in our homes.

What follows, however, is somewhat odd (and for Valerius, unusually ironical⁴⁵), because it is not readily apparent why it is more to the point to preserve the discipline of goddesses than contemporary women: “no doubt because it is more important to preserve the discipline of goddesses than women” (*uidelicet quia magis ad rem pertinet dearum quam mulierum disciplinam*

contineri; 2.1.2). We might look to recent and contemporary moral legislation for our answer. Laws on adultery show that the restoration of traditional virtues was considered necessary for the restoration of the state.⁴⁶ Liebeschuetz also points out that moral legislation (that is, the regulation of behavior) accompanied every re-establishment of the *pax deorum* (truce with the gods), including the religious renewal inaugurated by Augustus.⁴⁷ It is widely recognized that Roman gods cared deeply about ritual (or extremely regulated behavior), but were these gods unconcerned about more general behavior, about “morality”? We have seen Juno’s close connections with chastity. We have observed not only that Juno was intimately associated with the Capitoline triad – which was invoked from Augustan times on behalf of the ruling princeps – but also that she herself was invoked for the health of the imperial family (in whose house the *numen* of *Pudicitia* resides as on her own *puluinaria*). Finally, Valerius himself consciously muses that in his day, Juno still embodies the sterner virtues of the past. He thus seems to view traditional virtues as unchanging forces that must be kept at their traditional strength through traditional methods, at least with respect to the gods if not to humans (good laws, however, might correct the human realm as well).⁴⁸ Valerius does not lecture on Juno, but the patterns begin to emerge that illuminate his view. We still have, however, a few more elements to add to this Valerian perspective.

The punishment of Aemilius Paullus

In addition to chastity, Juno is traditionally associated with childbirth,⁴⁹ but in Valerius, she takes children away. Lucius Aemilius Paullus Macedonicus⁵⁰ lost one of his two younger sons by his second wife some four days before his great triumph of November in 167 BC⁵¹, and the other three days later after he had been “on view in the triumphal chariot” (5.10.2).⁵² Paullus consoled himself with the knowledge that this calamity had spared the Roman state disaster.⁵³ The calamity, nevertheless, extinguished his family name.

How should Valerius’ Juno have reacted to a man who divorced his first wife (Papiria), the mother of his four children?⁵⁴ This man, moreover, had subsequently given away his older sons through adoption,⁵⁵ thus retaining only the two younger sons by the second wife to carry on the family line (Paullus’ daughters by his first marriage having been married, thus providing the vehicle for the continuation of other families but being of no significance to the continuation of Paullus’ family).⁵⁶ A man divorces the mother of his sons, a free-born Roman *matrona* whose fecundity may be taken as a token of her *pudicitia*,⁵⁷ dispenses with those sons,⁵⁸ and then puts his new son by the second wife in his triumphal chariot (in full view of human and divine “ill will” or *invidia*⁵⁹) after invoking Juno by name. We have seen, moreover, that Valerius values *pudicitia* and that he views it as one

of Juno's animating powers. Should the results surprise us? This, however, is merely circumstantial. All we may safely state is that Valerius alone of all our extant sources has Paullus call on the goddess Juno by name.

Juno's anger: infamy and Cannae

That Juno took offense at a male for reasons related to *pudicitia* can, however, be observed in the misfortunes that befell not the passenger of a triumphal chariot (5.10.2), but occurred because of a passenger (1.1.16). Valerius tells us that the disaster at Cannae (where, coincidentally, Aemilius Paullus' father lost his life) was the result of the offense Juno took at the pretty boy actor whom Varro had placed in Jupiter's triumphal chariot. Valerius does not tell us why Juno took offense, merely that she did. Others, however, have tried to answer this question, and we may ask ourselves whether their answers make sense in the general context of Valerius' other anecdotes. Kappius argues that the offense lay in the boy's possible harm to the morals of the Roman populace, insofar as his great beauty could arouse lust in the populace.⁶⁰ Köves-Zulauf dismisses Valerius altogether as "secondary historicizing."⁶¹ Valerius' presentation is thus, one infers, unworthy of investigation. Lactantius, on the other hand, seems to have taken Valerius' presentation of Juno's wrath rather seriously. He goes on at length about the absurdity of the offense, reveals a subtle appreciation of the issues involved, and thus deserves quoting:

quotiens autem pericula impendent, ob aliquam se ineptam et leuem causam profitentur iratos [deos], sicut Iuno Varroni, quod formosum puerum in tensa Iouis ad exuuias tenendas conlocauerat: et ob hanc causam Romanum nomen apud Cannas paene deletum est. quod si Iuno alterum Ganymeden uerebatur, cur iuventus Romana luit poenas? uel si dii tantummodo duces curant, ceteram multitudinem neglegunt? cur Varro solus euasit qui hoc fecit? et Paulus qui nihil meruit, occisus est?

(Lactantius *Div. Inst.* 2.16.16–17)

Whenever dangers threaten, the gods declare that they are angry for some frivolous and inappropriate reason, as was Juno with Varro, because he had put a beautiful boy in Jupiter's chariot to carry his weapons, and for this reason the Roman name was almost extinguished at Cannae. But if Juno feared another Ganymede, why punish the youth of Rome? Or if the gods care so much for state leaders, do they neglect the rest of the multitude? Why did Varro alone escape who did this thing? And Paullus, who did not deserve his fate, why was he killed?

Lactantius assumes that Juno was offended for personal reasons: Jupiter could have been aroused by this pretty Ganymede. Aside from the not strictly relevant (but rhetorically useful) introduction of Greek mythology, given the traditional concern of Juno for the marriage bond, Lactantius is perhaps not completely off the mark. His opinion is especially interesting, inasmuch as he himself was brought up in the practices of traditional Roman religion. Hase, however, offers the most immediately cogent explanation:

[Histriones] leuis notae macula siue infamia quadam erunt aspersi. Cum igitur infamis conditionis puerum excubiis Iouis praefecisset Varro, hoc erat expiandum.⁶²

Actors were generally stained with the stigma of licentiousness or a certain *infamia* (moral disgrace bringing with it civil disabilities). When therefore Varro placed a boy of this *infamis* condition in charge of guarding Jupiter, this had to be expiated.

Interestingly, *infamia* (or moral disgrace bringing with it civil disabilities) is not considered in the standard accounts of Roman religion, thus leading one to conclude that the moral concerns that led to legal *infamia* would not concern the gods.⁶³ Those, however, who were *infames* (prostitutes, actors, those convicted of *dolus malus*, etc.) were barred from holding municipal offices.⁶⁴ The *Digest* of Justinian, for example, recognizes unchastity in contravention of laws passed by Augustus as bringing about *infamia* – “A soldier who is convicted under the Julian law of adultery is as a result *infamis*” (3.2.2) – and shows us the relation between *infamia* and *pudicitia* – “wrong-doing pertains to *infamia*, whenever *pudicitia* is assaulted” (47.10.1). Given that civil magistrates performed religious duties, it would appear consistent that anyone *infamis* should likewise be barred from religious duties.⁶⁵ If the boy in the chariot had been free (for instance, a *calator* or “acolyte”), it is difficult to see how regulations concerning *infamia* would not have applied.⁶⁶ Gellius also provides some circumstantial evidence that would help us connect *infamia* as a concept directly both to traditional Roman religion and to the magistrates to whom its rituals were entrusted (as well as religion to moral conduct in general). Gellius tells us Nigidius Figulus wrote that one who is *religiosus* conducts oneself in accordance with laws and moral regulations, and that magistrates incorrectly use the word *nefastus* when referring to *dies religiosi*, that is, days subject to ritual restriction, days Gellius terms *infamis* (*Noct. att.* 4.9.3–5).

Pudicitia, *religio*, and *infamia* were, before Valerius, linked in the public rhetoric of Cicero as well.⁶⁷ That Valerius’ contemporaries likewise associated religion and chastity is evinced by Velleius Paterculus, who explains that Cicero could not be friends with Clodius because Clodius was a man who was *infamis* (because unchaste) and who had polluted Roman religion

(through that unchastity).⁶⁸ Valerius concurs, adding that one detests those who have exchanged religion (here an oath) for illicit sex (*qui religionem stupro permutarunt*; 9.1.7). Religion and sexual incontinence are, in certain instances, incompatible. The gods take offense. This appears obvious to Valerius (and to Cicero). Ritual restrictions, moreover, based on considerations of *pudicitia*, were also placed on women who desired to approach the altar of Juno.⁶⁹ In light of all this, it appears logical that Valerius should accept Juno's anger without question or comment. Given the internal logic of the system, Juno would obviously have been offended. Kappius thus also, given the moral factors that must have entered into the treatment of the person deemed *infamis*, seems correct in including considerations of morality.

Life, lust, and the safety of the state

Valerius himself states elsewhere in fact that *libido* harms both the *penates* and the state, that is, the state and its religious foundation:

Magna cura praecipuoque studio referendum est quantopere *libidinis* et auaritiae furori similis *impetus* ab inlustrium uirorum pectoribus consilio ac ratione summoti sint, quia ii demum penates, ea ciuitas, id regnum aeterno in gradu facile steterit, ubi minimum uirium *ueneris* pecuniaeque *cupido* sibi uindicauerit: nam quo istae generis humani certissimae pestes penetrarunt, iniuria dominatur, *infamia*, uis habitat, bella gignuntur.

(Valerius 4.3.*init.*)

We must relate very carefully and with special zeal, how the *attacks of lust* and greed (similar in nature to raging madness) have by means of good counsel and reason been dispatched from the hearts of famous men, because in the final analysis, those household gods, that state, that realm will stand eternally secure where the *desire for sex* and money will have laid fewest claims to power: for wherever those most inexorable infections of the human race have penetrated, crime prevails, *sexual license* and violence dwell, wars occur.

Valerius, although he does not address Juno here specifically, thus clearly associates illicit sexual desire both with *infamia* and with violence (political oppression and war), considering it positively inimical to general religious welfare, which is the surest protection of the state.⁷⁰ Valerius' rhetoric conforms in every respect to the (hardly cooler) reflection of Roman jurists:

Sollicitatores alienarum nuptiarum itemque matrimoniorum interpellatores et si effectu sceleris potiri non possunt, *propter uoluntatem*

perniciosae libidinis extra ordinem puniuntur. *Fit iniuria contra bonos mores*, ueluti si quis fimo corrupto aliquem perfuderit, caeno luto oblin<i>erit, aquas spurcauerit, fistulas la<c>us quidu<e> aliud ad iniuriam publicam contaminauerit.

(Paulus *Dig.* 47.11.1.*pr.*1)

The tempters of others' marriage bonds and likewise the seducers of wives, even if they fail to obtain the object of their crime, are *on account of their inclination towards dangerous lust* punished severely. *A damage is done to society's good morals*, just as if one doused another with rancid excrement, besmeared someone with filth and mire, polluted the waters, pipes, lakes, or contaminated something else, causing public harm.

Private lust is, according to Roman thinking, simply inimical to public health. It should therefore cause no surprise that Valerius' Juno should take offense at Varro's *infamis* actor, the moral equivalent of a prostitute, indeed, one who would be barred from general civic participation.⁷¹

Although (or perhaps rather because) he seeks to demonstrate the absurdity of traditional Roman religion, Lactantius (*Div. Inst.* 2.16.16) very well appreciates the issues involved. His rhetorical genius is revealed as well when we ask ourselves once more why Lactantius should introduce Ganymede into a discussion of Roman state religion, reducing a complex religious, legal, and moral issue to a farcical image from Greek mythology. He uses an *exemplum* to fight an *exemplum*. Because Lactantius' caricature crystallizes these various elements so well (Juno's moral indignation at Jupiter for potential violation of the marriage bond, the *infamia* of the Ganymede type), it is effective. As for Juno's anger (Lactantius *Div. Inst.* 2.16.16: "Whenever dangers threaten, the gods declare that they are angry for some frivolous and inappropriate reason, etc."), we see not only that the cause was really not trivial at all (according to the traditional ideological system; one might compare Lactantius' own work on the wrath of God, *De ira Dei*), but that Lactantius also seems to have known quite well what he was up against and how best to attack. He (as other Christian authors writing in the *exempla* tradition) thus warrants close attention for the insights he provides. In short, we note again the involvement of moral considerations with the Roman state religion (in the mind of one early imperial author), which, although perhaps not obvious to us at first glance as we look back, seem, on closer examination, to have been in fact implicit to Valerius.

We may turn to Tacitus for the wider context. Even if Tiberius failed to act, informers (*delatores*) were in AD 15 thinking about *infamia* and religion in terms very similar to their contemporary Valerius, thus demonstrating the relevance of such considerations to contemporary politics:

Falanio obiciebat accusator, quod inter cultores Augusti, qui per omnis domos in modum collegiorum habebantur, Cassium quendam *mimum corpore infamem* adsciuisset, quodque uenditis hortis statuam Augusti simul mancipasset.

(Tacitus *Ann.* 1.73)

An accuser charged Falanius with having admitted a certain Cassius (*a mime, infamis in body and person*) among the worshippers of Augustus (who throughout all households were organized in the manner of colleges) and with having conveyed a statue of Augustus along with some gardens he had sold.

The gods of course, as Valerius shows us in the instance of Juno's anger at the *infamis* actor placed by Varro in Jupiter's wagon, not only were interested, but could exact punishment. The accuser of Falanius could thus quite logically (that is, consistently with traditional religious views) have entertained the belief that his information should have interested the son of the state's newest divinity.⁷² Falanius escaped. By AD 23, however, Tiberius' attitude was perhaps changing. Cassius Dio tells us that Tiberius banished actors from Rome because they corrupted women and fomented sedition (τάς τε γυναικάς ἥσχυνον καὶ στάσεις ἤγειρον; 57.21.3).⁷³

Severity and liberty: the case of Marcus Manlius Capitolinus

To Lactantius, Juno had seemed harsh. On the other hand, Valerius, in the introduction to his chapter on severity, points out that the reader's heart must harden itself with the weapon of indifference (*armet se duritia pectus necesse est*; 6.3.*init.*),⁷⁴ and severity is in fact another virtue that Juno promotes. Significantly, the first anecdote that suggests itself to Valerius in order to illustrate the virtue of severity not only includes a reference to Juno (*Moneta*), but ends furthermore with an image of *Iuno Moneta*'s temple atop the *arx* on the Capitoline (6.3.1). The anecdote alludes quite briefly to the story of Marcus Manlius Capitolinus.⁷⁵ Manlius was hurled to his death from the Capitoline hill after his prosecution for treason by Quintus Publilius⁷⁶ in 384 BC. The venue of this trial had also been transferred by Camillus⁷⁷ in order that the hill from which Manlius had himself repulsed the Gauls so heroically in 390 BC – a year in which Camillus was dictator – would not be visible.⁷⁸ Moreover, patricians were afterwards prohibited from dwelling on the Capitoline. According to Valerius, this prohibition was enacted because the patrician renegade Manlius' house had once stood “where now we gaze upon the temple of Juno Moneta” (6.3.1.*par.*1).⁷⁹

Valerius fails to mention that this temple was erected forty years later by another Camillus (his son),⁸⁰ but rather leaves the reader with the idea that there is a direct connection between Manlius' penalty and the temple of Juno Moneta:

propter illum enim lege sanciri placuit ne quis patricius in arce aut Capitolio habitaret, quia domum eo loci habuerat, ubi nunc aedem Monetae uidemus.

(Valerius 6.3.1 *par.*1)

(Translation follows in the text.)

The four clauses of this anecdote's conclusion lead the reader along a string of associations: "on account of Manlius it was pleasing [to whom?] that it be prohibited [i.e. *sanciri*, that is, rendered sacred and inviolable] by law that any patrician live on the Capitol, inasmuch as Manlius had once had his house on the spot, where we now gaze upon Juno's temple." We move (rhetorically) from the "sacred" in law (*sanciri*) to a sacred place (*aedem Monetae*). Indeed, in spite of the fact that *lege sanciri* can be used as a standard legal phrase of prohibition, the words must still carry the associations both of the sacred and of inviolability and thus whatever was so prohibited must have appeared backed by religion. One is led to believe then, in the context of Valerius' telling, that this place was rendered sacred for the protection of the state, that is, its liberty (*libertas*; more below), and that Juno's temple is the natural result. The treatment of Manlius? That was severe, but severity is a virtue.

Moreover, the next anecdote tells the story of Spurius Cassius, whose house was torn down for a temple to Tellus. As a result, according to Valerius, what had before been the house of a violent would-be tyrant (*domicilium impotentis uiri*) became a monument to religious severity (*religiosae seueritatis monumentum*; 6.3.1.*par.*2). Valerius thus clearly associates religion with severity in general, and the erection of temples after the destruction of a house in particular. This, according to Valerius, involves a massacre of the household gods (*penatium ... strage*; 6.31.*par.*2) or utterly rooting them out from the deepest foundations (*penates ab imis fundamentis eruti*; 6.3.1.*par.*3). The destruction of houses and the transfer of jurisdiction from human to divine (*ius humanum* to *ius diuinum*) is thus for Valerius a religious act of some emotional violence, some "severity."⁸¹ This severity, however, is sanctioned by religion and protects the state.

Similarly revealing is the contrast between Valerius' concluding sentence in 6.3.1.*par.*1 and the ordering of the corresponding sentence in Livy:

huius supplicio aeternae memoriae *nota* inserta est: propter ill-umenim *lege sanciri placuit* ne quis patricius in arce aut Capitolio habitaret, quia *domum eo loci* habuerat, ubi nunc *aedem Monetae* uidemus.

(Valerius 6.3.1 *par.*1)

By means of his punishment a censorial *mark* was branded in eternal memory: for it was on account of that man that *it was pleasing to prohibit by law* any patrician from dwelling on the citadel or on the Capitol, because Manlius had once had his *house on that spot*, where now we gaze upon *Moneta's temple*.

adiectae mortuo *notae* sunt: publica una, quod, cum *domus* eius fuisset, ubi nunc *aedes atque officina Monetae* est, *latum ad populum est*, ne quis patricius in arce aut Capitolio habitaret; gentilia altera, quod gentis Manliae decreto cautum est, ne quis deinde M. Manlius uocaretur.

(Livy 6.20.13)⁸²

Marks of infamy were heaped on the dead man; one mark derived from the state, inasmuch as a *law was brought before the people decreeing* that no patrician should dwell on the citadel or on the Capitol because Manlius' *house* had stood where now stand the *shrine and mint of Moneta*; the other indignity was imposed by his family, inasmuch as a decree of the Manlian clan ordained that no member should thenceforth be called Marcus Manlius.

One phrase Valerius actually uses verbatim: “lest any patrician dwell, etc.” (*ne quis ... habitaret*). We immediately note, however, that Valerius changes Livy’s more neutral and technically descriptive “a law was brought before the people decreeing” (*latum ad populum est*) to the rhetorically intensified but legally vague “it was pleasing to prohibit by law” (*lege sanciri placuit*).⁸³ In Livy the logic proceeds from Manlius’ house to Manlius’ posterity (as opposed to the temple of Moneta). The mint (*officina*) of Livy’s phrase “shrine and mint of Moneta” (*aedes atque officina Monetae*), carrying as it does pedestrian associations of a workshop, is eliminated in Valerius. Valerius focuses only on the rhetorically more purely religious shrine of Moneta, which in fact concludes the sentence, the anecdote, and the logical progression of thought (as opposed to Livy’s parenthetically explanatory placement of the clause). Valerius, moreover, has revealed to us but one result, a mark (*nota*), whereas Livy has marks (*notae*). Livy, the historian, also moves on to related concerns. Valerius, the rhetorician, moves on to other discrete and self-contained anecdotes illustrating severity.⁸⁴

Valerius thus employs Juno both logically and rhetorically to back up the virtue of *seueritas*, and severity likewise seems an appropriate attribute for Juno. Just as the demagogue had expelled the Gauls from the Capitol, Juno’s temple came to occupy the site of the demagogue’s house. In this connection we should not miss Juno’s association with liberty (*libertas*):

M. Manlius, unde Gallos depulerat, inde ipse praecipitatus est, quia fortiter defensam *libertatem* nefarie opprimere conatus fuerat.

(Valerius 6.3.1.*par.*1)

Because of his vile attempt to overthrow the *liberty*⁸⁵ he had once so bravely defended, Marcus Manlius was hurled from the very spot where he had himself beaten back the Gauls.

We see then that Juno is associated with liberty in a fashion analogous to her association with chastity.⁸⁶ Her temple now protects Roman *libertas* from the spot on which it was threatened both by external and internal foes (Gauls and Manlius). The goddess protector of the Roman state is thus in Valerius' presentation clearly associated with chastising an overly ambitious patrician.

It is not difficult to reconcile such a presentation with Valerius' contemporary political situation. This example of patrician overreaching would, in the context of Tiberian Rome, certainly have provided an edifying example backed by the rhetorical power of religion. Tiberius' reign offers sufficient examples of *nobiles* to whom Valerius could perhaps have provided useful instruction. Like the houses of their traitorous republican predecessors, the property of traitors in Valerius' day was often confiscated.⁸⁷ Valerius was hardly the first to teach that submission to authority is a moral value enforced by gods. Vergil had recently offered lessons as well to Italy's ancient and haughty native sons. Turnus, we may recall, had dared question the authority of a ruler inspired by religion. *Pius* Aeneas was accompanied, preserved, and protected by gods. Aeneas' sword, like Augustus' violence, was sanctioned by religion. Valerius, living in somewhat quieter times, but under no less religiously resplendent a princeps, also uses religion to sanction appropriate behavior (that is, "morals"). The traitors, however, do not appear on the battlefield, but in the senate. The gods can defend liberty there too.

The impious shall die: Quintus Fulvius Flaccus

Juno gets angry not only at offenses against the state, but also at offenses against herself. Valerius shows us an angry Juno who takes vengeance both on the object of her anger and on the children belonging to him (1.1.20). It seems that Quintus Fulvius Flaccus⁸⁸ (cos. 179 BC) as censor (elected 174 BC) had marble tiles brought from the temple of Juno Lacinia⁸⁹ in Locri to Rome, in order to adorn the temple he was building to *Fortuna Equestris*.⁹⁰ He had vowed this temple during his successful engagement against the Celtiberians, who had attacked while he was returning to Italy after the year of his praetorship in Spain (to which he had been elected in 182).

Before we proceed to the issues raised by Valerius' anecdote, we must note that Valerius confuses the temple of Juno at Locri with her temple at Croton in spite of the fact that he correctly identifies the temple of Juno at Croton elsewhere (1.8.ext.18).⁹¹ To Valerius' geographical confusion we must add topographical confusion. He claims to have seen the temple of Juno Moneta on both the Aventine (1.8.3) and the Capitoline (6.3.1). Such conflation has earned Valerius the sternest rebukes and elicited the greatest exasperation from modern commentators.⁹² Their despair, however, is our gain, because we are not after antiquarian precision but rather something broader – a general view of what Juno means rhetorically to Valerius.

As further evidence for the rhetorical conflation of Junos, we may cite the *interpretatio Valeriana* of the famous story of Cleobis and Biton (a tale ultimately going back at least to Herodotus 1.31). Valerius places the story in the context of anecdotes illustrating the conduct of children who demonstrate reverence for their parents, and who fulfill the *vota* that their parents had offered on their behalf. Valerius thus sets the story in the context of Roman private religion, the vows that Roman parents would naturally have offered up on behalf of their offspring (a fitting context for Juno):⁹³

de piis loquamur. ... uenite igitur in manus nostras, prospera parentium uota, felicibus auspiciis propagatae suboles, quae efficitis ut et genuisse iuuet et generare libeat.

(Valerius 5.4.init.)

Let us discuss the pious. ... Therefore, o vows of parents happily fulfilled, you offspring produced under happy auspices, come gather round all you who make it both gratifying to have begotten and agreeable to bring forth.

Not only was *pietas* towards parents valued, but it was in fact one of the Roman virtues *par excellence*.⁹⁴ This private religious value had also, in a past not too distant from Valerius' own day, been carried into the public arena of civil war and celebrated in a great national epic.⁹⁵ Valerius has provided the Greek tale with a thoroughly Roman context.

Herodotus informs us that the story of Cleobis and Biton illustrates that God (ὁ θεός) believes death to be better than life.⁹⁶ Valerius, on the other hand, although he admires the filial devotion of Cleobis and Biton, evinces some frustration at the outcome: "But for neither was part of the plan to die on behalf of the parents' spirit" (*sed neutris pro spiritu parentium expirare propositum fuit*; 5.4.ext.4). The death of one's sons (as in the story of Aemilius Paullus in Valerius 5.10.2) was a disaster, although sometimes not without benefit if the result of some *propositum*, some deal struck. Valerius' rhetorical lens does not allow close attention to local details.

We may, thus reassured by the consistency of Valerian rhetoric, return to Juno's temple, wherever her temple may have been, and the sacrilege of Quintus Fulvius Flaccus. How did Juno defend her interests? Fulvius lost his sanity. He heard that one of his two sons fighting in Illyria had fallen in battle and that the other had become gravely ill. Fulvius then died. The senate, becoming aware of these circumstances, had the marble tiles brought back to Locri in order to undo this consciously irreligious (*impius*)⁹⁷ man's work.

Livy also tells the story (42.3.1–11), but focuses his attention not on the man, but on the actions of the senate.⁹⁸ Whereas Valerius summarizes the actions of the senate only insofar as necessary to make the action clear, Livy goes into detail, even telling us that the marble, after it had been returned, was simply left standing in the temple's sacred area because no workman could be found to put the marble tiles back on the temple's roof. Such details are discursively interesting, but would hardly contribute to a morally uplifting anecdote. Effective anecdotes may admit only immediately useful details.

Valerius, on the other hand, relates information not mentioned by Livy in this context, namely, incidents from Quintus Fulvius Flaccus' unhappy personal life, and presents these details as if they are the consequences of his irreligious act, the results of neglected religion (*religio neglecta*). Valerius states at the beginning of the anecdote that the man's actions did not go unpunished (*impune non tulit*). One problem, however, is the senate's motivation in setting things right again. In Livy there is no question that it was the sacrilegious procurement of the marble tiles that motivated their compensatory measures (42.3.5–8). Valerius, however, arranges his material somewhat ambiguously. He relates the gist of the actions Fulvius took as censor, and then turns to the consequences:

negatur enim post hoc factum mente constitisse. quin etiam per summam aegritudinem animi expiravit, cum ex duobus filiis in Illyrico militantibus alterum decessisse, alterum grauiter audisset adfectum. *cuius casu motus* senatus tegulas Locros reportandas curavit.

(Valerius 1.1.20)

Indeed, they say that after this deed, he was no longer of sound mind. Moreover, he died because of an extreme mental anguish brought on by the news that of his two sons on military duty in Illyricum, one had died and the other had been seriously wounded. Alarmed *by this misfortune*, the senate took care that the roof-tiles be returned to Locri.

Hase insists that *casu* refers to the sacrilegious act.⁹⁹ Given, however, the associations of personal misfortune that *casus* carries, it would not be unreasonable to conclude that Valerius actually implies that after the senate perceived the misfortunes of the man, they realized the irreligious nature of his previous deeds, and of course then hastened to set things right again. To Valerius' way of thinking, those whose conduct was not proper, and who were not motivated by proper moral purpose, would be punished by the gods. The gods, Juno in particular, were thus not only interested in morality, but had the power to intervene in nature, that is, in the world open to human inspection, on their own behalf. Why was Fulvius punished so severely? In vowing a temple he did not act improperly, but he was, however, consciously irreligious (*impius*).¹⁰⁰ As Varro points out, this could not be expiated (*Ling.* 6.30), and further, as Valerius points out, Juno exacted punishment.

Livy, however, also relates the man's misfortunes but does so in his account of the year in which they actually occur (172 BC; the temple affair was in 173 BC), along with his death, which is listed among other deaths occurring that year:

eo anno sacerdotes publici mortui L. Aemilius Papus decemvir sacrorum et Q. Fulvius Flaccus pontifex, qui priore anno fuerat censor. hic foeda morte perit. ex duobus filiis eius, qui tum in Illyrico militabant, nuntiatum alterum <mortuum, alterum> graui et periculoso morbo aegrum esse. obruit animum simul luctus metusque: mane ingressi cubiculum serui laqueo dependentem¹⁰¹ inuenere. erat opinio post censuram minus conpotem fuisse sui; uulgo Iunonis Laciniae iram ob spoliatum templum alienasse mentem ferebant.

(Livy 42.28.10–12)

In that year the following state priests died: Lucius Aemilius Papus, decemvir sacrorum, and *Quintus Fulvius Flaccus*, *pontifex*, who during the previous year had been censor. The latter died a foul death. Of his two sons who at that time were serving their military duty in Illyricum, it was reported that one had died and that the other was sick with a serious and dangerous illness. Simultaneous grief and fear clouded his reason: in the morning the slaves who entered his chamber found him hanging by a noose. Opinion has it that after his censorship he had been of less than sound mind, *common opinion that the anger of Juno Lacinia had driven him insane in recompense for the robbery of her temple.*

Not only does Valerius not mention the man's suicide (thus leaving him in the depths of his insanity and sorrows), but he has also reported without comment the version Livy termed "common" (*uulgo*).¹⁰² The version the historian rejects is rhetorically the more effective for one interested in the moral conduct of individuals.¹⁰³ Again, we find not only historical compression, but also an intensification of the religious element in relation to personal moral conduct.¹⁰⁴

This point is brought out even more clearly by a parallel which, although it deals with a foreign Juno, is close enough to Quintus Fulvius Flaccus' situation to warrant discussion here. Moreover, Valerius himself tells us that the anecdote must be attributed to force of character since it hardly conforms to the characteristics of the protagonist's Punic blood.¹⁰⁵ Valerius is therefore viewing the action through his lens of universally right conduct rather than through his conception of the natural ethnic proclivities of people he considers *Puni*.¹⁰⁶ Masinissa receives a gift from the commander of his fleet: large ivory tusks from a shrine to Juno located in Malta. When, however, Masinissa learns the source of this gift, he immediately returns the tusks with an inscription stating that he had received them in ignorance but was returning them of his own free and joyful will (*libenter*).¹⁰⁷ We thus note once more that for Valerius intention seems to matter. Quintus Fulvius Flaccus and Masinissa both contributed to the desecration of a temple of Juno. Fulvius, however, did so consciously, but Masinissa unwittingly. Masinissa restored Juno's property willingly (*libenter*), while the senate did so with a moral uprightness most religious (*circumspectissima sanctitate*; 1.1.20). Masinissa is thus in the same position as the Roman senate, which, once it had become aware of the sacrilege, ordered Juno's property restored.

The miracle at Veii

Augustus himself had recently restored the temple of *Iuno Regina* on the Aventine (*Res gestae divi Augusti* 4.6), which housed the wooden statue of Juno brought back from Veii by Camillus. Valerius, however, in words destined to be corrected ever since, calls it the "statue of Juno Moneta" (*simulacrum*¹⁰⁸ *Iunonis Monetae*; 1.8.3).¹⁰⁹ We may surmise that the temple, since Augustus himself had restored it, retained some significance in Valerius' day for the conservative Tiberius and his contemporaries. Valerius tells the story of Camillus' transfer of Veiiian Juno to Rome in his chapter on miracles. Therefore his definition of miraculous events is worth examining:

Multa etiam interdum et uigilantibus acciderunt perinde ac tenebrarum somnique nube inuoluta. quae, quia unde manauerint aut qua ratione constiterint dinoscere arduum est, merito miracula uocentur.

(Valerius 1.8.*init.*)

Many events just like those covered by the mist of sleep and shadows also on occasion occur during daytime to those who are awake. Such events, because it is difficult to know whence they have arisen or by what reason they have come to be, may aptly be termed miracles.

Valerius thus believes that, although they may be difficult to understand, *miracula* are not to be doubted.¹¹⁰

Valerius once more underscores his belief a little later in the same chapter under the rubric of foreign examples:

aut in liberis potentissimorum regum aut in rege clarissimo aut in uate ingenii florentis aut in uiris eruditissimis aut in homine sortis ignotae, ne ipsa quidem, omnis bonae malaeque materiae fecunda artifex rationem rerum natura reddiderit.

(Valerius 1.8.*ext.* 18)

Whether the events we have considered concern the children of very powerful kings or a very famous king or a poet of outstanding genius or men of great learning or a person of low origin, not even nature itself, the fertile creator of all substance good and bad, has provided a rationale for these things.

He then proceeds to list a variety of inexplicable natural phenomena. Ranked here also are winds powerless to move ash in the temple of Juno Lacinia in Croton (1.8.*ext.* 18).¹¹¹ If we, as readers, prefer to believe that exceptional literary artists provide typical Roman religious attitudes,¹¹² and thus ignore the stated beliefs of a man obviously and traditionally educated in the rhetorical schools, a man of high enough social rank to dedicate his work to Tiberius himself, then we ignore what are perhaps not atypical ways of thinking. It may not be scientific or philosophical, but Valerius tells us how he thinks:

non admiratione ista [miracula], sed memoria prosequi debemus, cum sciamus recte ab ea [= natura] plurimum licentiae uindicari, penes quam infinitus cuncta gignendi labor consistit.

(Valerius 1.8.*ext.* 18)

We ought not to be amazed at these miracles but rather commit them to memory because we perceive that this nature, in whose charge the endless task of creating all things resides, legitimately claims extensive freedom of action.

Valerius does not see irrational violation of mechanical operations, but rather moral lessons writ large.¹¹³

Turning back then once more to the Roman examples, Valerius relates a series of anecdotes with the utmost sincerity. At least there are no hints of irony. He narrates various appearances of Castor and Pollux, beginning with the Battle of Lake Regillus (*c.* 499 BC; 1.8.1).¹¹⁴ Then he describes in great detail the Roman deputation to the Temple of Aesculapius at Epidaurus in 293 BC, at the behest of the Sibylline books, in order to avert plague (1.8.2), and includes an involved description of the snake¹¹⁵ that followed the deputation back to Rome.¹¹⁶ He explains his purpose, however, in relating the tale: “so that we may pursue also the divine power of the other gods favorably disposed to our city” (*ut ceterorum quoque deorum propensum huic urbi numen exequamur*; 1.8.2) – he is not just simply convinced that the gods are on Rome’s side, but he tells the stories that prove this fact. Hence he likewise begins the anecdote relating Juno’s no less voluntary transfer (through *euocatio* – a ritual used to summon gods) from a conquered Veii to a victorious Rome with an introduction referring back to Aesculapius’ “no less voluntary move” (1.8.3). Livy had his doubts about this aspect of the story (*inde fabulae adiectum est ...*; 5.22.6),¹¹⁷ but was forced to relate the miraculous (as opposed to the merely devout) since it formed part of the historical tradition.¹¹⁸ Valerius, on the other hand, uses the material to prove his points without any (expressed) concern as to its historical probability.¹¹⁹ Valerius tells us that one of those sent in to carry the statue made a joke. Juno was asked whether she wanted to go to Rome.¹²⁰ Unexpectedly, she answered in the affirmative. The effect of the answer was profound: “amusement was changed to astonishment” (*lusus in admirationem uersus est*; 1.8.3). Significantly, this revealed not the will of the statue, but the will of Juno herself sought from heaven (*iamque non simulacrum, sed ipsam caelo Iunonem petitam*; 1.8.3), whom the bearers concluded they were actually carrying. Just as Valerius concluded his anecdote regarding the Temple of Juno Moneta on the *arx* of the Capitoline (6.3.1), so he also concludes this anecdote with a contemporary vision of this second temple to Juno “Moneta” on the Aventine: “Rejoicing, they placed Juno on that part of the Aventine where we now gaze upon her temple” (*Iunonem ... laeti in ea parte montis Auentini, in qua nunc templum eius cernimus, collocauerunt*; 1.8.3). Valerius is thus again able, rhetorically, to bring the remote past into immediate and still manifestly visible connection with the present.

If we take Valerius seriously, then readers of his day could, with an image of the miraculous statue of Juno in their minds, gaze upon her hilltop temple, and recall how Juno herself had chosen Rome,¹²¹ a not unedifying image. We may also observe that although Livy (like Valerius) places the story in the context of Veii’s capture, he concludes the anecdote (unlike Valerius), not with a vision of Juno’s temple still visible on the Aventine, but rather with a melancholy vision of the rich and powerful city the Romans

had just conquered.¹²² Livy's image is more fitting for the history of a nation, as opposed to Valerius' focus on more personally relevant elements.

Conclusions

How then may we summarize Valerius' conception of Juno? Let us begin by noting Warde Fowler's disappointed verdict on the religion of the late republic, including Juno:

though the family worship was in Cicero's day neither extinct nor meaningless, the same cannot be said with confidence of the worship of the gods of the State. Many of the gods were quite dead, and nothing shows this better than the attempts of Cicero and Varro to treat them as if they were still alive. . . . I need not go over the list of them or point out what changes they have suffered. Janus, Juno¹²³

We can now, if belief brings joy, happily report that for Valerius (and possibly by extension others like him) the goddess Juno was not only alive, but viewed as a powerful force. Valerius has amply illustrated her power to punish and kill (Fulvius, his sons, and the sons of Paullus). In keeping with her power is the stern nature Valerius assigns her (revealed in her seated position at the *epulum Iouis*). The powerful force she represents, however, willingly resides at Rome (as proved by her willing transfer from Veii). Juno guards the state and is concerned with the affairs of men (*vita*). This we see in her association not only with the Roman victory over Veii, but also in her association with the vindication of liberty (*libertas*) in the story of Manlius. That she is concerned with chastity can be deduced not merely from her traditional role as the goddess of marriage, but from Valerius' own observation that chastity (*pudicitia*) resides in Juno's sacred couches (*puluinaria*). Valerius tells us that men who defend the chastity of their women are victorious in battle (thus preserving their freedom; the Germans are a counter-example). We thus conclude that, although Juno's involvement with men and women differs significantly on the basis of gender, she is very much involved with both spheres. But these are stories from the ancient past, from history. How could they have religious relevance? Valerius, as we have discovered, remolded such stories, focusing on individual conduct and intensifying the religious element, thus intimately associating religion and behavioral conduct, namely, "morality."¹²⁴ Moreover, by removing chronology, Valerius removed time. They are present, not ancient examples.¹²⁵

Because the gods of modern religions are said to state their positions on moral issues openly does not necessarily imply that Roman gods, simply because they are more taciturn, could not be involved with moral conduct. Roman gods were, after all, not so anthropomorphized. When Roman gods did speak, it was more often than not through a language we no longer find

quite so natural: omens, lightning, birds. We have, however, seen in Valerius that religious, legal, and moral considerations are all bound together in the context of the human actions he relates. To appreciate one, we must be aware of the others.

Through religious forces (*numina*) which are often moral, like *pudicitia*, Valerius can, moreover, not only associate chastity with Juno, but also Juno with Livia (the divine nature of whose house Valerius also intimates), thus directly connecting old and new. The punishment at Cannae of Varro's "mistake" was shown to involve moral concepts beyond mere ritual neglect. Valerius, given the legal and moral context we explored, did not need to expatiate on the obvious. Tacitus' *delatores* confirm that Valerius' perceptions were not unique. The lesson for us is that unwritten rules can also be deduced from patterns of behavior taught through *exempla*. We have noted that Valerius' conception of Juno conforms to contemporary religious developments. Valerius also tells us that he is himself personally reminded of Juno's presence by the temples he sees atop the Aventine and Capitoline.

His apparently increased credulity, moreover, in comparison with Cicero or Livy, corresponds to his place in history (after Augustus' extensive efforts at religious and moral revival). His associations of Juno, *pudicitia*, and Livia not only corroborate contemporary numismatic and inscriptional evidence, but also anticipate later imperial developments. If we simply dismiss Valerius as falsely pious and merely rhetorical, then his Juno at least conforms to contemporary imperial propaganda. If, on the other hand, we read Valerius as genuinely enthusiastic and writing in the rhetorical style of the times (both plausible and possible), then he represents, if not contemporary religious sensibilities, at least the success of the new imperial gospel in this one instance. In any event, through careful analysis of Valerius' rhetoric, we may begin to capture the elusive vapors of an ancient religious devotion.

VESTA MATER: MOTHER VESTA

There is a reason prophets perform miracles: language lacks the power to describe faith.¹

Valerius' contemporary, the historian Velleius Paterculus, ends his history with a dramatic *uotum*, and begs divine protection for Rome, naming various traditional gods, but ending with an emotional invocation of "Vesta, guardian of Rome's eternal fires" (*perpetuorumque custos Vesta ignium*; 2.131.1).² Even Warde Fowler confesses that "far more than any other cult, that of Vesta represents the reality and continuity of Roman religious feeling."³ Augustus too had been generous to Vesta.⁴ Vesta had long done good service for Rome, and was Rome's chaste mother or *Vesta mater*.⁵

In Valerius' work ten anecdotes relate to Vesta.⁶ Their most interesting feature is their focus on conduct appropriate to devotees of this god. Half the anecdotes do not even name the goddess herself, but rather only her priestesses, the *Vestales*. Observation of human conduct in these anecdotes once again quickly reveals that, if "character in accord with the principles of right conduct"⁷ is morality, then much appropriate behavior (the proof by which character is judged), or "morality," has for Valerius a divine foundation. These ten anecdotes show us a living goddess, her power to communicate, her power to intervene in human affairs, and, finally, divinely sanctioned conduct. We shall observe, however, not just the conduct expected from Vesta's priestesses, but also a variety of behaviors deemed appropriate for a wide cross-section of Rome's citizen population: a male plebeian and his household (*familia*), magistrates, priests (both male and female), daughters (*filiae*), mothers (*matronae*), Livia. Let us turn first to a general overview followed by more detailed inspection.

Valerius shows us by negative example the conduct expected of Vesta's priestesses: Publius Licinius, Pontifex Maximus, whips a Vestal for letting the sacred fire go out (1.1.6). He also offers a more positive example: the Vestal priestess Aemilia sacrifices her best linen cloak in order to rekindle the flame (1.1.7). The proper regard that should be accorded Vesta's

priestesses may be observed in an anecdote that tells a tale of plebeian devotion. One Lucius Albinus, citizen of Rome, fleeing a city besieged by Gauls, orders his wife and children out of their carriage in order that the Vestals, who had been fleeing on foot and carrying the sacred equipment (*sacra*), might ride instead (1.1.10). The flames burn too brightly when the Pontifex Maximus Metellus saves the *Palladium* from Vesta's burning temple (1.4.4),⁸ not only showing again proper conduct vis-à-vis the sacred and the sacrifice of personal safety for the sake of religion, but also the power of the divinity to communicate with state officials. A strange anecdote presents Publius Clodius Pulcher, notorious for his profanation of the *Bona Dea*, gazing reverently towards Vesta's temple when defending one of the Lentuli who had himself prosecuted Clodius for illicit sexual behavior (*crimen incesti*; 4.2.5). Valerius elsewhere shows us the conduct Vesta desires from state leaders – she prefers triumphs and poverty to riches (4.4.11). The Vestal priestess Claudia's defense of her father against a violent tribune provides another positive glimpse of a Vestal's conduct, and her subsequent progress to the temple of Vesta again reveals the religious significance of *pietas* (devoted loyalty; 5.4.6). Such an abstract concept, because it relates to more than one god, can thus more easily be viewed as generally religiously valid. Analogously, *pudicitia* (sexual continence) is important not just to Juno, but certainly to Vesta as well, in whose service German women wish to be enslaved after the defeat of their men (6.1.ext.3). The *numen Pudicitiae* (the divinity or divine force of Chastity) resides, according to Valerius, upon the hearth of Vesta, and chastity was, of course, a crucial requirement of Vesta's priestesses (6.1.init.). Interestingly, rather than the punishment awaiting transgressors, the trial of an unchaste priestess shows us instead the miraculous power of prayer (8.1.abs.5). Vesta enables her priestess Tuccia (on trial for unchastity) to carry water from the Tiber back to the temple in a sieve as proof of her innocence. Let us proceed to more detailed examination.

Chastity, Marius, and the Germans (Vesta's turn)

We have already addressed in some detail the concern of Juno for *pudicitia* in particular and the close association of *pudicitia* with religion, liberty, and survival itself (*vita*). Vesta is, among all the gods, especially famous for the restrictions placed on her priestesses. It is thus not incongruous that Valerius invokes the divine force (*numen*) of *pudicitia* as a resident of Vesta's hearth (6.1.init.). *Pudicitia* was invoked as a resident of Livia's bed too, and we may recall that on 28 April, 12 BC, Augustus consecrated a statue of and a shrine to Vesta⁹ in his house on the Palatine.¹⁰ We also addressed in our general discussion of *pudicitia* the example of the German women who desired chaste slavery to Vesta, but who, when Marius denied their request, committed suicide. This anecdote illustrated in particular the interesting relationship between the *pudicitia* of women and the importance of its defense to the

military success of men. Valerius was glad that German men had not been as zealous for this virtue as German women, because this would have spelled difficulty for Roman troops. This in turn helped explain Valerius' introduction to his series on chastity (6.1.*init*), where he calls *pudicitia* the equal defense of both men and women.¹¹ It is fitting here to examine in greater detail Valerius' version of this traditional material with the versions found in Florus and Orosius.

Florus' version allows us to observe how Valerius reformulates¹² historical material in order to fit his own ideological agenda. Florus informs us that the German women, like the German men, fought hard. Moreover, the German women demand freedom and priesthood in Rome's state cult (as opposed to Valerius' version where they wish to be given as slaves to Roman priestesses). Florus condemns their importunate request,¹³ and turns to a gruesome scene of self-destruction, a scene including not only women who had stabbed themselves or each other, or had made ropes out of their own hair in order to hang themselves from trees and wagons, but also the corpses of babies who had been strangled and crushed (*suffocatis elisisque passim infantibus suis*; 1.38). Florus shows us the greatness of Roman victory¹⁴ magnified (and justified) by the savagely dangerous barbarity of Rome's enemies.¹⁵ He does not mention Vesta by name.

Orosius, fifth-century presbyter of a religion only recently triumphant over Valerius' gods, also provides a useful contrast. Like Florus, Orosius writes history; unlike Florus, his rhetorical goals require disparaging ancient Roman achievements and gods in order to counter claims that fifth-century defeats were the fault of Christianity's rejection of Rome's ancient religion.¹⁶ Orosius, like Valerius, has the women request unviolated chastity and slavery in the service of priestesses and gods (rather than Florus' freedom and priesthood). Orosius does, on the other hand, present the little children smashed against rocks (*parvulis suis ad saxa collisis*; *Hist.* 5.16).¹⁷

Valerius, after mentioning in his introduction the hearth of Vesta where *Pudicitia* resides (6.1.*init.*), states not only that the German women wish to be given as a gift to the priestesses of Vesta (*uirginibus Vestalibus*), but also states explicitly the sexual contamination from which they wish to be exempted: "promising that they would, just like the Vestals, remain aloof from sexual intercourse with men" (*adfirmantes aequae se atque illas uirilis concubitus expertes futuras*; 6.1.*ext.*3), thus indicating rather precisely for Valerius' contemporaries the conduct Vesta desires from those consecrated to her service. The death of these women is described by Valerius less luridly, with greater dignity, and without mention of the unfortunate children: "When they failed to obtain their request, on the following night with the assistance of the noose they wrested from themselves their 'spirits'" (*aequae re non impetrata laqueis sibi nocte proxima spiritum eripuerunt*; 6.1.*ext.*3). *Spiritus* regularly signifies "breath" in pre-Augustan prose, and so could well be used in a passage describing death by hanging. In poetry, however, and – after the

Augustan age – increasingly in prose, it is used to signify “soul.”¹⁸ That the “spirit” of the German women was pleasing to the gods we can ascertain from the immediately subsequent line: “a rather good thing that the gods did not endow their men with this spirit” (*di melius, quod hunc animum uiris earum in acie non dederunt*). The divine source of this spirit is revealed by the gods (*di*) who bestowed it on the German women, but not on the German men.¹⁹

Because Valerius and Orosius refrain from presenting women who fight like men, the women may well have (in these two latter authors) appeared more sympathetic to the patriarchal expectations of ancient audiences. Florus’ women are the least sympathetic. They fight like men, they kill their children, they remain thorough barbarians. Orosius’ women are not completely unsympathetic, but the violent murders of children and the suicides of their mothers are closely associated with a willingness to serve false gods. Only Valerius leaves out dead children altogether, and only in his text do the barbarian women enjoy a dignity that allows them to serve, if not Vesta or her priestesses, at least as divinely sanctioned role-models for Valerius’ contemporaries.

Publius Licinius and Vestal discipline

Valerius’ individual approach to traditional material may be viewed in his treatment of an inattentive Vestal whipped by the Pontifex Maximus, Publius Licinius.²⁰ The story occurs in Valerius’ first chapter of his first book, *De religione* (which does not instruct us regarding gods, but regarding human behavior in relation to matters of divine import), revealing the rigid adherence of Romans to minute points of ritual, the element of their religion most frequently emphasized. Examination by god, however, here allows us to extract, in the context of Valerius’ other uses of the same god, the conduct, or moral behavior, pleasing to the divinity called Vesta:

Adiciendum his quod P. Licinio pontifici maximo uirgo Vestalis, quia quadam nocte parum diligens ignis aeterni custos fuisset, digna uisa est quae flagro admoneretur.

(Valerius 1.1.6)

We ought to add to these the example of the chief priest Publius Licinius, who, because she had one night failed to guard the eternal fire with sufficient diligence, saw fit to recollect a Vestal priestess to her duty with the whip.

Vesta demands discipline. Valerius has reduced the story to its most basic aspects. The flame must be preserved, and it the Vestal’s duty to preserve it. Conversely, the pontifex maximus has his own obligations to fulfill – he

must enforce discipline.²¹ If the Vestal fails, he must punish, and in Valerius, he must punish severely. A man whips a woman because she has let a fire go out. This scene made Livy uncomfortable, but we must recognize that it is a way of behaving in the context of a system, a way of interpreting the world: a powerful god, here Vesta, can intervene in this world, and she has demands that must be met. Grant this preconception its own palpable reality (failing to meet Vesta's demands could result in disaster for the entire society), and behavior that may appear absurdly brutal to a point of view not rooted in Roman "reality" gains at least a logical necessity, and, as one comes to understand in Valerius' text, one backed by the deepest emotions. This is not to say that such stories might not help serve society's other goals as well (the visible suppression of women, for example), but an understanding of the anecdote's superficial logic constitutes an essential starting point.

What is cut loose from history in Valerius, and told as if eternally valid, is in Livy placed firmly in the context of 207 BC during the dark days of the second Punic war. To illustrate the dangers, Livy lists ten prodigies, but explains that the prodigy that most terrified the spirits of the people (*terrui animos hominum*) was the "extinct"²² flame of Vesta in her shrine (*ignis in aede Vestae extinctus*; 28.11.6). He thus gives a much graver context than Valerius for the punishment that follows: "And the Vestal, who had been on duty that night, was, at the command of the priest Publius Licinius, scourged with the whip" (28.11.6). Unlike Valerius, however, Livy feels some need to justify the severity of the punishment:

id quamquam nihil portendentibus dis ceterum negligentia humana acciderat, tamen et hostiis maioribus procurari et supplicationem ad Vestae haberi placuit.

(Livy 28.11.7)

Although the thing had happened without a portent from the gods but by a mortal's negligence, it was nevertheless decided that it should be expiated by full-grown victims and that a day of prayer at the Temple of Vesta should be observed.²³

Livy then immediately proceeds to the departure of the consuls, and more narrative. The reader thus indeed sees the importance of religion, but must view the severity within the context of the extreme duress brought about by the city's life-and-death struggle against Hannibal. Valerius, however, strips the action of a wider context, and thus allows the reader to extract universalizing rules – the flame must be preserved, and those to whom the flame is entrusted, should they fail in their duty, must be punished with merciless harshness.²⁴ The man to inflict the punishment is the pontifex maximus, that is, in Valerius' day, the emperor. *Exempla* are powerful, and that is why they can be dangerous; the Pontifex Maximus (and emperor) Domitian

would later restore discipline in the Vestal college according to just such ancient examples (more below).²⁵

The power of prayer: the Vestal Aemilia and her disciple

Valerius then proceeds to another example of a Vestal who allowed the flame to darken, but who escaped punishment by the protective grace (*numen*) of the goddess herself (1.1.7). Source²⁶ and date²⁷ are uncertain. Valerius shows us the Vestal Aemilia and her disciple:

Maximae uero uirginis Aemiliae discipulam extincto igne tutam ab omni reprehensione Vestae numen praestitit. qua adorante, cum carbasum, quem optimum habebat, foculo inposuisset, subito ignis emicuit.

(Valerius 1.1.7)

After the “extinction” of the fire, the divine power (*numen*) of Vesta kept the apprentice (*discipula*) of the priestess Aemilia safe from all chastisement. And while she was praying, when she put the best linen cloak (*carbasus*) she had upon the hearth, suddenly a flame leapt forth.

Why did the *numen* of Vesta intervene here on behalf of Aemilia and the novice Vestal? The answer perhaps lies in their prior conduct, but Valerius, although telling us the *discipula* prayed (*adorante*),²⁸ does not provide her prayer. She must have made some sort of agreement with Vesta, because, after her prayer, Aemilia puts her *carbasus* on the hearth, and divine intervention occurs (*subito ignis emicuit*). Thus, whatever was said,²⁹ Vesta listened, accepted the *discipula*, the prayer, Aemilia, and the *carbasus*,³⁰ and her *numen* acted in this world on behalf of her priestesses.³¹ The peculiar source of the effectiveness of Vestals’ prayers was their chastity – it was a source of power.³²

The relatively recent relevance of the anecdote had also been felt by Propertius in 16 BC when he brought Octavian’s former wife Scribonia’s daughter by a previous marriage, Cornelia (thus half-sister to Augustus’ daughter Julia), back from the grave to console the living (4.11.43–59). Cornelia’s son, Lucius Aemilius Paullus, was, moreover, married to Augustus’ granddaughter Julia. The “Queen of All Elegies” (*regina elegiarum*)³³ alludes to Aemilia, the Vestal, in a context that not only associates Cornelia’s chaste conduct with Aemilia’s but also upholds the imperial household as exemplars of right-living. Cornelia’s accomplishments were many – high birth, *uniuira* status, *pudicitia* (a blameless life and association with the Vestal), a brother who was consul, status as a mother of three children.³⁴ We may note that in his version of the Vestal Aemilia, Propertius makes no mention of a

novice priestess. He does, however, praise the dead to comfort the bereft. Nor did he need to name the Vestal, for she would have been well known to descendants and relations of the Aemilian *gens*. Historical details are not necessarily conducive to eulogy, or elegy (or Valerian rhetoric). We have already observed Valerius' similar associations of the imperial household, Vesta, and *puđicitia* (6.1.*init.*).³⁵

By placing two anecdotes concerning Vestals next to each other (1.1.6–7), Valerius provides an excellent conspectus of human duty and divine power, and in a manner that suggests contemporary relevance. Such relevance is indeed confirmed in the introduction to the next anecdote, where he informs us that these anecdotes relate events certainly “not surprising” (*non mirum*), “inasmuch as our state has always been known to keep its eyes fixed upon the most exact observation of religious rituals” (*numquam remotos ab exactissimo cultu caerimoniarum oculos habuisse nostra ciuitas existimanda est*; 1.1.8). Divorced from historical context, we see merely a flame that goes out, threatening censure (*reprehensio*), a prayer, and a miracle. Thus reduced, the *exemplum* may serve as a reminder of the conduct to emulate and the powers to whom one might turn for help. Conduct out of context achieves divinely sanctioned and universal validity, and, for those with an eye toward history and politics, conduct in agreement with the sacred traditions of the imperial household.

The power of prayer: the Vestal Tuccia

Honors and restrictions were both part and parcel of the Vestal's lot. Under Augustus, privileges were increased. Vestals received special seats in the theater (Suetonius *Aug.* 44.3). Under Domitian, ancient discipline was restored. The *Vestaliū maxima* Cornelia was buried alive. Cornelia had allegedly committed the most heinous crime a Vestal could commit (the *crimen incesti*).³⁶ Pliny the younger witnessed the punishment, and it left an impression. He reports that Cornelia prayed to Vesta and the other gods, but does not record her prayer (if it was for help, it was not effective). He does, though, record her statement alleging the effectiveness of past prayers on behalf of Domitian and the state:

Illa nunc ad Vestam, nunc ad ceteros deos manus tendens, multa sed hoc frequentissime clamitabat: “Me Caesar incestam putat, qua sacra faciente uicit triumphauit!”

(Pliny *Ep.* 4.11.7)

Now towards Vesta, now stretching out her hands towards all the other gods, she shouted many things, but especially the following, over and over again: “Caesar believes that I am unchaste, but, while I offered sacrifices, he conquered, he triumphed!”

In Pliny's letter, Cornelia's alleged lover Celer also speaks before his execution (*uirgis caederetur*), but he does not pray, crying out only that he has done nothing wrong: "What have I done? I've done nothing!" (*Quid feci? nihil feci; Ep. 4.11.11*).³⁷ According to Wissowa, a Vestal's lover is executed, but a Vestal is not; rather, she is considered a prodigy (*prodigium*), and, as such, disposed of as if a warning (*monstrum*), like something struck by lightning (also buried), and descends into the pit alive.³⁸ The crime of the unchaste Vestal can also be viewed as a rupture of the truce with the gods (*pax deorum*), and her burial alive the funeral of someone already dead.³⁹ Suffice it to say that the stakes were high. It is also significant that, although the old *exempla* remained relevant for Valerius, more positive examples of Vestals held his attention.

The power of prayer and Vesta's power to answer prayer is forcefully illustrated indeed by Valerius' example of the priestess Tuccia, who was tried for that most heinous crime. Tuccia stands accused, and prays to Vesta requesting that, if innocent, she be allowed to carry water in a sieve.⁴⁰ Vesta grants the request. Tuccia is spared. Valerius is the only ancient source to retain vestiges of this Vestal's prayer, famous in antiquity and still extant in the elder Pliny's day:⁴¹

Eodem auxilii genere Tucciae uirginis Vestalis incesti criminis reae castitas infamiae nube obscurata emersit. quae conscientia certa sinceritatis suae spem salutis ancipiti argumento ausa petere est: arrepto enim cribro "Vesta" inquit, "si sacris tuis castas semper admoui manus, effice ut hoc hauriam e Tiberi aquam et in aedem tuam perferam." audaciter et temere iactis uotis sacerdotis rerum ipsa natura cessit.

(Valerius 8.1.*abs.*5)⁴²

With the same kind of assistance, the chastity of the Vestal priestess Tuccia (charged with the crime of unchastity) burst from the cloud of infamy with which it had been darkened. And she, with the sure knowledge of her innocence, dared to look for hope of safety in a dangerous logic. She grabbed a sieve, and said: "O Vesta, if I have always brought chaste hands to your rites, grant that I may with this sieve fetch water from the Tiber, and carry it back to your shrine." The rules of the natural world gave way before the priestess' bold and reckless vows.

Tuccia, as Aemilia in Valerius' previous example, receives the same divine assistance. Tuccia, or her chastity, was involved in a "cloud of infamy," and infamy is, as we have observed, more than a legal condition – it is a divine concern.⁴³ Violated *pudicitia* angers the gods, and this endangers society. Contrariwise, people should behave in ways that do not provoke the gods.

Usually, we find no personal salvation, only safety for the community. Here, however, we see the intervention of a god on behalf of a falsely accused individual, saving her life, hardly a despicable feat. Tuccia's mind (*conscientia*) and body (*manus*) were pure. Divine intercession, however, took place only after prayer.⁴⁴ The prayer Valerius attributes to Tuccia conforms in structure to Roman practice.⁴⁵ She begins by identifying the exact deity to whom she turns, *Vesta*. This is followed by a clause securing divine favor ("if I have always brought chaste hands to your rites," and only then does she make her request: "Grant that with this [sieve], etc." The structure of the prayer places the deity under quasi-legal obligation. Tuccia had already fulfilled, through past conduct,⁴⁶ her end of the bargain. *Vesta* soon upheld hers. Nature itself yielded before the power of divinity. This was a miracle. Only a pure heart could have rendered Tuccia so bold. The situation of this anecdote thus brings together in the midst of crisis a god, the state, an individual, outward conduct, inner conscience, human prayer, divine obligation, nature, and a miracle. Once again we see the rhetorical power of the *exemplum*: one observes manifold forces at work at once, and glimpses how all these disparate forces fit together in context.⁴⁷ We may conclude not just that *Vesta* was a force to be reckoned with, but that Valerius himself perceived *Vesta's* power as a force that could intervene in his world. Moreover, Valerius conceived of this god as one to whom chaste conduct mattered. As evidence accrues, reiteration of these points is crucial. We search for patterns.

Vestals, Valerius, and contemporary political considerations

Under the early empire, *Vesta* and the Vestals became more closely associated with the imperial family. In addition to the special seats at the theater granted to Vestals, Cassius Dio tells us that Tiberius let his mother and other imperial women not only sit among the Vestals, but that he also allowed them, like Vestals, to offer prayers on behalf of magistrates, priests, and himself.⁴⁸ The chastity of Vestals thus reflected not only Livia's chastity but also the chastity of all the women of the imperial household.⁴⁹ One notes too that, in contrast to Livy's unchaste and brutally sacrificed Vestals, there is not one example in Valerius of an explicitly unchaste Vestal. A sign of the times? Granted, the fire goes out, and a Vestal is whipped (1.1.6), thus certainly implying unchastity, but no explicit mention is made of unchaste conduct. Significantly, Valerius' next anecdote immediately shows the reader an example of a Vestal vindicated by means of a miracle (1.1.7), thus leaving the reader with a positive image of a Vestal miraculously saved. Analogously, a third anecdote showed us a Vestal unfairly charged, but miraculously vindicated (8.1.*abs.* 5). It also gains in significance that Valerius blames the disaster at Cannae not, like Livy, on the impurity of two Vestals

(Livy 22.57.2), but rather on Juno's "justifiable" anger over the actor Paullus put in Jupiter's chariot (Valerius 1.1.16),⁵⁰ the sort of anger a chaste *matrona* might feel towards someone who supplied her husband with beautiful and lascivious young men.⁵¹ Valerius prefers Vestals who are positive exemplars,⁵² and who possess access to chastity's power, a power, not coincidentally, that happens to reside not only on Vesta's hearth but also on Livia's most holy marriage bed.⁵³ *Pudicitia* must have understood (or at least Valerius' rhetoric understood) that Livia, like her husband and like her son, was destined for divinity.⁵⁴

Unchastity in the reign of Tiberius

Although no unchaste Vestals were put on trial during Tiberius' reign, Tiberius was nevertheless vigilant in defense of chastity. In AD 19 Decius Mundus arranged an overnight tryst with a virtuous Roman *matrona* in the temple of Isis by leading the woman to believe that she would be spending the night with the god Anubis, and, after fraudulent incubation, openly bragged about it to her.⁵⁵ This upset the victim, Paulina, who told her husband, who, in his turn, complained to Tiberius. Tiberius crucified Isis' priests, and expelled 4,000 people from Rome, sending them to Sardinia. Josephus narrates the details.⁵⁶

It may perhaps not be coincidence that Tacitus, who, rather differently from Josephus, blames events on the "lust of women" (*libido feminarum*), uses this story as an introduction to the Vestal Occia's replacement (*Ann.* 2.85). His narrative seems to imply that the religious corruption (lack of female chastity) went deeper. Large sums too were required to procure a new Vestal.⁵⁷ What remains of Valerius' anecdotes in epitome on the expulsion of Chaldaeans and Jews may also reflect these events with historical examples of similar punishments inflicted on those who had in prior ages attacked Roman ancestral custom (1.3.2–3). Astrologers and Jews had been expelled before, and the temple of Isis had been destroyed previously as well. (Cramer cites this case as an example of religious credulity in the age of Tiberius.⁵⁸ We might add that Valerius appears in general to write for the religiously credulous.)

Another outstanding example of the respect for the importance of chastity is provided by the fate of Sejanus' daughter, who was condemned along with her father.⁵⁹ Her virginity represented a religious obstacle to justice:

tradunt temporis eius auctores, quia triumvirali supplicio adfici virginem inauditum habebatur, a carnifice laqueum iuxta compressam; exim obliis faucibus id aetatis corpora in Gemonias abiecta.

(Tacitus *Ann.* 5(6).9.3)

It is recorded by the authors of the period that, as it was considered an unheard-of thing for capital punishment to be inflicted on a virgin, she was violated by the executioner with the halter beside her: they [i.e. the daughter and the son] were then strangled and their young bodies thrown on to the Gemonian stairs.⁶⁰

Servius tells us that it was tantamount to sacrilege for those about to lose their virginity to step on a threshold (*limen*) because the threshold was a thing consecrated to Vesta, a divine power of extreme chastity (*Vestae, id est numini castissimo; Ecl.* 8.29). If some must avoid stepping on a threshold even in private, one realizes more clearly that the execution of a virgin by the state could have brought serious calamity. Such scruples reflect, according to Otto, a spontaneous conviction that all of life is subject to the rule of hidden forces and influences – this preconception is objective, and one does not expressly discuss it because every reasonable person has the same scruples, and pays very close attention, indeed, in all his actions to these forces and influences.⁶¹ Whether or not Tacitus tells the truth, the anecdote attests to the power of the *concept* of female chastity to Roman thinking under Tiberius.

In Valerius' work we see similar thinking regarding chastity, but in a more positive and religiously uplifting light. Religion is flexible. The same religious thinking can serve in the most varied situations, not necessarily because there are always rules to follow, but often simply because religious concepts provide a way of interpreting and making sense of widely disparate events. Roman "chastity" must be viewed as one such useful religious concept. We have seen its value now from reinforcing traditional female conduct, to motivating men, to interpreting causes of an army's defeat or society's disruption, and now its role in various executions. The more generally applicable a religious concept is, the more useful it is, or as Linderski puts it: "*Religio* ... could apply to anything and everything."⁶²

Piety and victory: the Vestal Claudia

In his chapter on loyalty to parents, brothers, and country, Valerius releases us somewhat from the grip of relentless chastity, because, although we may assume that the anecdote's paragon, as a Vestal, is chaste, the focus is on a different virtue: *pietas* ("loyalty, devotion, dutiful conduct, piety;" 5.4.6). The patrician Vestal Claudia, interposes herself between her father and a violent tribune, thus protecting her father, en route via triumphal procession to the Capitol (and hence the temple of Jupiter), and enabling him to complete the celebration of his victory. Claudia herself then leads her own procession to the shrine of Vesta, thus occasioning a celebration of her *pietas*.⁶³

One may place the anecdote in historical context with the assistance of Broughton, who sorts out details: Claudia's father, Cos. 143 BC, was first

defeated by and then won a victory over the Salassi; although refused a triumph, he nevertheless “celebrated one on his own authority by having his daughter, a Vestal, ride with him.”⁶⁴ Neither the defeat nor the triumphal chariot-ride is in Valerius. Although easy to assume (how else could she have intervened?), the details are actually left quite vague. How did father and daughter, if riding in the same chariot, get to their respective destinations (i.e. father to temple of Jupiter Optimus Maximus and daughter to the temple of Vesta)? Broughton suggests that the tribune intervened constitutionally; Valerius says that the tribune intervened physically and violently. Broughton has the consul use his daughter as a political weapon; Valerius has the daughter protect her father out of piety. Broughton strikes an historical balance; Valerius depicts a striking situation.

We may note the versatility of the anecdote in the historiographical tradition. Cicero had used the example of this Claudia as a moral mirror to Clodia. Clodia’s lust (*libido*) led her into embraces (*complexus*) rather different from Claudia’s pious and saving embrace of her father.⁶⁵ Like his classical predecessors, Orosius looks for striking elements, but views the whole triumph very differently indeed. He begins by detailing the 5,000 Romans slaughtered in Appius’ initial defeat before relating Appius’ final victory, thus explaining why Appius was denied a triumph:

iste quoque triumphum expetisset, propter superiora vero damna non impetravisset, infami impudentia atque ambitione usus, privatis sumptibus triumphavit.

(Orosius *Hist.* 5.4.7)

Although the wretch also demanded a triumph, nevertheless, on account of his initial losses, he did not obtain it. Relying on his infamous shamelessness and arrogance, he triumphed at his private expense.

Nothing good comes out of this. An androgyne is spotted the next year at Rome, who, by order of the *haruspices*, is drowned.⁶⁶ (Nevertheless, as Orosius continues: “The completion of the impious expiation accomplished nothing” (*Hist.* 5.4.8). We are far removed indeed from the *pietas* and *victoria* of Valerius, but in a better position to appreciate Valerius’ presentation of events.

Valerius in fact sets up within the anecdote two parallel series:

The Vestal Claudia	The father as <i>triumphator</i>
The shrine of Vesta	The Capitol [Jupiter]
<i>Pietas</i>	<i>Victoria</i>

Just as these series reveal to us that the *pietas* of the daughter preserves the sanctity of the father's celebration of *victoria*, the separate destinations of each allow us to conclude that each deity is concerned especially with the respective virtues of father and daughter. Valerius' language, however, allows us to do more, suggesting that these virtues are themselves gods who accompany father and daughter to the temples towards which they (father and daughter) make their way, and in which they (the virtues) reside:

igitur alterum triumphum pater in Capitolium, alterum filia in
aedem Vestae duxit, nec discerni potuit utri plus laudis tribueretur,
cui [V]ictoria an cui [P]ietas comes aderat.

(Valerius 5.4.6)

Therefore the father led one triumph to the Capitol and the daughter another to the shrine of Vesta, nor could one determine on whom more praise should be lavished, on the one to whom Victory or on the one to whom Piety served as the companion.

The word *comes* tells us that the virtues were present as companions. They are thus viewed here as gods, and this deified status may be viewed in non-Valerian sources⁶⁷ as well in the context of Valerius' statements about the residence of the *numen* of *Pudicitia* on the hearth of Vesta (6.1.*init.*). The relevance of this Claudia to Valerius, Tiberius, and their contemporaries was not at all obscure,⁶⁸ and Valerius can hardly have been unaware that the *pia Claudia* of his anecdote was related to the mother of the pious son of a god (*diui filius*), to whom he dedicated his work.

Metellus and the *Palladium*

Male conduct vis-à-vis Vesta, and Vesta's intervention in this world, is also illustrated, albeit in epitome. The Pontifex Maximus Metellus⁶⁹ receives an augury (*augurium*), divine in origin,⁷⁰ which he at first endeavors to ignore, but finally accepts, returning afterwards to Rome, and saving the holy symbol of Roman power – the *Palladium* (241 BC). The Valerian epitomator, Nepotianus, provides some details:

Metello pontifici maximo proficiscenti in agrum Tusculanum corui
duo euidenter obstiterunt. Sed neglecto augurio ire contendit. Inter se
aues unguibus laniare coeperunt et rostris dare ictus. Mirans Metellus
Romam rediit. Sequenti nocte ex incendio Palladium rapuit.

(Valerius 1.4.4)

Two crows plainly stood in the way of the chief priest Metellus as he was setting out towards Tusculan territory, but, ignoring the

augury, he hastened along his way. The birds began to tear at each other with their talons and to attack with their beaks. Amazed, Metellus returned to Rome. The following night, he saved the Palladium from the fire.

Whether Vesta, Minerva, or some other deity sent the messenger, we do not know for certain. Inasmuch, however, as Vesta's temple housed the *Palladium*, and as all extant sources mention only Vesta and Vesta's temple, we may consider Vesta a candidate.⁷¹ What is significant here is that divine communication was sent (and that Romans believed the gods were able to communicate through their intermediaries).⁷² The magistrate and priest listened, and with important results. The "sacred image of Roman rule" (*signum imperi*) was saved. That Metellus deserved punishment,⁷³ in spite of the fact that, as pontifex maximus, he was perhaps allowed to view Vesta's *sacra* or "sacred rites and equipment"⁷⁴ (as opposed to other non-ordained males from whom view was always forbidden),⁷⁵ we may deduce from the last line of the epitome. Metellus viewed the *Palladium* at night (*sequenti nocte*). In general no man was allowed to view even the fire at night.⁷⁶ We may also adduce the fact that the festival of the *Bona Dea* took place at night, included Vestals, and forbade every male presence – not only magistrates and the pontifex maximus himself, but also any stray male animal whatsoever.⁷⁷ (Similarly, during the *Vestalia*, barefoot women of lower rank, but no men of any rank, were allowed into Vesta's inner chamber (*penus Vestae*).)⁷⁸ Only Valerius specifically mentions either crows or time of day. Even in epitome Valerius' sensitivity to religious detail is apparent.

The fuller version of that night's action can, however, be found in Valerius' older contemporary Ovid (*Fasti* 6.437–60),⁷⁹ and, although Ovid, as a poet, is more likely to search for Greek *comparanda* than Valerius, the *Fasti* remain Ovid's most Roman poem.⁸⁰ It is also noteworthy that, whereas Valerius is the only author to present the omens that compelled Metellus to return to Rome, Ovid is the only author who presents the prayer of Metellus in the holy temple of Vesta. He also clearly reveals the connection of this story to contemporary imperial ideology. Since Valerius reveals no signs of secret dissent, we need concern ourselves here only with Ovid's overt, and hence politically acceptable, meanings, the meanings directly relevant to analysis of Valerius.

Ovid expresses horror that the temple should have burst into flames (again, no explanation of the fire's source, or whether a god caused the fire). Metellus, a man, rushes in to save the *sacra*, but, as a man, and in spite of the fact that he is pontifex maximus, under whose general supervision the Vestals were placed,⁸¹ it is sacrilegious for him to view these "sacred objects." Metellus thus does not ask for absolution, but rather prays that he personally rather than the state suffer the consequences:

...“ignoscite,” dixit
 “sacra: vir intrabo non adeunda viro.
 si scelus est, in me commissi poena redundet:
 sit capitis damno Roma soluta mei.”
 (Ovid *Fasti* 6.450–452)

...“Pardon me, ye sacred things” said he, “I, a man, will enter a place where no man should set foot. If it is a crime, let the punishment of the deed fall on me! May I pay with my head the penalty, so Rome go free!”⁸²

Metellus prays to the *sacra*, presumably, but not necessarily the *Palladium*.⁸³ Given the formal structure of Roman prayer-language,⁸⁴ Metellus’ initial invocation of the *sacra* identifies for us the sacred objects themselves as the divinity to whom he prays.⁸⁵ On the other hand, it is the goddess (*dea*), who approved his prayer (6.453). Ovid does not relate Metellus’ misfortune, but rather contends that the misfortune did not descend on Rome.⁸⁶ Ovid provides proof:

nunc bene lucetis sacrae sub Caesare flammae:
 ignis in Iliacis nunc erit estque focus;
 nullaque dicetur vittas temerasse sacerdos
 hoc duce, nec viva defodietur humo:
 sic incesta perit, quia, quam violavit, in illam
 conditur: est Tellus Vestaque numen idem.⁸⁷
 (Ovid *Fasti* 6.455–60)

Ye sacred flames, now ye shine bright under Caesar’s rule; the fire is now and will continue to be on the Ilian hearths, and it will not be told that under his leadership any priestess defiled her sacred fillets, and none shall be buried in the live ground. That is the doom of her who proves unchaste; because she is put away in the earth which she contaminated, since Earth and Vesta are one and the same deity.⁸⁸

The sacred flame burns safely under Augustus’ sway, and no Vestals need be buried underground for crimes against chastity, and Ovid’s identification of Tellus and Vesta finds some corroboration in Valerius.

Tellus is in Valerius, like Vesta, closely associated with *pudicitia* and the state’s safety and the liberty (*libertas*) of male citizens. The first Brutus prays to a heavenly divinity (*caeleste numen*; here Apollo at Delphi), and, on returning to Italy, kisses the “earth, common mother of all” (*terram ... communem omnium matrem*), “because the kiss so cleverly pressed upon *Tellus* bestowed liberty on the city, it bestowed upon Brutus the first place in our magisterial lists” (*quod tam uafre Telluri impressum osculum urbi libertatem, Bruto*

primum in fastis locum tribuit; 7.3.2). Leadership, freedom, and motherhood, three sacred values are again in close association. We saw a similar association of *Tellus* with *libertas* when Spurius Cassius' "lust for domination" (*concupitae dominationis*) resulted in the slaughter of his *penates*, and a dedication of a temple to *Tellus* on the site of his former home, "a monument to religious severity" (6.3.1). We thus see once again that the gods have interlocking interests. *Libertas*, *pudicitia*, and the sacred objects were shared concerns. Vesta, of course, as goddess of fire, was generally considered present in all ceremonies involving fire (Servius *Ad Aen.* 1.292). Vesta was bound up in so many ways with Roman religion, but in similar ways in both Ovid and Valerius Maximus, and Ovid's association of Vestal chastity with Augustan rule is likewise fully compatible with Augustus' efforts at moral regimentation, with Valerius' exaltation of Livia's *pudicitia*, with Valerius' avoidance of anecdotes with overt Vestal misconduct, and with other similar advertisements of imperial virtue.⁸⁹

Both Ovid and Valerius can, however, be placed more firmly in historical context. Without doubt, when writing of the flames of 241 BC, they thought not only of the threat to Rome posed by Gauls in 390 BC, but also of the fire of 14 BC when the *sacra* were again removed from the temple of Vesta at the east end of the forum. In 14 BC they were brought for safekeeping not to Caere but to the Palatine,⁹⁰ whence, it has been argued, the sacred objects never again found their way back to Vesta's temple.⁹¹ Such arguments are plausible because Augustus, after becoming pontifex maximus, dedicated on 28 April, 12 BC, a shrine to Vesta (*aedicula Vestae*) and an altar of Vesta (*ara Vestae*) close to or inside his Palatine habitation.⁹² Coins document these buildings.⁹³ Unfortunately, Valerius' version of the story of Metellus exists only in epitome, but we can hardly assume that he would have protested the imperial family's care and concern for the *sacra*. Rather, it could only have provided welcome proof that the old values lived again. Valerius' invocation of *Pudicitia* as a resident of Vesta's hearth as well as of "the peak of the Palatine, the household gods of Augustus, and the most holy marriage bed of Julia [Livia]" (6.1.*init.*) also gains in this light a more cogent logic. Appropriation of state *sacra* by the imperial household would almost have compelled Valerius to celebrate their new home in his celebrations of Vesta.⁹⁴

Reconciliation through religion: Clodius and the Lentuli, *Cicero et al.*

More patrician (or plebeian, depending on one's view of the adoption) male behavior towards Vesta (and her shrine) can be observed in an anecdote involving the infamous Publius Clodius Pulcher, blood relation to the Vestal Claudia. Clodius, although tried on a charge of sexual uncleanness (*incesti crimen*) in consequence of his violation of the sacred rites of the Good

Goddess (*Bona Dea*, whose rites were celebrated with Vestals in attendance), defends in a different trial one of the three Lentuli, who had prosecuted him (4.2.5). Moreover, while defending this Lentulus, Clodius gazes upon the shrine of Vesta (*aedes Vestae*). This is certainly no place to discuss intricacies of the *Bona Dea* scandal,⁹⁵ but we must at least look at Valerius' other anecdotes on this affair before attempting to make sense of the bizarre lessons of Clodius' chaster gaze (4.2.5). In his chapter on luxury and lust, Valerius does not extol the virtues of Clodius: "With what incredible luxury and lust he overflowed!" (9.1.7). Clodius, according to Valerius, although manifestly guilty, was acquitted thanks to a new form of bribery: "In order that he, a plainly guilty defendant, be acquitted of the charge of sexual uncleanness, as their reward, he paid the judges nights (purchased at great cost) of married women and upper class boys" (9.1.7). Valerius considers sexual bribery that utilizes the services of Roman matrons and young upper-class males a violation of religion, and cannot decide whom one should detest more, the inventor of this form of bribery, those who sacrificed their chastity for the sake of perjury, or those who exchanged their *religio* for illicit sex (*qui religionem stupro permutarunt*; 9.1.7). We have already noted in our discussion of *pudicitia* that Valerius considers *pudicitia's* preservation a religious duty. Interesting here is the negative assessment of Clodius and the condemnation of his crime in the strongest religious terms. On the other hand, Valerius elsewhere estimates Clodius highly enough to consider his son by Fulvia among those who represented "degeneration" from their illustrious parents (3.5.1). Valerius grants that Clodius held the favor of the common people (*fauorem plebis*) and that Fulvia, dagger at her side, kept an army subject to her female authority.⁹⁶ Their son, however, lacking his parents' more admirable ambitions, became *infamis*. It was of course not illegal for Roman aristocratic youths to visit prostitutes, but to love a prostitute was another matter altogether. *Infamia* was of course a legal condition carrying serious repercussions. Valerius, however, does not deal here in legalities. For him the boy's *infamia* is a moral offense that receives its just reward. The boy's flesh is wasted by a disgusting disease. Suspicion that divine retribution is at work finds some support in the anecdote's conclusion. When this son "returned his spirit" (or "repaid the debt of his allotted days"⁹⁷), it was a soul stained by sexual excess:⁹⁸

quorum filius Pulcher, praeterquam quod eneruem et frigidam iuuentam egit, perdito etiam amore uulgatissimae meretricis infamis fuit mortisque erubescendo genere consumptus est: auide enim abdomine deuorato foedae ac sordidae intemperantiae spiritum reddidit.

(Valerius 3.5.4)

And their son Pulcher, besides spending an effeminate and numb youth, became also infamous for his abandoned love of an extremely vulgar whore, and he was consumed by a disgusting sort of death: for, after his belly had been greedily devoured, he returned a soul (full) of foul and filthy excess.⁹⁹

An interesting family. Valerius offers mixed reviews. Valerius, one concludes, is not completely unfair. He has his point of view, a rather conservative one, but is willing to give credit where credit is due. Clodius may have defiled Roman religion, but his political ambitions were proper. Valerius considers service to the state a duty backed by religion. This duty Clodius, and Fulvia too, fulfilled. Their son did not. He was degenerate.

In this light, Valerius' positive assessment of Clodius at law makes better sense (4.2.5). Valerius, who so often strips away the *historical* context, judges individual actions in their *moral* context. Clodius at law, moreover, occurs in a *narrative* context. The anecdote occurs in a chapter that exhibits citizens who could overcome animosity toward personal enemies in order to work together. Valerius prizes social harmony.¹⁰⁰ The anecdote preceding Clodius' day in court admires the magnanimity that Cicero demonstrated when he defended Gabinius (the consul of 59 BC who aided Clodius in his efforts to exile Cicero),¹⁰¹ and later that same year also Caesar's ally Vatinius (Cicero was victorious only in his defense of Vatinius). Cicero was unhappy, but put the best face on things.¹⁰² Valerius' sanitized version of the *humanitas* displayed by Cicero improves, however, even Cicero's self-justification:

Aulum ... Gabinium repetundarum reum summo studio defendit, qui eum in consulatu suo urbe expulerat, idemque P. Vatinius dignitati suae semper infestum duobus publicis iudiciis tutatus est, ut *sine ullo crimine leuitatis*, ita cum aliqua laude, quia speciosius aliquanto iniuriae beneficiis uincuntur quam mutui odii pertinacia pensantur.

(Valerius 4.2.4)

With the greatest zeal Cicero defended Aulus Gabinius, (who, as consul, had expelled him from Rome) against a charge of extortion and this same Cicero protected Publius Vatinius (who had always been an enemy to his political reputation) in two public trials, and, not only *without any imputation of weakness*, but also with some praise instead, since injuries are not a little more admirably overcome by kindnesses than recompensed with the continuation of mutual hatred.

Valerius, sitting on the tribunal of moral history, fully exonerates Cicero from any reproach.¹⁰³ Clodius' *humanitas* is even nobler. Clodius actually

imitates the noble actions of his enemy Cicero when he defends his former enemy Lentulus:

Ciceronis autem factum adeo uisum est probabile, ut imitari id ne inimicissimus quidem illi Publius Pulcher dubitauerit. qui *incesti crimine* a tribus Lentulis accusatus unum ex his ambitus reum patrocinio suo protexit atque in animum induxit et iudices et praetorem et *Vestae aedem intuens* amicum Lentulo agere, inter quae ille salutem eius foedo crimine obruere cupiens hostili uoce perorauerat.
(Valerius 4.2.5)

Cicero's act, however, seemed so worthy of praise that not even Publius Pulcher, his most bitter enemy, hesitated to imitate it. And Pulcher, who had been *accused of sexual uncleanness* by the three Lentuli, protected one of them against a charge of bribery with his patronage, and brought himself into a state of mind (that enabled him) to act as friend to Lentulus while *gazing upon* jurors, praetor, and *Vesta's shrine*, although it was among these that Lentulus, desiring to destroy Clodius' safety with his filthy accusation, had delivered his hostile speech.

One might read this passage, and conclude that Valerius sees irony in the former violator of *pudicitia* gazing gently upon the shrine of Vesta. Such a reading would, however, ignore the power of religion. As we shall have occasion to discuss in greater detail, Valerius, using religious language, compares the force that brings friendship out of hatred to the force that brings peace after war and calm after violent storms (4.2.*init.*) – clearly, a divine force.¹⁰⁴ That the former violator of *pudicitia* should now so gently act as a friend to Lentulus, his former prosecutor, must then have something to do with the transforming power of the gods, particularly the one on whose chapel Clodius gazes.¹⁰⁵ Augustan monumental architecture surely held some power to fascinate as well, and, given Valerius' religious and rhetorical susceptibilities, the restored shrine of Vesta must have seemed a holy and powerful force indeed.¹⁰⁶ Buildings are not without power, particularly those consecrated to gods.¹⁰⁷ We should also, however, recall that Vesta, according to Ovid, may have returned his gaze: "Vesta... with steady gaze looks upon all things" (*Vesta ... assiduo lumine cuncta videt*; *Fasti* 6.437).¹⁰⁸ The eyes are, moreover, an important path to the soul. That Clodius' vision was the conduit of this religious force is plausible.¹⁰⁹ Metellus was blinded for gazing on Vesta's *sacra*. We should also point out that Clodius looks on the shrine by day, when he was fully entitled even to enter the chapel and gaze upon its fires. His alleged crime during the *Bona Dea* was committed at night.¹¹⁰ Valerius, in short, does not tell us that Clodius looks at Vesta's shrine in order to contrast Clodius' conduct ironically with his former

crimes, but rather as an indication of the stabilizing religious force that is strong enough to reconcile the violator of *pudicitia* to an enemy. He does not excuse Clodius' crime. Rather, social harmony is better than political enmity, and the gods – in this case Vesta – agree, and can help bring it about.

Personal sacrifice, Vesta, and the state: Lucius Albinus

An earlier example of such social co-operation cemented by the force of religion and reverence toward Vesta can be observed in the plebeian male conduct of Lucius Albinus during the crisis of 391 BC. As so often in Valerius, the conclusion of the previous anecdote provides the introduction:

omnia namque post religionem ponenda semper nostra ciuitas duxit, etiam in quibus summae maiestatis conspici decus uoluit. quapropter non dubitauerunt sacris imperia seruire, ita se humanarum rerum futura¹¹¹ regimen existimantia, si diuinae potentiae bene atque constanter fuissent famulata.

(Valerius 1.1.9)

For our state has always adjudged it absolutely essential that every other consideration take its place after religion, even in those affairs where it was desirable to display the dignity of the highest office. And, on account of this fact, all state authority has paid ready obeisance to religious requirements, reckoning that in this way it would be in command of human affairs, so long as it had remained strictly and forever enslaved to divine power.

These are strong words. Politics yields before religion.¹¹² All elements of the human realm are enslaved (*famulata*), like members of a great household, to the gods.¹¹³ And the first sentence of the subsequent anecdote further informs us that these convictions exist, in Valerius' opinion, among Rome's citizenry: "And this conviction has also animated the hearts of private citizens" (*quod animi iudicium in priuatorum quoque pectoribus uersatum est*; 1.1.10). We thus deal not with the politics of state ritual, but instead with the religious enthusiasms of citizens. The anecdote thus provides an interesting glimpse into the heart of a common citizen as viewed by an author writing under Tiberius.

Rome is besieged. Gauls are on the loose. Valerius shows us a man who has gathered up wife and children, who together flee death and disaster. En route, Lucius Albinus, citizen of Rome, catches sight of the *flamen Quirinalis*¹¹⁴ (priest of the deified Romulus) and the Vestals, who have just crossed the Pons Sublicius and are heading towards the Janiculum, carrying on foot the *sacra* that they hope to save from the invaders. Lucius Albinus,

citizen of Rome, knows what to do. He orders his family from the cart so that the holy bearers of the sacred objects may ride instead. This brings Valerius to the anecdote's first lesson: "Preferring public religion to private affection" (*propior publicae religioni quam priuatae caritati*), "he ordered his loved ones out of the cart" (1.1.10). No human bond, according to Valerius, whether political and public or personal and private can claim greater allegiance than the gods. Such rules are not precisely codified; we confront, rather, an attitude, or belief-system, whose values can only be tested by the touchstone of conduct.¹¹⁵ Whatever we may think of the veracity of this "true fact"¹¹⁶ of history, Valerius Maximus, loyal citizen of the restored republic, led by the personification of virtue itself, Tiberius, saw a moral and religious lesson for his own time in the old tale, and he wrote as if he believed that others would share his view.¹¹⁷ Vesta is thus, in the Valerian view, more important to the male citizen than wife or children.¹¹⁸

Valerius, however, draws further lessons. The *sacra* are conveyed safely to Caere. From their safekeeping there derives, according to Valerius, the name *caerimonia* as a token of remembrance, an honor for pious conduct. Rome's allies respect the possessions of Roman Vesta with the same religious awe as Rome's own plebeian citizens, and reverential alignment of human and divine realms resides in all hearts loyal to Rome. And this anecdotal confirmation of the word's psychology is more interesting than the geography of Valerius' etymology.¹¹⁹ The word "*caerimonia*" can signify a religious state or feeling, a dread or reverence towards the sacred.¹²⁰ Valerius' introduction of the etymology¹²¹ is thus appropriate to the anecdote's action, for what word could be more appropriate to describe the emotional state of the citizen who sacrificed his family's safety for the sake of Vesta's *sacra*?

Roloff has investigated the word *caerimonia* in detail, and the results of his work will help us put Valerius into perspective. Roloff finds two semantic fields: "1. in relation to the actions and conduct of the religious subject, and 2. in relation to the status of a religious object,"¹²² and determines that the second category was primary until the time of Tacitus.¹²³ In other words, the word looked not to religious feeling in a person contemplating something holy, but rather to the holiness of the external object, which possessed a religious force conceived of as real, actual, present, and powerful, issuing a warning, as it were, not to approach too close.¹²⁴ *Caerimonia* is thus a means by which "the presence of the divine makes the greatest impression,"¹²⁵ regardless of whether or not people believe in the immediate object (military standards, for instance).¹²⁶ In the plural, *caerimoniae* indicate not merely prescriptions (rites) that need to be fulfilled, but also the proper attitude of the performer towards the performance, lest "pollution" occur.¹²⁷ The result:

Caerimoniae are made manifest everywhere where the holy object is not experienced as dead, but rather as living and cared for by human beings.¹²⁸

This is not pantheism or mysticism, however, because these *caerimoniae* occur only in individual cases (or occurrences), and such actions (viewed as a whole), moreover, unite the inner subject with the external religious object.¹²⁹ The subject thus need not consider the gods because, through the object (or performance), the gods participate.¹³⁰ In fact, only *caerimoniae* guarantee participation of the gods.¹³¹ Viewed in this light, the “rites of the gods” (*caerimoniae deorum*) are not a lifeless “holiness,” but rather become the starting point, content, and final goal of human action, because of their power to bind human and divine realms.¹³² Unfortunately, Roloff does not address the development of the word’s secondary meaning, namely, the inner emotional state of the human subject. Valerius, interestingly, stresses the inner spirit (*animus*) of Albinus (1.1.10), and Roloff’s investigation adds depth to what Valerius tells us. The Vestals themselves, as well as the *sacra* they bear, are all objects of the *caerimonia* Roloff describes. Both Albinus with his inner conviction (*iudicium animi*) and the *Caeretani*, who care for the *sacra* in holy fashion (*sancte coluerunt*) and with the greatest reverence (*summa uenerationis*) show their awareness of the divine presence and behave accordingly. Human actions are aligned with divinity through both kinds of *caerimoniae*.¹³³

There is one further lesson. Valerius comes back to the saving cart (*plaustrum*) in order to compare it to a triumphal chariot. According to Valerius, a citizen’s mean and humble cart can, when pious self-sacrifice devotes it to Rome’s religion, either equal or surpass the glory of a triumphal chariot:

quorum agreste illud et sordidius plaustrum tempestiue capax
cuiuslibet fulgentissimi triumphalis currus uel aequauerit gloriam
uel antecesserit.

(Valerius 1.1.10)

And that rustic and rather filthy, but conveniently roomy, cart of theirs either equaled or surpassed the glory of any triumphal chariot howsoever radiant.

This then is a religion of which the meanest citizen is capable.¹³⁴ Such attitudes, properly inculcated and internalized, would prove useful to any state. This is not to suggest that Valerius’ religious rhetoric is insincere or that he is merely an obsequious mouthpiece. It is plausible that the moralist believes in his wholesome exhortations and that he assumes that many in his audience will as well. Such coincidences provide social cohesion, as well as a society whose citizens are willing to make individual sacrifices on behalf of the state’s goals. Such patriotic willingness to self-sacrifice can hardly have been without value to the Roman state. Vesta is the deity behind the scenes; her *sacra* are carried, saved, worshipped. For Vesta’s sake a citizen sacrifices a family. It is Vesta’s transforming power that bestows the glory of a triumphal chariot on a cart.¹³⁵

A poverty of power: matrons and state leaders

Valerius has shown us how the spirit of *caerimonia* towards Vesta animated the breast of Lucius Albinus, a private citizen of Rome (1.1.10). Valerius also reveals that Vesta prefers morally upright poverty to riches (4.4.11).¹³⁶ By no means, however, does Valerius view abject poverty, squalor, and humiliation as somehow *per se* spiritually ennobling. Valerius' Vesta encourages a poverty of power.¹³⁷

Vesta plays a role in the culminating anecdote of Valerius' sequence on poverty (4.4.*init.*–11).¹³⁸ The sequence begins with a Roman *matrona* and her children: the Cornelia who claimed that her children, the future brothers Gracchi, were all the jewelry she needed (4.4.*init.*).¹³⁹ The ensuing examples show us male citizens who were also poor, but, more importantly, who held high office and served the state. Valerius shows us *libertas* inaugurated in the infant Roman state by Junius Brutus in spite of noble poverty (4.4.1); he presents the noble poverty of Menenius Agrippa and *Romana concordia* (4.4.2); he allows for some silver plate, but only a platter to serve gods (*deorum patella*) that Quintus Aemilius Papus simply cannot bear to alienate *religionis causa* (4.4.3); he summons tillers of the sacred earth to serve as generals (*imperatores*; 4.4.4), etc. The list obviously goes on. Suffice it to say, we begin with a *matrona*, the type of chaste exemplar who gives birth to citizen boys who become men and magistrates, and work towards the eleventh anecdote of the series, which is the crowning glory and conclusion of the sequence of men who, in the midst of poverty, grew to Roman manhood (*virtus*). Juxtaposition of the first and last sentences reveals the enabling force of such nobility:

Maxima ornamenta esse matronis
liberos.

(Valerius 4.1.*init.*)

Children are the most valuable jewels of
married women.

per Romuli casam perque ueteris
Capitolii humilia tecta et aeternos
Vestae focus fictilibus etiam nunc uasis
contentos iuro nullas diuitias talium
uirorum paupertati posse praeferrī.

(Valerius 4.4.11)

By the hut of Romulus and by the
humble roofs of the Ancient Capitol
and by the ever burning hearth of
Vesta even now content with clay
dishes I do solemnly swear that no
riches can be preferred to the poverty
of these great men.

Wives produce the state leaders whom Valerius reviews, and Valerius swears a sacred oath by the goddess who is well pleased in her servants.

The poverty of Marcus Scaurus and other amazing men

Keeping this general context in mind, let us examine the culminating anecdote. Valerius expatiates on the poverty of Marcus Scaurus¹⁴⁰ as well as on the general poverty of Rome's ancient citizens.¹⁴¹ He goes into detail because to his contemporaries, the details would be revealing. The ancients were poor. Valerius' contemporaries were rich. Valerius contrasts, however, ancient poverty with ancient accomplishments: "But we observe outstanding consulships, amazing dictatorships, and countless triumphs" (4.4.11). Valerius does more than compare and contrast. He offers a program: "Let us rise up rather in heart, and, with the memory of former times, let us refresh our spirits sickened by visions of wealth" (*exurgamus potius animis pecuniaeque aspectu debilitatos spiritus pristini temporis memoria recreemus*; 4.4.11). On what grounds does Valerius justify his plea to follow ancient examples? Religion: "By the hut of Romulus and by the humble roofs of the Ancient Capitol and by the ever burning hearth of Vesta even now content with clay dishes I do solemnly swear that no riches can be preferred to the poverty of these great men" (4.4.11). Romulus became a god. Gods once lived on the Capitoline. Vesta is named. Vesta is a goddess. All these gods by whom Valerius swears prefer a special kind of poverty, the poverty of "such men" (*talium uirorum*), that is, of men with political and military power. This conclusion must also refer to the exemplary wives who introduced the sequence. We may in more banal fashion summarize the sequence: gods want chaste women who bear legitimate children to men who will run the state and fight wars. More significantly, Valerius' examples demonstrate these "true facts." Valerius is surely in sympathy with Augustan ideology.¹⁴²

Conclusions

We can bring Valerius, however, into even greater sympathy with even closer contemporaries. Tiberius, like Valerius, appreciated, or at least preferred, traditional women, and resented women usurping men's roles. Not only did Tiberius instruct the senate not to style him "Livia's son" (*Liviae filius*; Suetonius *Tib.* 50.3), but also both desired women to desist from public business, and was positively irked when his mother publicly exhorted citizens and soldiers to greater efforts in combating a fire near the temple of Vesta:

frequenter admonuit, maioribus nec feminae conuenientibus negotiis abstineret, praecipue ut animaduertit incendio iuxta aedem Vestae et ipsam [= Liviam] interuenisse populumque et milites, quo enixius opem ferrent, adhortatam, sicut sub marito solita esset.

(Suetonius *Tib.* 50.3)

He often warned her not to meddle with affairs of importance and unbecoming a woman, especially after he learned that at a fire near the temple of Vesta she had been present in person, and urged the people and soldiers to greater efforts, as had been her way while her husband was alive.¹⁴³

We may compare Valerius: “What do women have to do with a public assembly? If ancestral custom be preserved, nothing” (*Quid feminae cum contione? si patrius mos seruetur, nihil*; 3.8.6). Valerius goes on to add that only civil disruption brings about such inappropriate behavior: “But where domestic tranquillity has been disturbed by the storms of sedition, the authority of ancestral practice is overthrown, and what violence compels prevails over what obeisant reverence urges and teaches” (*sed ubi domestica quies seditionum agitata fluctibus est, priscae consuetudinis auctoritas conuellitur, plusque ualet quod uiolentia cogit quam quod suadet et praecipit uerecundia*; 3.8.6). Although Valerius is realistic enough to admit that violence compels, we may also note his belief that *uerecundia* (a word used to express not just the reverence induced by fear of “shame,” but also feelings of awe and veneration) teaches citizens in times of peace respect for proper conduct (*patrius mos, prisca consuetudo*), and persuades them to act in accord with this knowledge. Valerius thus appears not only to have been a man of his times in sympathy with his living ruler Tiberius, but also to have synthesized into a coherent point of view the religious and moral lessons of the divine Augustus.¹⁴⁴

Valerius’ Vesta offers no Sermon on the Mount. Nevertheless, there is a “moral” logic. Roman gods – here Vesta – are represented as preferring specific self-sacrificing behavior on the part of female citizens (wives and daughters), priests (both male and female), magistrates, and all loyal citizens, both high and low. If we take our author at his word, we discover that Valerius views the conduct he admires as conduct sanctioned, and thus enjoined, by gods.

IN IOVIS SACRARIO:
IN JUPITER'S INNER
SANCTUARY

And the ancient hearth was drenched in the blood of its priest.
(Valerius 9.12.5)

A source of Roman power in all periods was the Roman army, and the Roman army had long been addicted to Jupiter.¹ Indeed, if inscriptions are a useful guide *Jupiter Optimus Maximus* was in Valerius' day a formidable presence throughout Roman society:

A survey of the epigraphical evidence, by far our best source for popular piety in this period, reveals a vitality, among all elements of society, of the worship of traditional godheads such as Jupiter Optimus Maximus. No less important is the community of conceptual forms and beliefs between 'official' religion and popular piety. A keynote for both in the imperial epoch was the notion of power.²

Valerius testifies at length to the conclusions Fears has drawn from inscriptions.

Jupiter appears in or is directly connected with thirty-four anecdotes in Valerius' text.³ What role does this immortal play among the edifying anecdotes compiled by our author? How is Jupiter moralized or, better, how is his relevance to ethical conduct depicted? Inspection reveals a god very much concerned with state leaders, politics, and military affairs, but also a god who lends support to the enforcement of traditional conduct among women and who occasionally communicates through women. One human being above all, however, will appear directly linked to Jupiter: Valerius' contemporary, the restored republic's pontifex maximus and princeps, Tiberius, himself – descended, as Valerius so enthusiastically reminds us, from gods (*praef.*).

In Jupiter's chambers: Scipio Africanus Major

Avoided in Valerius' preface, Roman Jupiter makes his first real appearance in Valerius' chapter on "simulated religion." We learn that Scipio Africanus

Major⁴ always lingered a while with Jupiter's image in the Capitoline temple's inner chamber (*in Iouis sacrario*).⁵ Unfortunately, Valerius' version of the anecdote exists only in epitome. Still, we can place the raw data provided by the epitome in the context of Valerius' overall rhetorical aims.

In order to view more clearly Valerius' deviations, it will be useful to keep the attitudes of other authors to the same material in mind. Since, according to Livy, Scipio was not remarkable in real virtue (*non ueris tantum uirtutibus mirabilis*), Livy explains Scipio's lifelong "nocturnal" visits (actually at earliest dawn, for temples were closed at night) to Jupiter's temple before all public and private acts of importance as specifically designed since youth for the projection of a virtuous image (26.19). For this reason, common opinion believed Scipio derived from gods (26.19). Livy compares this estimation to opinions regarding Alexander the Great, and then proceeds to list the prodigies surrounding Scipio's birth that were used as propaganda, and which, although never asserted nor denied by Scipio himself, nevertheless were circulated by design (*arte*), with the result that the populace trusted him. Aulus Gellius lists the tale as one of the remarkable stories about Scipio and adds details not found in Livy: the doors to the temple were opened at dawn, and dogs did not bark as Scipio went by (6.1.6). Gellius thus aids us in visualizing the scene. As Holford-Strevens points out, Polybius believed that Scipio was merely acting (10.2.8–13), while Livy allowed the possibility that Scipio believed he was divinely inspired (26.19.4), and Appian simply assumed Scipio was divinely inspired (*Hisp.* 23).⁶ Where, we might ask, would Valerius fit in?

Valerius' anecdote appears under the rubric "simulated religion" (*De simulata religione*; 1.2.1–4). Although the epitomators do not inform us that Scipio Africanus, proud noble, uses this conspicuous activity as a means to awe the people, Paris' version of Valerius' anecdote does tell us that as a result of Scipio's activity, it was generally believed that he descended from Jupiter (*ideo Ioue genitus credebatur*; 1.2.2 [*epit. Par.*]). Other anecdotes in the series also contribute to an interpretation. Briefly, Numa claims to meet Aegeria by night in order to receive divine instruction (1.2.1); Sulla flaunts a statue of Delphian Apollo in front of his soldiers (1.2.3);⁷ his enemy Marius claims sanction from a woman named Syra Sacricola (1.2.3); and Sertorius' white deer instructs him in everything, or so he has the barbarians believe (1.2.4):⁸

<i>Valerius</i>	<i>Leader</i>	<i>Divine inspiration</i>	<i>Followers</i>
1.2.1	Numa	Aegeria	Recent immigrants
1.2.2	Scipio	<i>I. O. M.</i>	Roman populace
1.2.3	Sulla	Icon of Apollo	Roman soldiers
	Marius	Syra Sacricola	Roman soldiers
1.2.4	Sertorius	White Deer	Barbarians

What does this rhetorical context tell us regarding Jupiter? At first glance, Jupiter seems to be the rhetorical equivalent of the fabulous Aegeria, somebody's personal icon of Apollo, a foreign woman, a good luck charm. Since this is not edifying, it is not likely Valerius' purpose. If we keep in mind that Valerius writes in the time of Tiberius for an audience capable of understanding and inclined to imitate examples, we see a series of leaders and led. From Numa to Sertorius similar problems arise – how to sanction or obtain authority for decisions. Their followers (in the series) – early, only half-civilized Romans, soldiers subject to absolute command, and barbarians – all appear to be the rhetorical equivalents of the Roman populace in the great age of the republic. The answer to the problem is thus “simulated religion” (*simulata religio*). Does this imply deception by deliberate falsehood, by inculcating superstition?

We may put these magisterial actions in the context of class consciousness and class bias. It was incumbent, in the Valerian view, on the lower classes, especially soldiers (since they were armed, and hence dangerous (2.7.14)), to venerate their superiors (3.8.7). To this we may add the ambiguity of ritual, for it “is the very ambiguity of the symbols employed in ritual action that makes ritual useful in fostering solidarity without consensus.”⁹ What was Scipio doing in Jupiter's temple? It is valuable for the people to believe that their leaders consult the gods. It appears that gods inspire their leaders' actions. We might add that it is also easier to lead if one believes one's policy sanctioned by gods. It would thus have been valuable for these state leaders to believe that the gods truly approved their actions. That might have inspired confidence. Confidence generally promotes success. We must also caution ourselves against reading more into the word “simulate” (*simulo*) than we should. Is it always as negative as “pretended” or “feigned?” Let us postpone an answer until we have gathered more evidence.

Whether cynical or sincere, Valerius' first presentation of Roman Jupiter shows us a god who provides divine sanction to Scipio's undertakings (because Scipio repeatedly goes to Jupiter). The relationship is reciprocal. Moreover, this relationship of god and magistrate inspires awe among the people who gaze upon Scipio. The people thus participate in the action of the anecdote. They believe that Scipio is descended from a god. Jupiter, magistrate, and people here represent religion, politics, and virtue: the power of the god, the conduct of the magistrate, the obedience of the populace. We must note that we have no precise historical context for this anecdote. We simply see leaders and led in Rome. We are consequently induced to see the pattern out of context. We may also recall that in his preface Valerius points out that Tiberius is actually descended from gods. Valerius thus seems to have accommodated his patterning of Scipio (*Ioue genitus*) to his contemporary religious paradigm. Such coincidence both infuses the past with contemporary relevance and sanctions the present with the authority of the past. Thus, even in epitome, we may observe the power of the example.

Jupiter's feast: Scipio and Tiberius Gracchus

We are more fortunate in possessing Valerius' account of Scipio at the feast of Jupiter (*epulum Iouis*; 4.2.3). At the instigation of the senate, Scipio dines at the *epulum Iouis*¹⁰ with Tiberius Gracchus¹¹ (father of the brothers Gracchi), and not only becomes reconciled to Gracchus, but even betroths his daughter to him.

Valerius reveals the transformative role played by the holy meal:

siquidem ad *cuius mensae sacra* odio dissidentes uenerant, ab *ea* et amicitia et adfinitate iuncti discesserunt.

(Valerius 4.2.3)

Although they had come to the *rites of his (Jupiter's) table* divided by hatred, they departed from *it* joined in friendship and kinship [i.e., a marriage alliance].

Jupiter's feast enjoys in this anecdote a central prominence that finds no parallel either in the versions of Valerius' literary predecessors or in those of his successors.¹² The sentence that follows explains that Scipio and Gracchus had gone to the feast at the instigation of the senate and that, as a result, Scipio communicated his heartfelt reconciliation (*concordia*), and "immediately" betrothed his daughter "on the spot" (4.2.3). This only serves to heighten the impression that we view the sacred work of the *epulum Iouis*.¹³

The introduction to Valerius' chapter on reconciliation lends support to this religious interpretation. Valerius compares the reconciliation of enemies to the joyful transformations that nature itself and societies can likewise display – calm after violent storms, peace after war – and concludes that reconciliation should be "solemnized," *celebranda*, a word that carries its own religious overtones:¹⁴

laeto stilo persequamur: nam si placidum mare ex aspero caelumque ex nubilo serenum hilari aspectu sentitur, si bellum pace mutatum plurimum gaudii adfert, offensarum etiam acerbitas deposita candida relatione celebranda est.

(Valerius 4.2.*init.*)

With happy pen let us proceed: for, if we cheerfully gaze upon still waters after rough weather and upon serene heavens after clouded skies, if war exchanged for peace brings great joy, then we ought indeed to solemnize with cloud-dispelling [as it were] narration bitter hostilities laid to rest.

The sky constitutes of course Jupiter's face, but happiness is of the gods as well. The *laeto* or "happy" of "happy pen" (*laeto stilo*) is, for example, more

than merely cheerful. It represents the over-abundant joy that suffuses the heart in a manner akin to the way rich fertility energizes the earth.¹⁵ Signs from gods that assure success are termed *laetus*.¹⁶ One may compare also triumphs, which were conceived of as “festivals of joy” (*laetitiae, gaudium publicum*), and the transformation of such republican joy into “joy in our Augustus” (*gaudium Augusti nostri*).¹⁷ Eventually, it would become unseemly in Rome to be happy if the emperor were ill (*aegro principe laetos dies agere*; Tac. *Hist.* 3.38).¹⁸ We lack a word perhaps for such happiness. If one feels that the gods are on one's side, one is more than merely content, satisfied, or “happy.” Emotions as complex as happiness must be placed in historical context.

All this points to and supports what already seemed obvious from the prominence granted to the holy feast – sudden changes from violence to calm and reconciliation imply the workings of the divine.¹⁹ In addition to its religious significance, the feast also retained a pre-eminent political importance even in the time of the empire.²⁰ Of course, the profound religious significance of the Capitoline with its profusion of temples, altars, shrines, and statues would have informed any mention of the hill, especially to an inhabitant of Rome.²¹ To the psychological impact of place we must add that of ritual:

This epulum was one of the most singular and striking scenes in Roman public life. It began with a sacrifice; ... probably a white heifer ... ; the images of the gods were decked out as for a feast, and the face of Jupiter painted red with *minium*, like that of a *triumphator*. Jupiter had a couch, and Juno and Minerva each a *sella*, and the meal went on in their presence.²²

The conciliatory powers of another goddess supply additional evidence in support of our argument that divine power may aid in human reconciliation. The obscure goddess Viriplaca, according to Valerius, could reconcile husbands and wives in her little sanctuary on the Palatine (2.1.6). The actual existence of such a sanctuary is disputed,²³ but whatever the anecdote's archaeological truth, it tells us that Valerius Maximus, as an author, saw patterns of divine interest in reconciliation. We may also observe that a goddess such as Viriplaca would hardly stand out in the context of Roman religion's “truce with the gods” (*pax deorum*), which depended on constant vigilance and acts of reconciliation.²⁴

Valerius also helps us form a picture of the spectacle that the *epulum Iovis* must have been. He tells us that flute-players wear masks because they were once forbidden to eat in Jupiter's temple (something to which they had long been accustomed; 2.5.4). After this prohibition they fled to Tibur. The senate, concerned about the deserted religious ceremonies (*sacra*), sent a delegation. These senatorial representatives got the flute-players so drunk that

they could be loaded up on carts, and hauled home. From then on flute-players wore masks to hide their shame at the manner of their return. What does the story tell us about Valerius' view of the *epulum Iouis*? Flute-players in costume, flute music, triumphal pageantry – these elements help reconstruct a scene that was likely roused to at least half-conscious recollection in the mind of a Roman who had personally witnessed these restored ceremonies. Such elements would also have contributed to a feeling that divinity was at work. Interesting too is the emotion through which reconciliation (in both the cases of the flute-players and of Scipio and Gracchus) is brought about. Social harmony is restored through public humiliation and personal shame, very useful emotions in general.²⁵

The Romans were ever obsessed with convictions of guilt, disgrace and imminent disaster. ... It is just possible that these sickening doubts were in some perverse manner the most effective goad to action.²⁶

Valerius' contemporary, Tiberius, was, moreover, especially effective at inducing them,²⁷ and Valerius, in consequence of his "rhetoric," can be especially helpful to an investigation of the emotional side of such issues.²⁸ A god, spectacle, and guilt seem favorable enough conditions indeed for personal perceptions of divine transformation.

Returning then, after this circumstantial tour to that particular *epulum* when social harmony was restored, we must note, aside from divinity, another force of reconciliation. Scipio's daughter embodies (literally) another divine force of reconciliation. Cornelia is the noble daughter of a noble father. As such, she constitutes a reservoir of a sacred force, *pudicitia*.²⁹ Proper maintenance of *pudicitia* promotes of course social harmony at home and success at war abroad.³⁰ It suffices here to note that Valerius, apart from the rhetorical prominence granted the *sacra*, has brought together a constellation of forces that allows us to conclude that divinity had a hand in the reconciliation of Scipio and Gracchus. Valerius' readers would likely have grasped such connections intuitively. The *sacra* of the *epulum Iouis*, granted rhetorical prominence in the context of a political reconciliation that prevented precisely the sort of civil strife that almost ruined Rome, must be viewed as an integral component of this *exemplum*. Religion can add emotions that sanctify and justify. That which "feels right" will always be more cogent than that which only "appears correct." In short, Valerius' increased religiosity provides a basis for more generalized political and universalizing lessons (about social harmony and its foundations) for an audience located in the present.

Scipio, supplication, and reconciliation

Valerius relates other anecdotes in which both Publius Scipio Africanus Major and Jupiter Best and Greatest play a part. In fact, over half the anec-

dotes involving *Iuppiter Optimus Maximus* involve Scipio as well, and it is to these we shall turn next. We will sketch some tentative observations regarding Jupiter and Scipio, after which we shall turn to other Roman Jupiters, proceed to foreign Jupiters, and then finally take stock of *Iuppiter Valerianus*.

Not only did Jupiter Optimus Maximus reconcile Scipio to the elder Tiberius Gracchus, but Scipio also invoked Jupiter Optimus Maximus to reconcile the Roman people to himself. Valerius sets the scene: Scipio went to the forum on the day appointed for his trial on charges of taking bribes from Antiochus (along with his brother Lucius whom he had accompanied to Asia; 3.7.1). The year was 187 BC,³¹ and Scipio had torn up the account books he was supposed to place in Jupiter Optimus Maximus' temple. But, granted permission to speak by a tribune of the plebs, Scipio ascends the rostra, places the triumphal crown on his head (we note that during the *epulum Iouis*, Jupiter Optimus Maximus was himself arrayed as a *triumphator*;³² such visual connections must have been readily apparent to the assembled crowd, especially one accustomed to seeing Scipio linger in the Capitoline temple), and speaks:

hoc ego, ... Quirites, die Karthaginem magna spirantem leges nostras accipere iussi: proinde aequum est uos mecum ire in Capitolium supplicatum.

(Valerius 3.7.1)

On this very day, my fellow citizens, I compelled threatening Carthage to submit to our laws: it is therefore fitting that you go with me to the Capitol to offer humble thanks.

After Scipio bids the people participate in religious observance, the crowd is overawed, and all depart for Rome's holy center. The crowd includes the whole senate, the entire equestrian order, and all the plebs. Valerius interprets the scene:

speciosissimam deinde eius uocem aequae clarus euentus secutus est, si quidem et senatum totum et uniuersum equestrem ordinem et cunctam plebem Iouis optimi maximi puluina petens comitem habuit.

(Valerius 3.7.1)

An equally brilliant occurrence then followed upon his beautiful words, if indeed, as he made his way to the couches of Jupiter Best and Greatest, he had as his companions the entire senate and all the businessmen and every commoner.

Even the prosecutor (*accusator*), in order not to be left behind, was like everyone else converted into a worshipper (*uenerator*). Valerius emphasizes social harmony as the various orders trek together to the couches (*puluinaria*) of Jupiter Optimus Maximus. Valerius neglects, however, to mention that this tactic worked only for the day (a reconvened assembly condemned Scipio's brother Lucius the next day). He thus leaves the reader with the image of the whole state, formerly divided, now unified, and engaged in holy pilgrimage to the greatest divine power. The divine power of Jupiter Optimus Maximus in fact stands at the center of this *exemplum*, both literally on the page and dramatically as well. Without Jupiter's consent, the Romans could not have beaten Carthage: Scipio, like Hammurabi, was an "instrument of god." (We ought to keep this in mind when coming to grips with *simulata religio*).

That Jupiter stands at the center of Valerius' treatment becomes clearer in comparison with the treatment of this same anecdote by others. We may compare Livy:

Scipio non in Capitolio modo, sed per totam urbem omnia templa deum cum populo Romano circumiit. Celebrator is prope dies fauore hominum et aestimatione uera magnitudinis eius fuit, quam quo triumphans de Syphace rege et Carthaginiensibus urbem est inuectus.

(Livy 38.51.13–14)

Scipio visited all the temples of the gods, not only on the Capitoline but through the whole City, with the Roman people in attendance upon him. This day was rendered almost more famous by the general applause of men and by the true estimate of his greatness than that on which he rode into the City in triumph over King Syphax and the Carthaginians.³³

Livy compares the procession to Scipio's military triumphs. Triumphs were themselves also events with profound religious significance. Nevertheless, although religion is indeed intimately tied up with military and civil affairs, Valerius brings the religious element even more dramatically to the fore by eliminating such ancillary associations, especially a wider historical context. Livy, while gazing on the procession, also recalls Scipio's military accomplishments. As far as Livy was concerned, Scipio and the people did indeed go from temple to temple (*per totam urbem omnia templa*, etc.), but it was like a triumph. Valerius' gaze narrows considerably. Scipio led the people to one temple only, that of Jupiter Optimus Maximus, and for one purpose only: to offer thanks (*supplicatum*). We may compare also the words Livy puts into Scipio's mouth. Scipio suggests that the people pray that the gods grant Rome more leaders like himself (*ite mecum et orate deos, ut mei similes principes*

habeatis ...; 38.51.10). The focus is political, Scipio a strong personality. Valerius' Scipio simply and piously admonishes the crowds to offer supplicating thanks to the greatest of the Roman gods (*supplicatum*). The result is social harmony through participatory religious ritual (*supplicatio*) and emotion (*ueneratio*). Even political opponents yield before this powerful social force. The tone is different indeed.

Could this difference in tone reflect a change in the political atmosphere under Tiberius?³⁴ Would Livy's picture of Scipio's raucous, rebellious display before the people, extolling his own military leadership have set a good example for Valerius' readers in the restored republic? Such displays would have been treasonous. Triumphs were the prerogative of the imperial family alone. Livy's presentation was in Valerius' day, if viewed with an eye to contemporary usefulness, anachronistic. On the other hand, Valerius' sanitized image of a pious military leader who ascribed military success to the greatest Roman god (which god was also special protector of the princeps Tiberius; more below), and whose pious admonition to participate in a religious act resulted in social harmony, accords better with the political requirements of life under Tiberius "by whose celestial protection virtues are gently fostered and vices mercilessly avenged" (Valerius *praef.*).

This image accords well with the less religious description of Valerius' contemporary, the historian Velleius Paterculus, who likewise takes comfort in the more peaceful Roman administration of his own day:

revocata in forum fides, summota e foro seditio, ambitio campo, discordia curia ... accessit magistratibus³⁵ auctoritas, senatui maiestas, iudiciis gravitas; ... *honorantur recta, praua puniuntur.*
(Velleius 2.126.2-3)³⁶

Faith has been restored to the forum, sedition has been removed from the forum, elections from the Campus Martius, discord from the senate ... authority has accrued to public officials, majesty to the senate, dignity to the courts; ... *right-conduct is honored, depravity is punished.*

Scipio would have been out of place in such a pacified state.

Valerius' image of Scipio may well have contained lessons more useful than Livy's for men like the consular Sextus Pompeius and other members of Valerius' social circle. If we view Valerius' Scipio as a proto-Tiberius, then other magistrates might do well to participate in the restored republic, not as *accusatores*, but as *ueneratores*. Whether Valerius in fact intended his *exempla* as such we cannot know for certain. That Valerius' streamlined and conveniently packaged historical anecdotes better fit the spirit of the times, is, however, readily apparent.

Scipio, moderation, and divinity

Valerius has Scipio and Jupiter Optimus Maximus interact again in his chapter on moderation. Scipio refuses a statue of himself in the *cella* of Jupiter Optimus Maximus' temple (4.1.6). Livy told this story too, and in his version Valerius repeats many of Livy's words verbatim (38.56). He also makes significant alterations. Livy begins with the political honors Scipio spurned followed by the religious honors likewise rejected. The facts are, moreover, related in the wider context of Scipio's political struggles with Tiberius Gracchus and with the Petillii, and also his marriage alliance to Tiberius through Cornelia.³⁷ Valerius reverses the order. He begins with the religious, quickly relates the political, and moves rapidly to a conclusion. Valerius' genre demands that he make a point quickly.

According to Valerius, Scipio refused statues in the assembly, on the rostra, in the senate, as well as having his image (*imago*) in triumphal attire placed on Capitoline Jupiter's sacred couches (*pulvinaria*; 4.1.6). The people, in Valerius' view, desired above all to associate Scipio with the greatest of the gods. The people also wished to bestow perpetual and supreme political power on Scipio (*uoluerunt ei continuum per omnes uitae annos consulatum perpetuamque dictaturam tribuere*; 4.1.6).³⁸ Valerius' conclusion leaves no doubt that Scipio deserved such honors: "to the extent that he worked to refuse honors, he deserved to receive them" (*tantum se in recusandis honoribus gessit quantum egerat in emerendis*; 4.1.6). Here the divine functions as a means of illuminating the source of the great man's power. Scipio deserves divine honors because his deeds are a manifestation of divine power. We may recall that when Valerius wrote, Tiberius openly possessed the political powers Scipio had refused, but still, according to some literary sources, publicly refused (in the West) the divine honors³⁹ Scipio had likewise been offered, but had spurned. The fact that they had been spurned shows Scipio's moderation.

Tiberius too advertised his *moderatio*,⁴⁰ a moderation that has earned praise: "*Moderatio* ... It is Tiberius' own peculiar and distinctive virtue. It does him great honor – the *Moderatio* of Tiberius."⁴¹ We have too Tacitus' formulation⁴² of Tiberius' often cited moderate plea for temples of the heart, rather than temples of stone: "These are my temples *in your hearts*, these my most beautiful and long-lasting effigies" (*haec mihi in animis uestris templa, hae pulcherrimae effigies et mansurae*; Tacitus *Ann.* 4.38). Some have seen in such professions a leader too reluctant. Yavetz sees part of the "tragedy" of Tiberius' rule (i.e., his ultimate execration) in his withdrawal from Rome:

The people wanted their leader to be near them, wanted him to grieve with them in their misfortunes and rejoice with them in their joys ... Such is the way of the masses. Even a personality that does not conform to every detail of the reality can arouse their enthusiasm.⁴³

Indeed, shows of refusals were part of the required ceremonial of the court,⁴⁴ and *admiratores* have a logic of their own when contemplating the great leader.

We should note also that Valerius in his chapter on moderation insists that Claudius Nero must be included among the rest as an example of outstanding moderation (*inter cetera praecipuae moderationis exempla numerandus est*; 4.1.9). Valerius praises the *moderatio* of Salinator, Tiberius' ancestor.⁴⁵ Someone who could call Salinator "moderate," might very well term Tiberian treason trials "fair" or "just."⁴⁶ It is useful also to recall that Cicero called the ideal ruler of his republic *moderator*,⁴⁷ and that Valerius knew such an ideal ruler from personal experience. We may in this light compare two passages from Valerius:

Transgrediar ad saluberrimam partem
animi, moderationem, quae mentes
nostras in potentiae <et> temeritatis
incursum transuersas ferri non patitur.
(Valerius 4.1.*init.*)

I shall pass over to that most healthful
portion of the human spirit, modera-
tion, which does not allow our minds
to be twisted about by an onslaught of
rashness or rage.

Te ... , Caesar, inuoco, cuius caelesti
prouidentia uirtutes, de quibus
dicturus sum, benignissime fouentur,
uitia seuerissime uindicantur.
(Valerius *praef.*)

You ... , O Caesar, I invoke, by whose
heavenly foresight the virtues (about
which I am going to speak) are so gently
cherished and the vices so relentlessly
punished.

Strong hands are sometimes needed at the helm for the sake of moderation.

Whatever he might modestly claim, the great man's deeds are a mark of divinity. Valerius informs us of this a second (8.15.1) time when he retells part of the story he told of Scipio in his chapter on moderation (4.1.6). Valerius "contradicts" himself in the process. Scipio's image (*imago*) was, according to this second anecdote, indeed placed in Jupiter's chapel (*cella Iouis*), so that it could be drawn out at funeral processions of the Cornelii from the *Capitolium*.⁴⁸ The chapter's introduction explains the reasons for divine honors: great deeds (8.15.*init.*). More significantly, when thinking of honors and rewards, Valerius' mind is immediately drawn to the imperial residence, which Valerius calls a temple, thus not only clearly associating deeds with divinity, but also suggesting certain parallels. But first, Valerius:

Verum etsi mens hoc loco protinus ad Augustam domum, benefici-
centissimum et honoratissimum et templum, omni impetu fertur,

melius cohibebitur, quoniam cui ascensus in caelum patet, quamuis maxima, debito tamen minora sunt quae in terris tribuuntur.

(Valerius 8.15.*init.*)

And if indeed in this place one's mind is inexorably drawn with all one's heart to the house of Augustus, so beneficial and so revered and a temple, this impulse will preferably be restrained, since the earthly honors one bestows, however so great, are less than those owed to one whose ascent to heaven is assured.

Valerius is in general careful to distinguish between temples (*templa*) and shrines (*aedes*). For example, he correctly refers to Vesta's "temple" (never inaugurated) as an *aedes*. Augustus' home, which he calls a *templum*, was indeed consecrated and it housed divinity.⁴⁹ We might add that the box where the imperial family gathered to watch spectacles was called the "sacred couch" (*puluinar*), a word that of course also refers to the couch employed for cult images of gods.⁵⁰ Valerius' introduction is religiously sound, and also excuses him from directly writing about the present.

Heavenly rewards far greater than any Valerius' pen might bestow await Tiberius. Valerius thus skips the emperor and moves to the past. The first recipient of great honors cited? Scipio. The honors? Religious. To summarize: the rewards of virtue are honors, and it is according to the nature of a man that honors are bestowed. The imperial residence housed a man for whom a temple had been constructed while living.⁵¹ Whatever his earthly honors, they were less than the honors bestowed by heaven. Scipio's image was made to ride with Jupiter Optimus Maximus. Scipio's close approximation to divinity through Jupiter Optimus Maximus appears a reasonable conclusion.⁵²

Can we reconcile this view of the past with contemporary political reality? Could Tiberius, who, on account of virtuous *moderatio*, publicly rejected divine honors, actually, like Scipio, be divine? Valerius provides his conclusion in his introduction. What we conclude may be postponed.

Friendship and the trial of Blossius

Jupiter Optimus Maximus manifests himself in Valerius in situations apart from Scipio, although we cannot, it seems, get away from the Scipios entirely. Laelius Sapiens,⁵³ son of Gaius Laelius⁵⁴ (friend to Scipio Africanus Major), was a friend to Scipio Africanus Minor⁵⁵ (the friendship celebrated by Cicero). Although he originally supported Tiberius Gracchus'⁵⁶ land reforms, Laelius subsequently changed his mind,⁵⁷ and even participated in the trials and persecutions of Tiberius Gracchus' friends and political allies that took place after the brutal assassination of Tiberius in 133 BC by his

fifth cousin, the Pontifex Maximus Publius Scipio Nasica Serapio.⁵⁸ Gaius Laelius Sapiens aided the post-assassination prosecutions in an unofficial capacity as a member of the advisory council to the consuls. He helped interrogate Tiberius' erstwhile allies, asking them whether or not they had been "friends," i.e. *amici*, to Tiberius.⁵⁹

Valerius' version of this tale follows a long introduction describing the bonds of friendship: "the chain of friendship is effective and powerful, and in no way inferior to the powers of blood" (*amicitiae uinculum potens et praeualidum neque ulla ex parte sanguinis uiribus inferius*; 4.7.*init.*). A chain as strong as the mystic bonds of blood is potent indeed. The friendship of Blossius to Tiberius Gracchus forms the first anecdote of Valerius' series on friendship (*amicitia*), and begins with the words "an enemy of the state" (*inimicus patriae*), thus immediately placing an important virtue, *amicitia*, in a political context and under severe strain. Friendship to a public enemy, especially one already justly found guilty (*ne inmerito*), can be dangerous. After introducing the two friends, Valerius relates briefly the fate of Gracchus (condemned as an enemy to the state, executed, and denied the honor of a burial), takes notice of the political trials conducted by order of the consuls of 132 BC – Publius Rupilius and Publius Popillius Laenas – and introduces the interrogator Laelius, "on whose advice the consuls especially relied" (4.7.1). Having set the scene (with economy), Valerius proceeds to the very heart of the anecdote: the interrogation of Blossius, or, a moment of crisis in a personally relevant context. Valerius concludes the *exemplum* with appropriate lessons. Let us examine these lessons in greater detail.

According to Valerius, it would have been perfectly acceptable under the circumstances had Blossius simply remained silent:

Quis illum sceleratum putasset fuisse, si tacuisset? Quis non etiam sapientem, si pro necessitate temporis locutus esset?

(Valerius 4.7.1)

Who would have considered him wicked, if he had remained silent? Who indeed not even wise, if, in light of the exigencies of the times, he had not spoken?

Does such a comment reflect the political world in which Valerius lived? Whatever the number of trials in proportion to the citizen body, an author who was a friend to a consul and who presumed to dedicate his work to the princeps himself, could hardly have been unaware of treason trials before the senate, where the accused was tried, so to speak, before a jury of his "friends," his *amici*. We may compare Tacitus:

Nos saeva iussa, continuas accusationes, fallaces amicitias, perniciem innocentium et easdem exitu causas coniungimus, obvia rerum similitudine et satietate.

(Tacitus *Ann.* 4.33)⁶⁰

For myself, I present a series of savage mandates, of perpetual accusations, of traitorous friendships, of ruined innocents, of various causes and identical results – everywhere monotony of subject, and satiety.⁶¹

Valerius puts the central question dramatically and vividly in the center of the anecdote: “What if Gracchus had ordered you to lay torches at the temple of Jupiter Best and Greatest?” (*Quid si te Gracchus templo Iouis optimi maximi faces subdere iussisset?*; 4.7.1).⁶² To appreciate fully the extent to which Valerius has emphasized the sacrilegious nature of the request, Cicero’s version of the question deserves comparison. When Blossius justified his adherence to Tiberius Gracchus by stating that he, Blossius, was just complying with the requests of a friend, Cicero has Laelius ask: “Even ... if he wanted you to bring torches to the Capitol?” (*etiamne ... si te in Capitolium faces ferre uellet?*; *Amic.* 11.37).⁶³ The Capitol carried many religious associations, but in the larger context of Cicero’s discussion, political associations are prominent, and the act emphasizes treason against the state. Even when we read *Iuppiter optimus maximus* for *Capitolium*, we ought to keep in mind that in republican times Jupiter Optimus Maximus also symbolized the state.⁶⁴ In Valerius’ times, however, Jupiter Optimus Maximus no longer enjoyed sole symbolic representation of the state, for the Caesars embodied the state. Jupiter Optimus Maximus was thus in a sense rescued from politics and restored to religion.

Whether or not Valerius merely makes explicit what was left implicit in Cicero, it is nevertheless revealing to discover what elements he intensifies. In contrast to Cicero, he moves Blossius up the hill to the most sacred temple itself, puts the torch in Blossius’ hand, and changes Tiberius’ hypothetical desire into a direct (albeit contrary to fact) command (*uellet* to *iussisset*). The tension and rhetorical force of the question is increased and the whole action permeated with religious implications. Blossius, in both Cicero and Valerius, retorts that Tiberius would never have ordered such a thing, but, when pressed, opts to do Tiberius’ theoretical bidding. Cicero condemns the decision outright: “you see how evil the reply!” (*uidetis quam nefaria uox!*). Valerius, on the other hand, never passes judgment on the answer, but rather admires Blossius’ constancy. Cicero draws an explicit, but rather different, moral:

Nulla igitur excusatio peccati, si amici causa peccaueris; nam, cum conciliatrix amicitiae uirtutis opinio fuerit, difficile est amicitiam manere, si a uirtute defeceris.

(Cicero *Amic.* 11.37)

Therefore it is no justification whatever of your sin to have sinned in behalf of a friend; for, since his belief in your virtue induced the friendship, it is hard for that friendship to remain if you have forsaken virtue.⁶⁵

It is extremely interesting that Valerius, who intensifies the religious aspect of the theoretical misdeed, should appear less moralistic than Cicero. Context must be important. In Cicero's world, not only did politicians have great freedom of action, but many accused of treason could escape into exile, as Blossius in fact did.⁶⁶ Valerius never tells us what becomes of Blossius. One might assume the worst.

Valerius presents a Blossius confronting a situation where he has been put into theoretical conflict with supreme divine authority (Jupiter Optimus Maximus), but from which escape is possible, should he, the accused, be willing to deny a friend already convicted of treason. The situation, if Tacitus can be trusted, was familiar.⁶⁷ Hence, Valerius has recast the anecdote and stripped away many of the historical and political associations in order to bring into bold relief individual conduct in relation to divine authority and its earthly guardians. The lesson: loyalty to friends is admirable, but silence or even disloyalty for the sake of escape and personal safety, are not only not despicable, but wise. The religious element is a help because constancy to a friend meant violation of the greatest god. By remaining true to Jupiter Optimus Maximus, Blossius could have betrayed Tiberius Gracchus in good conscience. Nevertheless, because Blossius displayed virtue, Valerius admires Blossius. In short, Blossius is admired for having held fast to a Roman virtue, but this adherence was not required. Valerius could thus conceivably provide comfort for the surviving friends of people like Cremutius Cordus⁶⁸ and admiration for those exceptions like Sejanus' friend Marcus Terentius. The world commonly presents such contradictions, and Valerius seems capable of living with them. We will see more examples of this below. The logic of *exempla* allows different interpretations. In such flexibility lies great utility.⁶⁹

Personal grief, public conduct: Aemilius Paullus, Horatius Pulvillus, and Pericles

Jupiter Optimus Maximus appears in another anecdote involving Scipio tangentially. We have already addressed the tragedy of Lucius Aemilius Paullus Macedonicus, who had allowed the adoption of his two elder sons by his first wife Papiria, and whose younger teenage sons by his second wife died shortly before and after his great triumph in November 167 BC (5.10.2),⁷⁰ thus extinguishing the family name. To understand the nature of the calamity in Valerius' day, we must recall basic Roman religious beliefs. A family's ancestral spirits (*manes*) could be cared for only by direct male

descendants, whether by blood or by adoption. For Paullus, aristocrat and augur, the blow must have been grievous indeed. The adopted sons would by rights tend the *manes* of their new fathers' families.⁷¹

Paullus, however, bore his grief bravely and expressed his feelings to the Roman people:

cum in maximo prouentu felicitatis nostrae, Quirites, timerem ne quid mali fortuna moliretur, Iouem optimum maximum Iunonemque reginam et Mineruam precatus sum ut, si quid aduersi populo Romano inmineret, totum in meam domum conuerteretur. quapropter bene habet: annuendo enim uotis meis id egerunt, ut uos potius meo casu doleatis quam ego uestro ingemescere.

(Valerius 5.10.2)

When in the greatest extent of our common prosperity, my fellow citizens, I was afraid that fortune might contrive some disaster, I besought Jupiter Best and Greatest, Queen Juno, and Minerva, that it might be utterly directed against my household. Thanks to my prayer, all is well: for by approving my vows, they have fulfilled it: you grieve for my misfortune, and I do not groan for yours.

We learn that the gods promote success (*felicitas* and *fortuna*),⁷² but that, if not placated, they have the power to wreak havoc. Contracts can be made, however, to prevent disaster. Jupiter Optimus Maximus was willing to strike a deal (as were the other members of the Capitoline triad).⁷³ The gods also have the power to collect what is owed. This is proven by the deaths of Paullus' sons.⁷⁴

Jupiter Optimus Maximus receives proper regard also in the immediately preceding anecdote from a resolute Horatius Pulvillus (5.10.1).⁷⁵ When told in the middle of the Capitoline temple's dedication (c. 509 BC) that his son had died, Horatius ignored private grief, judging it less significant than public religion. The dedication continued. Again Valerius diverges significantly in tone from Livy. Valerius strips away "extraneous" detail, reducing the anecdote to its most dramatic elements. Livy, on the other hand, provides both context and detail (2.8). Lots were drawn to decide which of the two suffect consuls, Horatius or Valerius, should dedicate the temple. The gods chose Horatius (through sortition⁷⁶), and Valerius took it harder than was seemly. He tried to prevent the dedication by all available means, and had it announced that Horatius' son was dead. Horatius could not dedicate the temple if he and his family were in mourning. We learn about technical requirements which Valerius (our author) often fails to note.⁷⁷ Livy then expresses some doubts about what comes next: "either he did not believe the report or there was simply incredible strength of spirit in the man; the tradition is uncertain, and interpretation is not easy" (2.8.8). Livy,

however, opts to have Horatius order the son's corpse removed from the house (keeping the house free from pollution), finish his prayer, and dedicate the temple (*precationem peragit et dedicat templum*). Valerius, on the other hand, begins *in medias res*. Horatius already has his hand on the temple's doorway, is pronouncing the sacred words themselves, when suddenly he is interrupted by the announcement concerning his son. There are no references whatsoever to historical problems. Valerius presents the "true facts" of history:

cum <in> Capitolio Ioui optimo maximo aedem pontifex dedicaret
in<ter>que nuncupationem sollemnium uerborum postem tenens
mortuum esse filium suum audisset, neque manum a poste remouit,
ne tanti templi dedicationem interrumperet, neque uultum a
publica religione ad priuatum dolorem deflexit, ne patris magis
quam pontificis partes egisse uideretur.

(Valerius 5.10.1)

When on the Capitol the priest was dedicating the shrine to Jupiter, Most High, Most Great, and, gripping the post, was in the midst of pronouncing the solemn words, he heard that his son was dead, but he did not remove his hand from the post, lest he interrupt the dedication of that great temple, nor did he avert his countenance from public religion towards private grief, lest he appear to have played the role of a father more than that of a priest.

Livy shows us the political struggle between two colleagues. The arena happens to be public religion. Valerius narrows focus radically. How does an individual, a consul and pontifex, manage personal emotion and public conduct? In accord with the exigencies of public religion, he suppresses the former in service of the latter. Livy's history is dramatic and filled with interesting technical details. Valerius' anecdote shows us a paradigm that suppresses detail in favor of moral instruction. Religion is among the lessons. We learn that public religion is more important than individual concerns, that public officials should suppress their emotions for loved ones. This lesson from history (already over 500 years old by Valerius' day), presented in this manner, could easily offer useful precedent. It is not unlikely that public officials on occasion suffered grief when their children died.⁷⁸ With Valerius in hand, Horatius before their eyes, and religion in their hearts, they could continue their duties in peace, secure in the knowledge that what they did was right. Valerius' *exemplum* sanctions such conduct with religion.⁷⁹

The same chapter that gives us both Aemilius Paullus and Horatius Pulvillus, with only one exception (5.10.3) places religion, if not Jupiter, in the center. When viewing anecdotes detailing human conduct in relation to

one of life's greatest mysteries (death), it causes no surprise to find so much religion. Interesting here is Jupiter's role. Valerius associates other Jupiters with other nobly grieving fathers. Because Pericles (*princeps Atheniensium*) betrayed no outward sign of his inner grief (*uultu pristinum habitum retinente et oratione nulla ex parte infractiore*) at the deaths of two fine sons (*mirificis adolescentibus*), Pericles received the cognomen Olympian Jupiter (*Olympii Iouis cognomen*; 5.10.ext.1). Valerius' derivation of the nickname stands in marked contrast to Plutarch's entire *Life of Pericles*, where Olympian Zeus is a leit-motif running through the whole biography.⁸⁰ Plutarch takes this mocking epithet from the comic poets as his starting point, and carefully recounts Pericles' monumental deeds, all the while weaving a series of images that leave the reader finally with an image of an exalted Pericles bathed in the pure light of Olympus. A name bestowed in derision is in the course of an entire biography finally justified as an honor.⁸¹

Valerius' genre, on the other hand, demands severe compression. Pericles earns his cognomen for one reason only, bearing grief. And how was that grief borne? In the same manner that Roman exemplars bore theirs. The heart may feel whatever emotions to which it is subject. Important only is the outward conduct, the visual impression made on fellow citizens. How does Jupiter fit in? One who behaves in this manner is worthy of Jupiter's mantle. This must be how gods behave. Humans who would approach divine virtue must act in similar fashion. Let us note once more Pericles' title: *princeps*.⁸²

Such *exempla* had practical use in Rome. We may compare the conduct of the equestrian Pastor, who betrayed no grief when invited to dine with the emperor Caligula, his son's executioner and Tiberius' divine successor:

Gaius Caesar, offended with the son of Pastor, a distinguished Roman knight, because of his foppishness and his too elaborately dressed hair, sent him to prison; when the father begged that his son's life might be spared, Caesar, just as if he had been reminded to punish him, ordered him to be executed forthwith; yet in order not to be wholly brutal to the father invited him to dine with him that day. Pastor actually came and showed no reproach in his countenance. ... On the very day on which he had buried – no before he had yet buried – his son, he took his place among a hundred dinner guests, and, ... all the while shedding not a single tear nor by any sign suffering his grief to be revealed (*non lacrimam emisit, non dolorem aliquo signo erumpere passus est*).⁸³

(Seneca *Dial.* 4.33.3–4)

Bearing grief without emotion would remain a Roman virtue, and in Valerius' day such self-control had a religious component.

Although he does not insert Tiberius into the list of fathers who bore the deaths of sons with fortitude,⁸⁴ we may recall that the princeps of Valerius' restored republic had likewise been, so to speak, deprived of two fine sons (*duobus mirificis filiis spoliatus*): Germanicus in AD 19 and then Drusus in 23. Tiberius failed to display public grief over Drusus. Nor had he been seen in AD 19 at the ceremonies of his adopted son. Was "Tiberius ... a Roman of the old type who regarded any public display of emotion as a lowering of his dignity,"⁸⁵ and did Tiberius thus bear "himself with stoical fortitude attending to public business as usual"?⁸⁶ In fact, we know that the senate expressly approved the moderation of Tiberius' family's display of grief: "The senate commends his most loyal grief and his moderation in grieving" (*dolorem fidelissimum et in dolore moderatione<m> senatum probare: s.c. de Cn. Pisone patre* 145–146).⁸⁷ And, as Valerius informs us, Tiberius certainly had precedents (*documenta* or *exempla*) for such public conduct. Would, then, Valerius' princeps have deserved the epithet earned by the *princeps Atheniensium*? Tiberius, as we shall see, is indeed deserving of Jupiter's mantle as well.

The sorrows of Tiberius

We may contrast the conduct omitted by Valerius with the conduct extolled by Valerius in his chapter on fraternal affection. Another Drusus, Tiberius' brother, is dying in 9 BC (5.5.3). Tiberius and his brother are likened to the divine twins, Castor and Pollux. Valerius did not invent this comparison. Tiberius had in AD 6 "dedicated the temple of the Dioscuri in his own and his brother's name."⁸⁸ Jupiter (not necessarily but most likely Optimus Maximus) plays a role. After hearing the news of Drusus' distress, Tiberius, according to Valerius, rides day and night to be at his brother's side. He is accompanied by one mortal only (a Namantabagian guide), but by a cohort of gods:

sed eum tum maximo labore et periculo implicatum mortaliumque frequentia defectum *sanctissimum pietatis numen et di fautores eximiarum uirtutum et fidissimus Romani imperi custos Iuppiter* comitatus est.
(Valerius 5.5.3)

But at that time when he was involved in the greatest difficulties and dangers and abandoned by the company of human beings, he was accompanied by the *most sacred divine force {of the god} Piety and the Promoters of the Most Beautiful Virtues and Jupiter, Most Faithful Guardian of Roman Rule.*

We may set up an interesting series of correspondences between this anecdote concerning Tiberius and the invocation of Tiberius in Valerius' preface.

“Jupiter, most faithful guardian of Roman rule” (*fidissimus Romani imperii custos Iuppiter*; 5.5.3) accompanies “Tiberius, the Safety of the Nation” (*salus patriae, Caesar; praef.*).

Velleius likewise saw Jupiter as Tiberius' special protector:

Voto finiendum uolumen est. Iuppiter Capitoline, et auctor ac stator Romani nominis Gradiue Mars, perpetuorumque custos Vesta ignium et quidquid numinum ... uos publica uoce obtestor atque precor: custodite, servate, protegite hunc statum, hanc pacem, hunc principem.

(Velleius 2.131.1)

This volume must end with a vow. O Jupiter Capitolinus, O Mars Gradivus, author and support of the Roman name, O Vesta, guardian of the eternal fires, and all the other divine powers, ... With the people's voice I call you to witness, and I beseech you: guard, preserve, protect this state, this peace, this emperor.

Velleius was anxious,⁸⁹ and prayed to a god with power, a god who could conceivably provide aid. In fact, one of Jupiter's “most important functions in the religious ideology of the new principate was as the recipient of *uota* on behalf of the emperor.”⁹⁰

Tiberius, whom Valerius invokes in his preface instead of Jupiter, like Jupiter, protects Rome. The “Promoters of the Beautiful Virtues” (*fautores excimiarum uirtutum*; 5.5.3) follow the man (or god) “by whose heavenly providence virtues are so gently fostered and vices so rigidly revenged” (*praef.*). Tiberius functions in the same role as these gods too. The “most sacred force of the god Piety” (*sanctissimum pietatis numen*; 5.5.3) does not fail *Caesar* (*praef.*). Since Augustus avenged his divine father's murder, *pietas* was a Caesarean virtue *par excellence*. *Pietas* is, moreover, a religious force (*numen*), and the departed Caesars are gods legally (*diui*), visibly (as *sidera*), and emotionally (worshipped with *alacritas*).⁹¹ “Caesar” (*praef.*) is a god, and *pietas* one of his divine forces (or virtues). These correspondences do not seem coincidental.⁹²

Of the traditional gods, Jupiter is the most prominent. Valerius' image of a solitary rider, a man and a god, accompanied by a divine cohort provides striking contemporary commentary. Whether Valerius narrates recent events or anecdotes of archaic Rome, his tone does not change. He views past and present through the same contemporary lens: reverent belief in gods and acceptance of gods as part of natural reality. We find no trace of self-conscious or forced patriotic religiosity. Rather, Valerian religiosity appears everywhere to fit seamlessly into a natural and unified general outlook. Moreover, we should stress, the *di* are described as promoters (*fautores*) of the most beautiful virtues. Valerius' gods, both ancient (and “ancient” is good)

and new, promote right conduct. The gods exist and they favor the conduct Valerius' anecdotes illuminate.

Religion generally plays a significant role in life's mysteries. The moment that separates life from death is surely one of them, and Tiberius, according to Valerius, arrives in Drusus' camp "at that very moment when life and death are separated" (*eo ipso tamen, quo uita ac mors distinguitur, momento*; 5.5.3). A reader familiar with Roman customs (as Valerius' intended readers presumably were) might assume that Tiberius desired to arrive in time to catch, according to custom, his brother's last living breath in his own mouth.⁹³

Drusus' last act in this life is to ensure that his brother Tiberius be received in accordance with the dignities proper to his rank (*ut imperator salutaretur*).⁹⁴ Valerius makes certain we understand: "At the same time, he both yielded to fraternal majesty and departed from life" (*eodemque tempore et fraternae maiestati cessit et uita excessit*; 5.5.3). Tiberius acts according to sacred duty (fraternal affection, literally "well-wishing," *beneuolentia*,⁹⁵ is a virtue, gods promote virtue, gods are sacred, etc.),⁹⁶ but his brother Drusus acts according to civil and military considerations. After mutual demonstration of brotherly devotion, Valerius compares the pair to Castor and Pollux. Pollux, we may note, was commonly considered originally immortal and Castor originally mortal.⁹⁷ Valerius may thus be continuing the division of duty through the anecdote's conclusion. However this may be, the mutual devotion of Tiberius and Drusus is equally inspiring: "Well indeed do I realize that the only suitable comparison to these men is the example of the blood-related love of Castor and Pollux" (5.5.3). That Tiberius accompanied the corpse home, that he delivered a funeral oration is not noticed. Valerius describes only Tiberius' lonely ride accompanied by gods, the last moment of Drusus' life, and the sacred mutual devotion of two brothers. And Jupiter? He exists. He guards the realm. He watches over Tiberius.

War: Gauls, Carthaginians, and Roman wisdom

Roman Jupiter had always promoted Rome. Two additional anecdotes illustrate his efforts on behalf of the Roman state. Valerius' chapter on stratagems informs us that when the Gauls besieged Rome, the Romans, by discarding bread (despite their own famine), tricked the Gauls into thinking that supplies were not lacking (7.4.3). The Gauls despaired and gave up the siege. Success depended on Jupiter: "Jupiter certainly then took pity on Roman virtue, which was procuring protection from cunning" (*misertus est tunc profecto Iuppiter Romanae uirtutis, praesidium ab astutia mutantis*; 7.4.3).⁹⁸ Why did Jupiter take pity? Why did he consent to promote the Roman cause? Because the Romans were virtuous. Conduct, divinely approved behavior, "morality," is clearly linked to gods.⁹⁹ Cleverness (*callido genere consilii, astutia*), a divinely sanctioned virtue and a mighty fortress, promoted the Roman state's success.

Similarly, in the following anecdote, Valerius states that “the same Jupiter” (*Idemque Iuppiter*) assisted Rome against Hannibal (7.4.4). Jupiter involves himself directly by favorably inspiring (*propitius aspiravit*) wise counsels. Claudius Nero¹⁰⁰ and Livius Salinator¹⁰¹ combine armies by night in order to attack Hasdrubal with two armies, and prevent him from joining Hannibal.¹⁰² The maneuver is successful.¹⁰³ The general operative principal is clearly spelled out: “[Hannibal] is overthrown by the ‘virtue’ of each” (*utriusque uirtute*). (The source of *uirtus*, the power of “foresight” (*prudencia*), is of course Jupiter.) Roman foresight vanquishes Punic cleverness: “That Punic cleverness, infamous the whole world over, was frustrated by Roman foresight, and consequently surrendered Hannibal to Nero’s and Hasdrubal to Salinator’s snare” (*ita illa toto terrarum orbe infamis Punica calliditas Romana elusa prudentia Hannibalem Neroni, Hasdrubalem Salinatori decipiendum tradidit*; 7.4.4).¹⁰⁴ We may note a banal transvaluation that classifies the same quality with slightly varying names under radically different moral categories: what is virtue (*prudencia*) at Rome is infamous vice (*infamis ... calliditas*) at Carthage.¹⁰⁵

Livy presents a much extended version of these events (27.43–51). Though religion may play an important role, there is nothing of Jupiter. Livy describes the religious anxiety of married women at Rome before the battle. They throng the shrines and wear out the gods with their prayers and vows (27.50.5). He also describes in lavish detail the religious observances of thanksgiving that took place after the victory (27.51.8–9).¹⁰⁶ Livy’s actual description of the attack and victory, nevertheless, ignores religion, but we may ask whether victory had been possible (or capable of repetition), had the necessary religious obligations not been fulfilled.

Valerius compresses and shows the victory and the role of the god Jupiter in that victory with no reference to religious activities at Rome, the wider context of the war, or any other extraneous information. Just as Valerius condenses the description of the battle, so also he distills the religious component to its most essential aspects. He has no room for Livy’s temples, *uota*, and supplications. Valerius brings in the great protector of the Roman state, Jupiter, and thus does not allow an essential component of Roman success to be lost in the compression of history. In fact, the unique appearance of Jupiter in Valerius’ version, among all the ancient sources, must testify to Jupiter’s importance to Valerius’ rhetoric. Lengthy explanation of historical context could only dissipate rhetorical forces. Jupiter, if real, adds power. The most powerful god represents (to believers) sufficient explanation for success: Jupiter exists; he is powerful; he cares about conduct. Jupiter can help.

Divine communication I: Titus Latinus dreams of Jupiter

Jupiter, in addition to rewarding wise counsel with success, can in Valerius also himself directly provide warning and advice. Success follows those who

take it and disaster those who do not. In Valerius' chapter on dreams¹⁰⁷ a plebeian, Titus Latinius, has a dream "pertaining to the state religion" (1.7.4).¹⁰⁸ Jupiter himself instructs (*Iuppiter ... praecepit*) Latinius to inform the consuls that Jupiter was dissatisfied with a dancer for the upcoming games.¹⁰⁹ Latinius, however, since he is no magistrate, fears inconveniencing the state with his private religion (*ueritus ne ... suo religione summum implicaret imperium*). The "inconvenience" was great indeed. Ritual error of this kind (here an unqualified public dancer or *praesultor*) entailed restarting the games from the very beginning (*instauratio*).¹¹⁰ In this instance, Valerius, who diverges markedly from extant predecessors in diction and narrative choices, seems to provide greater technical rigor¹¹¹ than either Dionysius of Halicarnassus or Livy, who ultimately attribute Latinius' hesitation to the more mundane fear of feeling foolish.¹¹²

The occasion for the divine displeasure is intriguing:

cum plebeis quidam ludis pater familias per circum Flaminium, prius quam pompa induceretur, seruum suum uerberibus mulcatum sub furca ad supplicium egisset.

(Valerius 1.7.4)

Because during the plebeian games a certain master had, before the arrival of the sacred procession, driven to his punishment through the Circus Flaminium a slave, who had been beaten, flogged, and restrained by the "fork" [a yoke was fastened on the neck and the victim's arms to the yoke].

Why should Jupiter be upset with a *pater familias*¹¹³ who disposed of his property as he saw fit?¹¹⁴ Dionysius of Halicarnassus provides the most cogent explanation. The slave's language was foul and his contortions ugly, hence ill-omened (φρονᾶς δυσφήμους καὶ κινήσεις ἀσχήμονας; D.H. *Ant. Rom.* 7.69.2).¹¹⁵ Latinius, however, did not do as he was told. He soon lost his son. Jupiter returned: "In his sleep he was asked by the same god whether he had paid a high enough price for neglect of his command" (*per quietem ab eodem deo interrogatus an satis magnam poenam neglecti imperii sui pependisset*: Valerius 1.7.4). The man remained obstinate, and was himself stricken with disease. Finally, Latinius approached the senate, told all, and miraculously recovered his health: "having recovered strength in his limbs, he returned home on foot" (Valerius 1.7.4). We learn several Valerian lessons about Jupiter. He can talk (in dreams). He wants things done his way. If not obeyed, he will punish. He has the power to inflict sickness and death. (He can also be sarcastic.) Hence, those among Valerius' contemporaries who, on the one hand, valued life, health, and state security, and, on the other, believed that Jupiter was a living god, might have accorded this god due respect. Moreover, if Valerius successfully associated such a god with the

moral behaviors he cherished, the presence of such a divine power could have lent not just authority (*auctoritas*) to his *exempla*, but tacit threats of retribution. Sacred violence has a rhetorical power of its own.

Later authors drew other lessons. Macrobius, who inhabited a world already legally Christian, uses the anecdote to demonstrate that slaves were human and that classical gods took an interest in their suffering (*Sat.* 1.11.2). Macrobius is unique among ancient sources. Of Christian authors, Arnobius comes closest to Macrobius, but is ultimately interested in the slave only as an expedient to deny that Jupiter is truly a god (*Adv. Gent.* 7.38–40). Lactantius mentions the slave's suffering without comment (*Div. Inst.* 2.7.21). He is interested in divine communication, the possibility of which he does not deny. Minucius Felix ascribes this traditional miracle to demons (27.4). Augustine is not interested in the slave, but does argue that Jupiter's punishment of Latinus was harsh, pointing out that gods should not be cruel, and that Jesus would not use such coercive measures (*Civ. Dei* 4.26 and 8.13). The story long retained living relevance.¹¹⁶

Divine communication II: Cicero dreams of Marius

The next anecdote of Valerius' series on dreams relates that during his exile Cicero was visited by the image of Marius (1.7.5). Marius told Cicero not to lose heart. Soon thereafter, in a session held in what Valerius calls the "Marian shrine of Jupiter," the senate recalled Cicero. This anecdote provides two interesting lessons: Valerius uses material from Cicero to make points in direct opposition to Cicero's rhetorical purposes and attributes the dream to Jupiter by calling the building in which the senate convened the *aedes Iouis Mariana* (the Marian shrine of Jupiter).¹¹⁷

Rather than illustrating the truth of prophecy, Cicero uses the dream to turn to Plato and a philosophical discussion of why dreams are false (*Div.* 1.59). Pease points out that because Cicero's treatise is a "work of rationalism," it is:

unsuited to be a text-book for pagan students and hence chiefly cited – when cited at all – as Valerius Maximus used it, for exactly the opposite purpose to that for which it was intended. Christian readers, on the other hand, while welcoming attacks by a Pagan upon Pagan superstitions, probably felt that the arguments undermined all beliefs in prophecy.¹¹⁸

Valerius' very different religious purposes thus stand out in sharp relief. He was not convinced by the rationalism of men like Cicero, but believes that dreams come from gods. Moreover, he even goes so far in this instance as to inform us from which god Cicero's dream derived. Valerius, unlike Cicero, believed Cicero's dream came from Jupiter. The contrast is instructive

regarding both Valerius' use of Cicero and the cultural climate of Tiberian Rome.

Divine communication III: Jupiter amply warns Pompey

Jupiter had more means of communication than just dreams. Pompey,¹¹⁹ according to Valerius in his chapter on portents, received ample warning from Jupiter in a series of communications (*Pompeium Iuppiter omnipotens abunde monuerat*; 1.6.12).¹²⁰ Valerius lists manifold warnings, including lightning bolts, swarms of bees that obscured the military standards, nocturnal terrors, and the flight of sacrificial victims from the altars (1.6.12). On the day of Pompey's defeat, gods spoke again: statues of gods turned around of their own free will in their shrines, in far away Antioch and Ptolemais the shouts of soldiers and the rattling of weapons brought citizens to city walls, at Pergamus the sound of beating drums emerged from within a temple, at Tralles a green palm sprouted beneath Caesar's statue in Victory's shrine (1.6.12).¹²¹ Jupiter (and the other gods) strove to reveal their will: "By all these signs it is clear that the divine power of the heavenly ones favored Caesar's success and wanted to check Pompey's mistake" (*quibus apparet caelestium numen¹²²et Caesaris gloriae fauisse¹²³et Pompei errorem inhibere uoluisse*; 1.6.12). Valerius' Jupiter's intentions were thus good. Jupiter favors the Romans, their leaders, and their state. Jupiter strove to prevent civil strife. Such a simple lesson, we may assume, would not have been lost on Valerius' contemporaries. Romans must strive to act as their gods would have them act. How then to act? Yield to the leader chosen by gods. One merely need follow the proper examples. Augustus' religious restoration, we may note, certainly recognized such facts and attempted to make amends. A wicked generation had neglected religion, thus rupturing the *pax deorum* and sowing the seeds of civil discord. The life of Augustus, who had himself been saved by a dream (sent by Minerva) at Philippi, offered similar examples, and thus in this point too provided continuity with the sacred history of his adoptive and divine father.¹²⁴

Foreign Jupiters

Before drawing final conclusions about Valerius' Roman Jupiter, it will be useful to compare the lessons of foreign Jupiters, of which there are three general classes: the Jupiter of Greek art, the Jupiter of classical Greek history, and the Jupiter of Rome's competitors. The last class corresponds most nearly to Valerius' Roman Jupiters, and thus also reveals greater insight into his conception of the living god.

Minos

The first two classes are treated rather benignly. Minos claimed Jupiter as the source of his laws (1.2.ext.1). This we have only in epitome in Valerius' chapter on simulated religion, but, as we shall shortly discuss in greater detail, Valerius does not condemn leaders who seek the appearance of divine sanction.¹²⁵

Greek art, Greek philosophy, and Roman religion

Jupiter's representation by great Greek artists is of some interest. The Greek artist Euphranor, having employed his models of more severe mien on representations of other gods, had trouble painting Jupiter (8.11.ext.5).¹²⁶ Elsewhere, Zeuxis quotes Homer¹²⁷ to indicate what he thinks of his portrait of Helen (fathered by "Jupiter"). Valerius comments by means of a rhetorical question:

Did the painter arrogate such credit to his right hand that he believed that with his picture he had captured as much beauty as either Leda could bear in heavenly labor or Homer express with divine genius?

(Valerius 3.7.ext.3)

Valerius does not approve.¹²⁸ The next anecdote in the series brings us Phidias. When asked how he came to represent Jupiter's eyes, Phidias also responds in jest with verses from Homer (3.7.ext.4).¹²⁹ Phidias thus betrays, in Valerius' presentation, a less than serious attitude towards religion in general and to Jupiter in particular.¹³⁰ In his chapter on neglected religion we learn that Valerius does not in fact approve of Phidias (1.1.ext.7). Of course, Valerius does not in general approve of Greek artists (3.7.ext.5), which hardly sets him apart from general Roman attitudes towards the arts. Valerius turns in that same derogatory anecdote from Greek artists to very brave Greek leaders, who will not allow him to linger any longer in such gentle stuff (*non patiuntur me tenuioribus exemplis diutius insistere fortissimi duces*; 3.7.ext.5). Artists are soft, leaders are tough. This statement goes a long way to explaining the absence of Roman artists from Valerius' work. (In fact, Valerius rebukes the Roman artist Fabius Pictor for pursuing a *sordidum studium* instead of military and political glory (8.14.6). Valerius does not hold Greek painters in high regard. Their Jupiters thus do not reflect Rome's Jupiter, even less Roman attitudes towards Jupiter (as represented by Valerius).)

Some of Valerius' anecdotes admit a more positive attitude towards Greek relations with Jupiter. Valerius praises Socrates' eloquence by speculating that even if Jupiter himself descended from heaven, he could not speak more elegantly (8.7.ext.3). Socrates likewise receives praise as the *praeceptor* of

Plato, and Plato is in his turn praised as a man of genius instructed “*diuina ... abundantia*.” Moreover, Plato learned his wisdom, according to Valerius, from Egyptian priests and from observation of the heavens.¹³¹ This certainly does not tell us much about Plato, but does evince Valerius’ respect for priests, their knowledge, the heavens, and divinity.¹³²

Valerius also associates Greek Jupiter with the gifts of eloquence and prophecy. The family tomb of Gorgias of Leontini houses the hero Amphiarus, considered by many to be a god. The tomb is constructed as a temple, becomes an oracle, and the ashes it contains are held in the same honor as, among others, Jupiter Hammon (8.15.*ext.*3). Cicero relates similar facts, but then asks a question: “Why?” (*Quid?*; *Div.* 1.88). Cicero proceeds to a philosophical investigation that Valerius would never conduct.¹³³ Valerius is simply eager to ascribe divinity to the deceased.

Alexander: mirror to Roman greatness

These Greek Jupiters, more artistic and literary in nature than the Jupiters appearing in Valerius’ Roman *exempla*,¹³⁴ nonetheless generally are judged according to Valerius’ view of Roman Jupiter, eliciting condemnation or admiration in proportion as the patterns conform to the *mos maiorum*. This pattern becomes even clearer as we leave the world of classical Greece and Greek art. The transition can be viewed in two examples concerning Alexander,¹³⁵ who, although he left the world stage well before the Romans entered, nevertheless, like Rome, enjoyed considerable military success. After discussing Roman examples of arrogance (*superbia*), Valerius abruptly declares: “Enough about our own examples; let foreign examples now be added” (*satis multa de nostris: aliena nunc adiciantur*; 9.5.*ext.*1). He proceeds to Alexander, who then receives censure for claiming descent from Jupiter Hammon, for rejecting native Macedonian customs and cults in favor of Persian institutions, and for arrogating to himself divine attributes (*spreto mortali habitu diuinum, aemulatus est*; 9.5.*ext.*1). Ironically, Rome’s Caesars would likewise eventually adopt the customs of Persian kings (*mores regum Persarum*),¹³⁶ and Alföldi has seen in Valerius a spirit preparing the way for introduction of just such Persian court ceremonies.¹³⁷ Can this anecdote then be used as evidence that Valerius found the elevation of human beings to divinity somewhat absurd? Hardly. We need think only of the difference between Valerius’ censure of Alexander¹³⁸ and the public comportment of Tiberius and Augustus. Roman *principes*, although true gods, related to Roman citizens as men. Augustus and Tiberius wore togas and they respected the customs of their fathers, the *mos maiorum*.

We may also compare the censure Alexander receives (9.5.*ext.*1) to the praise Scipio receives (4.1.6). As discussed above, Valerius praises Scipio, on the one hand, for not accepting divine honors, but then states, on the other, that Scipio actually deserved such honors (*tantum se in recusandis honoribus*

gessit, quantum egerat in emerendis). We also pointed out the happy coincidence that Tiberius proclaimed that very virtue illustrated for Valerius by the potentially divine Scipio: *moderatio*. Scipio and Tiberius were (to Valerius, at any rate), great Romans of the old school, true to native traditions, worthy of divine honors. Scipio's visits at dawn to the temple of Jupiter Optimus Maximus and Tiberius' scrupulous care in honoring the precedents and wishes of his adoptive father, the divine Augustus, contrast sharply with this ungrateful son of Greek history who rejected native ways and turned to foreign gods. Alexander proved himself unworthy of the divinity he so arrogantly assumed. Scipio, however, had been worthy. And Tiberius? Valerius indeed lived in blessed times. Gods walked the earth, mingled with men, promoted virtue, punished vice.

Dionysius of Syracuse the First: godless tyrant

Valerius becomes even more vitriolic against foreign tyrants. Not only was Dionysius of Syracuse the First a sacrilege,¹³⁹ but, worse, Dionysius excused his robberies with impious jokes. Among his crimes,¹⁴⁰ Dionysius replaced Olympian Jupiter's gold cloak with one made of wool, claiming such a garment would be cooler in the summer and warmer in the winter (1.1.*ext.*3). The thieving jokester deserved the worst, and Valerius is careful to point out that, although Dionysius escaped punishment personally, he was punished *after* his death in the misfortunes of the son. Dionysius the Younger not only lost his father's throne, but also died as a miserable exile in Corinth:

tametsi debita supplicia non exsoluit, dedecore tamen filii mortuus poenas pependit, quas uiuus effugerat: lento enim gradu ad uindictam sui diuina procedit ira tarditatemque supplicii grauitate pensat.

(Valerius 1.1.*ext.*3)

Although he did not suffer the punishment he deserved, nevertheless he paid after he died and in the person of his son the penalty that he had escaped while alive: for with slow step divine anger marches to its own vindication, and recompenses late with aggravated punishment.

We may contrast Valerius' lesson with Cicero's conclusion:

Well, Dionysius was not struck dead with a thunderbolt by Olympian Jupiter, nor did Aesculapius cause him to waste away and perish of some painful and lingering disease. He died in bed and

was laid upon a royal pyre, and the power which he had himself secured by crime he handed on as an inheritance to his son as a just and lawful sovereignty.¹⁴¹

(Cicero *Nat. D.* 3.84)

Cicero saw no punishment for Dionysius the Elder, suggests various mythologically fitting punishments,¹⁴² and stresses the political fact that Dionysius the Elder was even able to pass on his kingdom in legitimate succession.¹⁴³ This seeming outrage against moral logic becomes the beginning of Cicero's next discussion: why had divinity not made distinctions between the good and the bad (*Nat. D.* 3.85)? Why should the evil prosper and the good suffer? For Cicero this is a problem.¹⁴⁴ Valerius, on the other hand, reveals no moral confusion. Granted, Dionysius the Elder may have escaped punishment, and, yes, Dionysius the Younger may have inherited the father's estate in legitimate succession, but, as with all estates, he also inherited the estate's debts and obligations, and thus, when the gods finally came dunning, he had to pay up. The divergence of the Tiberian author from his republican script could hardly be more striking, and accords quite well with the contractual basis of Roman religion. Moreover, to escape punishment while alive only to have one's property and family line destroyed after one's passing, with the ensuing obliteration of the family's *sacra*, and thus services to one's own departed spirit, can hardly be considered (on Roman terms at least) as escaping unscathed. Cicero appears to think philosophically; Valerius, traditionally – or, at least, as a citizen of the restored republic who legitimized his views through selective interpretation of the past.

Stepping back for a moment, we may observe that Valerius views human beings as contingent entities, small parts of a whole. The atomistic individual, in whom Cicero took philosophical interest, is in Valerius submerged in the religious destiny of that individual's bloodline. Divinity consequently not only has time, generations even, to exact punishment, but this suppression of the individual also, interestingly enough, corresponds to the loss of political autonomy under the principate. The loss of the individual's significance in Valerius' scheme of divine retribution may thus shed light on Valerius' views regarding Tiberius and the *diui Caesares*. If one begins with the view that the individual is a dependent creature, then the individual has no independence to surrender. Submission to superior authority becomes more immediately fitting, proper, and natural. We may in this light recall that Valerius takes one more small step (in his preface (*praef.*), for example). Religion sanctions political reality and infuses it with joyful meaning (*alacritas*). Individual submission to the will, counsels, and judgments (*uirtutes ... benignissime fouentur, uitia seuerissime uindicantur*) of the restored republic's divine ruler (*tua diuinitas*) is an act of faith, a sacred act (*praesenti fide*¹⁴⁵). If this analysis seems harsh or unfair to Valerius, we may of course

note that advocating absolute (but emotionally thrilling) obeisance before political authority in the name of religion (or nation or other noble cause) would hardly make Valerius a unique figure in intellectual history.¹⁴⁶

Dionysius of Syracuse also appears in Valerius' chapter on dreams as a negative exemplar. Dionysius' indirect encounter with Jupiter leads to the execution of a troublesome woman of Himera, who dreamed that she saw a man, freckle-faced and blond,¹⁴⁷ chained at the feet of Olympian Jupiter (1.7.ext.6). She was informed (after inquiring) that this man would bring destruction to Sicily and Italy. The woman told everybody in town about the dream. The tyrant Dionysius duly proceeded to fulfill the prophecy, and, after killing many innocents, he came one day to Himera. The woman recognized him, and cried out to the townspeople that Dionysius was the man who had tortured her sleep. Dionysius, however, soon restored public peace with a judicious murder. So much for the action. Let us examine the dream:

opinione sua caelum conscendit atque ibi[dem] deorum omnium
lustratis sedibus animaduertit praeualentem uirum flauī coloris,
lentiginosi oris, ferreis catenis uinctum, Iouis solio pedibusque
subiectum, interrogatoque iuvene, quo considerandi caeli duce
fuerat usa, quisnam esset, audiit illum Siciliae atque Italiae dirum
esse fatum solutumque uinculis multis urbibus exitio futurum.

(Valerius 1.7.ext.6)¹⁴⁸

She believed that she ascended into heaven and there, after gazing upon the habitations of all the gods, she noticed a strapping man of blondish hue and freckled face bound by iron chains, lying before Jupiter's feet and throne. She asked the youth, upon whose guidance she had relied during her inspection of heaven, who the chained man could possibly be. She learned that he was a terrible fate for Sicily and Italy, and that once he had been freed from his chains he would involve many cities in destruction.

Dionysius is a *dirum fatum*, and he is chained. Those with the power to release chains may be considered to exercise some control over that which is chained. Jupiter (who unchains Dionysius, who represents fate) consequently appears to be in control of fate.¹⁴⁹ Also noteworthy is the fact that Dionysius was a threat to Italy. Valerius' treatment of the anecdote (as opposed to his derisive treatment of works by famous, but politically irrelevant, Greek artists) thus appears more appropriately realistic. Finally, as opposed, no doubt, to Tiberius, Dionysius was injurious to the liberty and safety of his citizens. Nevertheless, Dionysius, a state leader, was imposed by the will of gods, presumably Jupiter (at whose throne he was chained):

Dionysium inimica Syracusarum libertati capitibusque insontium infesta fortuna caelesti custodia liberatum uelut fulmen aliquod otio ac tranquillitati iniecit.

(Valerius 1.7.ext.6)

Fortune, hostile to the freedom of the Syracusans and dangerous to the persons of the guiltless, released Dionysius from his heavenly prison, and hurled him like lightning upon their peace and tranquility.

Valerius displays consistency in his religious conceptions.

Hannibal: the danger of free will

Valerius also accords Hannibal's dream serious treatment. It is, according to Valerius, "a dream as hateful to Roman blood, as its prophecy was accurate" (1.7.ext.1). Hannibal misinterpreted, however, his dream of a beautiful youth leading him on to invasion of Italy: "For he drank in an image that corresponded to his plan and vows, and believed that Jupiter had sent him a superhuman youth to guide the invasion of Italy" (1.7.ext.1). Hannibal was also told not to look back. He disobeyed divine instruction:

cuius monitu primo uestigia nullam in partem <deflexis> secutus oculis, mox humani ingenii prona uoluntate uetita scrutandi pone respiciens animaduertit inmensae magnitudinis serpentem concitato impetu omne, quidquid obuium fuerat, proterentem postque eam magno cum caeli fragore erumpentes nimbos lucemque caliginosis inuolutam tenebris.

(Valerius 1.7.ext.1)

At the youth's command, Hannibal at first followed his footsteps without averting his gaze in any direction, but soon the abject desire of the human spirit to behold forbidden sights caused him to look back: he beheld a snake of tremendous size leveling with violent assault anything that lay in its path, and behind it clouds bursting forth with heaven's crashing thunder and light enveloped by darkened vapors.

In addition to the destructive snake,¹⁵⁰ we see Jupiter at work in his realm (the sky), setting storms into motion. Jupiter is thus communicating. When Hannibal asks what it all means, he is told that he should remain silent and leave the rest to the silent fates: "'You behold the devastation of Italy,' he said, 'so be silent and entrust the rest to the unspeaking fates'" (*"Italiae uides" inquit "uastitatem: proinde sile et cetera tacitis permitte fatis"*). The

dream was, according to Valerius, an accurate prediction (*certae praedictionis*). Where did Hannibal go wrong? The emphasis on silence is noteworthy. Silence was not only enjoined at sacrifice,¹⁵¹ but was also closely associated with the realm of the dead, where Ovid's "unspeaking ancestral spirits" (*manes taciti*; *Fasti* 5.492, cf. 2.609), one might say, dwelt in Vergil's "unspeaking localities" (*loca tacentia*; *Aen.* 6.264).¹⁵² A bad omen indeed.¹⁵³ Moreover, although receiving divine instruction sent from Jupiter himself,¹⁵⁴ Hannibal yielded to his own desires, to individual will (the natural desire of human nature to look upon the forbidden). We note once more Valerius' hostile attitude towards individual will (*uoluntas*).¹⁵⁵ There is no echo of Valerius' hostility to individual will in Livy's version (21.22.7). Livy lags here behind the moral advances of his day. Lexicographical studies have shown that, beginning in Augustan times, individual will and freedom were identified as sources of evil.¹⁵⁶ Would a Roman have looked back? Be that as it may, because Jupiter acts in history, because he can communicate, Romans do pay close attention, and the traditional science of divination could be relied on to help Rome decipher Jupiter's communications. Roman religion is thus an advantage.

Chaldaeans, Jews, and the defense of ancestral custom

It is perhaps fitting to take leave of foreign Jupiter with Valerius' anecdote concerning another Scipio, Gnaeus Cornelius Scipio Hispallus,¹⁵⁷ who, during his praetorship in 139 BC, expelled the worshippers of Sabazian Jupiter from Rome (along with Chaldaean astrologers) because they had tried to promulgate their rites (*sacra*) among Romans (1.3.2).¹⁵⁸ Tradition must be maintained. Romans, as opposed to Alexander, upheld the customs of their fathers (*patrius mos*), and expelled foreign rites. Tiberius likewise expelled those who sought to seduce Romans from traditional practices. In AD 19, Tiberius expelled Jews and astrologers. He was quite conservative in religious matters, and himself a highly trained priest.¹⁵⁹ We may note here that this was also the year Piso allegedly poisoned Germanicus, adopted son of Tiberius, his designated successor, and thus symbol of continuity and political stability.¹⁶⁰ Pliny, moreover, coincidentally describes a noteworthy event occurring that year that we might construe in retrospect as an omen:

New lands are also formed in another way, and suddenly emerge in a different sea, nature as it were balancing accounts with herself and restoring in another place what an earthquake has engulfed. [There follows a series of examples, including the appearance of] Thia ... in our own age, on July 8 in the year of the consulship of Marcus Junius Silanus and Lucius Balbus [AD 19].¹⁶¹

(Pliny *HN* 2.202)

Perhaps Tiberius could read the signs of the times. Perhaps he felt that ruptures of the earth and the political order indicated a rupture of the *pax deorum*. Whatever he believed, the religious and political sensibilities of his fellow citizens may have required action. Worship of Sabazian Jupiter certainly would have caused no offense in itself. Such expulsion could only be due to the insidious attempt of those beholden to foreign rites to woo Romans away from their native Jupiter. At any rate, Valerius, given his anecdote from republican history, would likely have approved of corrective measures that expelled foreign religious influences.

Jupiter the Subduer, divine ardor, and Caesar

Jupiter can also be seen at work in the guise of *Iuppiter Feretrius* (the Subduer of Enemies) whose appearances in Valerius all occur in his chapter on bravery and involve *spolia opima*,¹⁶² the spoils that only a general (*imperator*) fighting under his own auspices who killed the enemy leader in single combat could justly claim. Romulus (3.2.3),¹⁶³ Cossus in 437 BC (3.2.4),¹⁶⁴ and Marcellus in 222 BC (3.2.5)¹⁶⁵ all satisfy the necessary conditions, and thus earn the right to dedicate in the temple of *Iuppiter Feretrius* the arms they stripped from the enemy commander. On the other hand, although T. Manlius Torquatus (3.2.6), Valerius Corvinus (3.2.6), and Scipio Aemilianus (3.2.6) all made use both of the same virtue and of identical battle conditions (*eodem et uirtutis et pugnae genere usi sunt*), because they did not do so under their own auspices, they did not win *spolia opima*, and thus did not consecrate their spoils to *Iuppiter Feretrius* (3.2.6). An echo of Livy's problems with Cossus under Augustus¹⁶⁶ Predictably, Valerius sides with political – that is, divine – rather than historical authorities. Valerius is consistent. He told us from the start where his sympathies lay: “My insignificance seeks safety in the favor of Caesar” (*mea paruitas ... ad fauorem [Caesaris] decucurrerit; praef.*).

Valerius' chapter on bravery (3.2) is long, gruesome, and revealing. There are twenty-four Roman *exempla* involving twenty-two males and two females (Cloelia, who can swim, and Porcia,¹⁶⁷ who is ready for suicide¹⁶⁸), compared to nine foreign *exempla* involving seven males (five Greek, one Italian, one Persian) and two females (Carthaginian suicides). Valerius begins the chapter by describing the virtue, and by praying to Romulus. General virtue, we learn, possesses “most momentous force and muscular powers” (*ponderosissima uis et efficacissimi lacerti*) that reside in bravery (*in fortitudine consistunt; 3.2.init.*). *Lacerti* (“arms,” especially the meaty parts between shoulder and elbow) generally refers to muscular strength. As one may quickly observe from the feats of bravery Valerius relates, muscular strength is crucial. Swimming or hand-to-hand combat, including, for example, the ability to chew off an enemy's nose and ears even after losing the use of one's hands (3.2.11), requires effective physical strength. What, however, brings such strength into motion? On the one hand, although we, like Valerius,

recognize the everyday role of muscular strength, we find it natural to believe that these muscles are brought into motion by signals traveling along nerves and synapses, originating in another organ, the brain. Valerius, on the other hand, conceives of forces; he collects them under the name *uirtus*. Bravery, *fortitudo*, animates the muscles (which are of course part of the man – and sometimes the man-like woman). Although this force or virtue can reside in human beings and their organs, it is not electrochemical in origin. It is divine.

We may infer the divine origin of *fortitudo* from the fact that thanks are rendered for *spolia opima* to *Iuppiter Feretrius*. Such a conclusion, however, entails retrospective logical deduction: thanks are due to the god from whom one obtained favor. Therefore, since these leaders offered thanks to *Iuppiter Feretrius*, *Iuppiter Feretrius* must have aided them in their victory. What enabled the victory? *Fortitudo*. Whence then did this *fortitudo* derive? From gods. Our logical reconstruction, however, can only seem contrived. We bring reason to bear on Valerius' text, because we do not share his preconceptions. This process is artificial. It does not spring from the heart (or whatever one likes to call the source of intuitive, and thus self-evident, truth backed not by rational reflection but by emotion).¹⁶⁹ It thus appears lacking in "spontaneous conviction". Doubtless Valerius needed no such logical process. He would simply have known. Valerius' emotions, however, sometimes lead him into rhetorical elaboration, thus granting a glimpse into the very well-springs of his faith's certain knowledge. When Valerius recites the divine virtue Tiberius' divine grandfather inspired in his soldiers, he cannot still his restless pen. The function of Caesarean divinity here, clothed as it is with traditional religious conceptions, will both throw light on how Jupiter could effect the same, and allow us another glimpse into the religious politics of Valerius' own day.

Valerius turns from the bravery of Roman citizens in arms (*armorum togaeque*) to "the most certain manifestation of divine virtue itself, the glory of the night-sky, divine Julius" (*siderum clarum decus, diuum Iulium, certissimam uerae uirtutis effigiem*; 3.2.19).¹⁷⁰ When battling the Nervii, the Roman line began giving way, so Caesar grabbed the shield of a cowardly soldier and began fighting with it (3.2.19). This story is not implausible and could be told in a prosaic fashion as a stratagem by which the successful commander inspires his troops. If they see their commander fight, soldiers will more likely be willing to fight, and, if they are devoted to their leader, shame as well as fear for his life will make additional contributions. Told in such a manner, the story would conform to our own way of thinking about the world. But we are not interested here in our own way of thinking about how reality is organized. How does Valerius view this event? Caesar "restored the slipping fortune of war" (*labentem ... belli fortunam ... restituit*) to the Roman side through the "divine force of his spirit" (*diuino animi ardore*; 3.2.19). Mere rhetoric? This is the divinity whose soul is now

ensconced as a star in the sky. His son, Augustus, also a star,¹⁷¹ not only possessed, while on earth, a person destined for immortality (*destinatum ... immortalitati caput*), but was also a heavenly spirit (*caelestis spiritus*; 1.7.1). His grandson was likewise already in possession of a *caelestis prouidentia* (*praef.*). Valerius' rhetoric is consistent.

Let us, for a moment, leave these new gods and return to the old. Could Jupiter have analogously animated his chosen with *diuinus ardor*? Could Jupiter have animated the "most momentous force and effective muscular powers that are rooted in the virtue of bravery?" If one imagined that emotional impulses like bravery originated not necessarily from within an individual, but instead were the result of virtues conceived of as divine forces or manifestations of divine energy capable of flowing through one's flesh, even residing within it, but deriving their source elsewhere, it would be plausible to view the inspiration of abundant *uirtus* as divine in origin. If one desired success, it would logically behoove one to act in accord with the forces one considered divine. One would cultivate those forces, those virtues or *uirtutes*, by means of the patterns which were proven, on the basis of experience (the *exempla* of the past), to make them most effective. We might call general, less definable, patterns "morality." The most regulated and defined patterns have traditionally been termed "ritual." Nevertheless, something Valerius perceives as real, namely, divinity, seems to constitute a significant factor and consideration for proper behavior in this world. Living a polytheistic faith, Valerius employs a variety of names: divine forces (*numina diuina*), the immortal gods (*di immortales*), Jupiter, *Caesar*.

Scipio, simulated religion, and Tiberius

Glancing back now, in the most general terms, at the Roman Jupiters of Valerius Maximus, we see patterns easily imitated – a certain attitude to the divine (respect, reverence, and thanksgiving) and the attitude of divinity to its proper admirers (favor bringing success, mainly military, to state leaders).¹⁷² Moreover, Jupiter was not a remote god, but rather one who could speak both human language (in dream) and a more general language of omens in nature.

Keeping these Valerian parameters in mind, let us return to the problem of Scipio Africanus Major and his visits to the temple of Jupiter Optimus Maximus at dawn. We found Scipio (in epitome) under the rubric of "pretended or simulated religion" (*De simulata religione*). Was Scipio a self-conscious manipulator of religion or was he simply without much reflection imitating the patterns of public behavior prescribed by the traditions of his proud, ancient, and patrician family? We ask the wrong questions. What does Valerius' rhetoric appear to say? What is left of Valerian rhetoric in epitome offers no condemnation of Numa's Aegeria or Scipio's visits to Jupiter. Some of Rome's greatest leaders resort to the simulation of religion.

Cicero condemns both simulation and dissimulation as acting in bad faith (*dolus malus*; *Off.* 3.64), but we may note that the sceptic of the philosophical texts becomes a man of pious devotion in his public speeches. Was he too “simulating” religion?

Patterned behavior even without belief tends to reinforce values even in the non-believing actor, often in fact leading to a change of heart.¹⁷³ We may compare Roman loyalty oaths.¹⁷⁴ Augustus provides a good example: “All Italy of its own free will swore allegiance to me” (*iuravit in mea ver[ba] tota Italia sponte sua*; *Res gestae divi Augusti* 5.25). Did all Italy swear as spontaneously as the words indicate? Syme summarizes the value of the oath for Augustus: “Hence an impressive spectacle: a whole people marched under the gods of Rome and the leadership of Caesar.”¹⁷⁵ This spirit may well have lingered. We may compare an incident from the reign of Tiberius: Apidius Merula was removed from the senate because he refused to swear his loyalty to the acts of the god Augustus (*quod in acta divi Augusti non iurauerat*; Tacitus *Ann.* 4.42). Even the devout recognize that unbelievers exist.

Scipio was, moreover, no Equitius. Could Romans less pious than Valerius have profited from observation of Scipio's example? The lessons Valerius' contemporaries should have drawn can perhaps be found in the lessons that Scipio's contemporaries¹⁷⁶ (pirates in Africa, according to Valerius, actually drew:

The shipping *mafiosi* ... having dismissed their soldiers and discarded their weapons approach the door. They loudly declare to Scipio that they have come, not as enemies to his life, but instead as admirers of his virtue (*virtutis admiratores*), to view and to meet so great a man, earnestly beseeching, as it were, this heavenly favor (*caeleste ... beneficium*) from him: Scipio ... consequently ordered the doors unlocked and the men to be led in. After worshipping the doorposts like some sort of most holy altar and sacred temple (*tamquam aliquam religiosissimam aram sanctumque templum uenerati*), they eagerly gripped Scipio's right hand, and, after kissing it for a long time, they placed the kinds of gifts before the vestibule that one normally consecrates to the divine force of the immortal gods (*deorum immortalium numini*). Rejoicing (*laeti*), because they were permitted to gaze upon Scipio, they returned to their household gods (*lares*).¹⁷⁷ What is more impressive than this harvest of majesty? What more pleasing? He placated the enemy's anger by permitting admiration of himself; in the spectacle of his own presence he gazed into the ardently reverent eyes of criminals. If stars should slip from the sky and present themselves to human beings, they will not receive more abundant worship (*uenerationis*).

(Valerius 2.10.2)

Not only do we again note the divinity of stars accepted as manifest fact presumed readily apparent to all,¹⁷⁸ but Scipio's temporary shelter becomes a temple, and Scipio himself is worshipped as if in possession of a god's *numen*. Does Valerius find this improper? On the contrary – what could be more impressive or more pleasing?

Before making any decision of importance, Scipio spent time in the temple of Jupiter Optimus Maximus, specifically in Jupiter's inner sanctuary (*in Iouis sacrario*). Scipio established a personal relationship with Jupiter. Jupiter, we may recall, also, according to Valerius, personally accompanied Tiberius on his lonely ride of devotion to his dying brother Drusus (5.5.3). Jupiter was a “personal” attendant to Tiberius. What led the African *mafiosi* to conclude that Scipio possessed a special relationship to divine forces? They came as worshippers of his virtue (*uirtutis admiratores*). “Virtus” is evidence of divinity. The exact mechanisms may be obscure, but virtue (i.e. proper behavior or “morality,” but the kind of prescribed conduct that results in raw power) is in Valerius inextricably linked to divinity.¹⁷⁹

As opposed to Scipio, however, Tiberius did more than merely embody virtue; he possessed a “heavenly foresight” (*caelestis prouidentia*) by means of which “virtues were very generously fostered and vices punished most severely” (*uirtutes ... benignissime fouentur, uitia seuerissime uindicantur; praef.*). Moreover, Valerius not only believes that North Africans thought that Scipio was a god, but he also admires their keen understanding. For us then to think that Valerius could admire North Africans for worshipping a Roman state leader as a god (one whose powers were inferior to those of Tiberius), but that such servility was beneath ancient Romans of the early principate, in spite of the fact that pious citizens enthusiastically bear witness to their faith and openly admire such beliefs in others, is a view that reveals more about modern taste than it does about ancient testimony.

It has long been recognized that the “masses were more disposed to identify the emperors with those gods who increased their material prosperity.”¹⁸⁰ Intellectuals are another matter. We may note, though, that Valerius lived in what he considered blessed times. Dictatorship and the extinction of personal liberty had ended civil war, thus having saved and continuing to preserve the lives of his fellow citizens. Worship of the princeps as a god may have provided political and personal benefits as well. Strong leadership can satisfy spiritual needs. One is hard pressed to find textual evidence to deny Valerius the simple, and thus likely sincere, meaning of his own words.

Indeed, the tradition to which declamation belongs seems in general to value traditional Roman religious values.¹⁸¹ We may compare Morawski, who writes that the early imperial zeal for declamation was so great that, during the age of Augustus, “huge crowds convened from all directions to every famous instructor of oratory, and they would imbibe his words in the same state of mind as if they were at a theatrical performance or gladiatorial

spectacle."¹⁸² This may in part be due to the nature of the audience, encompassing a wider cross-section of Rome's propertied classes, people who were not necessarily members of the inner circles of the imperial family or the upper tiers of the senatorial elite.¹⁸³ De Ste. Croix sees in Valerius "views typical of the Roman propertied classes."¹⁸⁴ Such a view accords with the general conclusion of Bloomer, who argues that Valerius' courtly and oblique style was designed for those destined for imperial service, as well as with Weileder, who calls Valerius middle-brow.¹⁸⁵ Increasing bureaucracy implies increasing numbers destined for service. Not all these men would reach the upper echelons, nor would all have equal access to the innermost circles of imperial power. Nevertheless, a general culture imbued with the reformulated history of the aristocratic republican past and the values of the *mos maiorum* most likely prevailed. Valerius' religious values may well have been part of that culture.

From Rome's beginnings to Valerius' own day Jupiter and state leaders are linked. Scipio's special relationship to Jupiter cannot in the larger Valerian context be regarded as critical. Religious belief of course exists in varying degrees among state leaders (as in any other segment of any population and from age to age). Given both the popular success of the divine Augustus' restoration of the republic and the relatively long duration of the imperial system he created, it is likely that belief in its tenets resided in at least some hearts inhabiting the Italian peninsula. Enthusiastic acceptance of tyranny, the surrender of individual autonomy to the will of a great leader, the exaltation of that leader's person as sacred,¹⁸⁶ as a god on earth, may not appeal to some, but this is no reason to deny that others may adhere to other views. We also know that the system Valerius professes worked for centuries after the death of Tiberius. Working backwards, it is likely that belief in the emperor's actual divinity found more adherents under Tiberius than it did in subsequent centuries, as, say, under Constantine. It is doubtful that Valerius viewed Scipio's *simulata religio* as in any way casting doubt on Jupiter or on the legitimacy of Scipio's actions. Rather, Scipio is a paradigm whose frequent visits to the temple indicate for Valerius' contemporaries the type of relationship that leaders enjoy with divinity – extremely close. Contemporaries could find solace in the sure knowledge that their own princeps not only had a close relationship to Jupiter, but that this relationship also was sanctioned by the *mos maiorum*. And, from a wider perspective, such exemplars of religious virtue might have shown a way to include everyone in the new piety. Sceptics, dissidents, any whose hearts failed to warm as quickly as Valerius', could at least conform to the outward demands of piety, and thereby offer religious inspiration to others.

Conclusions

Examination of Jupiter's role in Valerius reveals not only that Valerius stamps his own rhetorical purpose on anecdotes taken from a wide array of

sources and referring to the most disparate time-periods, but also that Valerius imparts a consistent religious point of view. For example, he employs anecdotes taken from Cicero to “prove” exactly what Cicero was casting in doubt. Jupiter, for Valerius, is a powerful, living god capable of acting in history and communicating his will. Jupiter desires certain behaviors from Romans. Cultivation of these behaviors, these *virtutes*, is a source of power. On closer inspection, Valerius’ anecdotes not only align with but also support contemporary political conditions. In short, Valerius interprets the past enthusiastically according to the patterns of the times in which he himself lives, patterns which included belief not only in the divinity of Jupiter, but also in Jupiter’s special relation to state leaders in general, and to the divine Caesars, including Tiberius, in particular. In fact, Jupiter’s role is real, but to some extent eclipsed in Valerius’ day. Jupiter is viewed as an adjutant to Tiberius. Nevertheless, for all these divinities the behavior of citizens mattered. Roman gods were concerned with “morality.”

RITUAL VOCABULARY AND MORAL IMPERATIVES

Cato believed that the words of Greeks came for the most part from their lips, but that the words of Romans flowed from their hearts.

Plutarch *Cato* 12.5

We have explored the meaning of three gods to Valerian rhetoric, uncovering living deities, who concerned themselves with the moral conduct of human beings. We have also taken care to put Valerius in his historiographical, cultural, and political context. We have in our efforts not to omit context, examined a mere fraction of Valerius' work. We must thus begin to expand our focus to religion in more general terms. Human beings can mediate their relations to gods through ritual. In traditional Roman religion, a significant role was played by divination, sacrifice, and associated rites in the affairs of state, including many a bitterly contested political battle.¹ Valerius, on the other hand, lived in quieter, more wholesome times. Rather than struggle in the old forum over affairs of state, citizens were free to improve their personal conduct, as we have seen, by modeling themselves on republican exemplars divorced from historical context but animated, inspired, and approved by gods. Now we must turn to the role played by ritual in Valerius' moral rhetoric.

Papirius Cursor

An adherent of Tiberius interprets the ritual actions of a republican general fighting under his own auspices and infuses those actions with an emotionally moral religiosity²:

Papirius Cursor consul, cum Aquiloniam oppugnans proelium uellet committere pullariusque non prosperantibus auibus optimum ei auspicium renuntiasset, de fallacia illius factus certior sibi quidem et exercitui bonum omen datum credidit ac pugnam iniit, ceterum mendacem ante ipsam aciem constituit, ut haberent di

cuius capite, si quid irae conceperant, expiarent. directum est autem siue casu siue etiam caelestis numinis prouidentia quod primum e contraria parte missum erat telum in ipsum pullarii pectus eumque exanimem prostrauit. id ut cognouit consul, fidente animo et inuasit Aquiloniam et cepit. tam cito animaduertit quo pacto iniuria imperatoris uindicari deberet, quemadmodum uiolata religio expianda foret, qua ratione uictoria adprehendi posset. egit uirum seuerum, consulem religiosum, imperatorem strenuum, timoris modum, poenae genus, spei uiam uno mentis impetu rapiendo.

(Valerius 7.2.5)

When the consul Papirius Cursor was besieging Aquilonia and wished to engage in battle, the keeper of the sacred chickens, despite the fact that the birds were not thriving, reported the best possible auspice to him. Papirius was subsequently informed of the birdkeeper's false report, but believed that a good omen had been granted both to him and to the army, and entered battle. He also placed the liar in front of the battle line itself, so that the gods, if they had become at all angry, might have the individual from whom they could take vengeance. Moreover, whether by chance or also by the careful planning of a heaven-dwelling god, the first spear tossed from the opposing side was directed into the very chest of the birdkeeper, and it threw him to the ground lifeless. When the consul learned this, filled in spirit with belief he both invaded and captured Aquilonia. So quickly did Papirius realize by what means an outrage against a general ought to be avenged, how violated religion should be expiated, in what way victory could be grasped. By seizing in one stroke of brilliance upon an end of terror, a fitting punishment, a means of hope, Papirius embodied the disciplined man, the religious consul, the strict general.

We observe typical features of republican religion.³ A Roman general with command (*imperium*) enjoys freedom of action, and fights under his own "auspices," that is to say, he has the right, etymologically, "to bird watch."⁴ In other words, the general has the right to consult divine will in regard to a contemplated action or to solicit *omina impetratiua*. The gods, if asked, are willing to provide not strategy (the gods respect, but do not administer, *ad hoc* doses of wisdom, which is thus the responsibility of the general), but approval or disapproval. Birds were a tried and tested means of divine communication.⁵ The general typically kept chickens in the charge of a chicken-keeper (*pullarius*), and asked whether the chickens had eaten greedily (which signified divine approval of a contemplated action) or whether they had not (which signified disapproval of the same).⁶ Papirius Cursor besieged Aquilonia (Valerius conflates events, but this need not

detain us), and wished to engage in battle (*cum ... proelium committere uellet*).⁷ He thus consulted divine will through the services of his birdkeeper. The best possible “bird watch” (*auspicium*) was reported, despite certain facts – the birds were not thriving (*non prosperantibus auibus*). The general later learns of the lie, but regards the first report as the communicatory omen. Papirius was well within his right to do so. After all, he has command (*imperium*) and the right to “bird watch” (*auspicia*). Republican ritual logic seems to emerge. The general may reinterpret a false report as true because the report itself can be treated as the omen.⁸

One might here, however, protest on the grounds of natural morality (that is, assuming that “truth” is “by nature” superior to “falsehood”).⁹ Such a doctrine is for obvious reasons not to be imputed hastily or lightly. One risks charges of culture-specific arrogance. Such doctrine, none the less, so long as pursued only moderately, might here allow legitimate inquiry into Roman religion’s reputed lack of concern for matters ethical and moral. Does the ritual logic of Papirius Cursor exclude ethical or moral considerations?

Evidence suggests that even Romans generally honored truth more than lies (at least in their professions), and, as this anecdote suggests, that their religious scruples demanded some retribution for falsehood as well. The general took thought for such “moral” concerns by placing the mendacious *pullarius* in the front line so that the gods could have their way with him more easily, in case they were angry (*si quid irae conceperant*). In this way, the immoral act could be avenged. Why would the gods have been angry? Could it have been because the birdkeeper lied? Why would the Roman gods have grown angry at lies? Because, perhaps, they believed that truth has a higher value than falsehood. Roman history revealed that the gods did indeed have their way. The very first spear (for those willing to believe the memorable facts of history) struck the birdkeeper in the chest. What power directed this dart? Valerius presents the reader with two possibilities: the deadly missile was directed either by chance (*siue casu*) and/or by the careful planning of a heaven-dwelling god (*siue etiam caelestis numinis prouidentia*). Does the text suggest the former, the latter, or a combination?

Let us return to the literary portrait of the general. Papirius fought with a faith-filled spirit (*fidente animo*). Where does faith reside? We may turn to another anecdote for a very specific answer. Masinissa, the king, did not trust people. In the words of Valerius, he placed too little faith in the hearts of his fellow human beings (*parum fidei in pectoribus hominum reponens*; 9.13.ext.2). Faith is a matter of the heart.¹⁰ Can we, then, surmise which of the options as to the hand directing the birdkeeper’s execution our author’s rhetoric would have us believe Papirius believed or trusted? As Valerius tells it, are we, as readers, to discover the agent of execution in chance alone or chance in conjunction with heavenly powers enraged at mendacity? Papirius captures the town, achieving victory and expiating violated religion at the same time. He is a religious consul (*consulem religiosum*). We must beware,

however, simple translation across thousands of years of linguistic and religious change. Do the English words “religious consul” convey anything like the Latin *consulem religiosum*? Does Valerius’ Tiberian Latin bear remote resemblance to a third-century BC political and religious reality? In terms of traditionally reconstructed republican religious usage and politics, nothing much is amiss in Valerius’ telling; standard methods of ritual consultation are present. A general who observes ritual forms can succeed, and he can cunningly manipulate ritual logic to achieve rational military goals. Moreover, those who find such bird-watching without real meaning may discover rational men fighting for straightforward objectives. Religious belief and personal morality need on this reading (a reading which, however, ignores narrative context) play no role. On the other hand, can a close reading of Valerius allow us to ignore the aura of religiosity, the infusion of a rhetoric of belief and reverence that is suffused throughout this republican anecdote? The language, which a subsequent faith was to inherit and make its own, is anticipated. Not only do heavenly powers grow angry at lies, but a religious commander (*consulem religiosum*) has a faith-filled spirit (*fidente animo*).¹¹ One may protest that such a “faith” is not the same as adherence to an Apostolic or Nicene Creed, but why should not belief, trust, or credence in the power of gods deserve the name “faith”? Contracts are still made in good faith, that is, each party trusts in and believes in the stated intentions of the other party. Literary critics know better, but lawyers must in contracts work from authors’ stated intentions. Perhaps we ought to dismiss Valerius’ language as fortuitously pre-Christian or merely rhetorical. Or do we detect a pre-Christian theology of virtue that derives in part from Rome’s ritual history?

It is instructive to compare Valerius Maximus’ version of events with the fuller account of Livy. In Livy we indeed find more technical vocabulary, greater detail in general, and a tone rather different from the emotional religiosity we have begun to explore in Valerius. In Livy, Papirius leads the Roman army against the famous Linen Legion of the Samnites (*legio linteata*). The religious tone is set by an ancient military oath (*sacramentum*):

et forte eodem conatu apparatuque omni opulentia insignium armorum bellum adornaverant, et deorum etiam adhibuerant opes, ritu quodam sacramenti vetusto velut initiatis militibus, dilectum per omne Samnium habito nova lege, ut qui iuniorum non convenisset ad imperatorum edictum quique iniussu abisset eius caput Iovi sacretur.

(Livy 10.38.2)

And it happened that the enemy had made their preparations for the war with the same earnestness and pomp and all the magnificence of splendid arms, and likewise invoked the assistance of the

gods, initiating, as it were, their soldiers in accordance with a certain antique form of the oath. But first they held a levy throughout Samnium under this new ordinance, that whosoever of military age did not report in response to the proclamation of the generals, or departed without their orders, should forfeit his life to Jupiter.¹²

Against this consecrated legion, Papirius leads a Roman army, an army which, in Livy's narrative, acts in accordance with the rituals of Roman religion as opposed to enemy superstition:

L. Papirius, iam per omnia ad dimicandum satis paratus, nuntium ad collegam mittit sibi in animo esse postero die, si per auspicia liceret, confligere cum hoste.

(Livy 10.39.8–9)

Lucius Papirius, being now prepared at all points for the battle, sent word to his colleague that he purposed, if the auspices permitted, to engage the enemy on the following day.¹³

One notes too that Roman, in contrast to Samnite, preparedness is merely sufficient, rather than ostentatious. The gods are consulted, not invoked or somehow bound. Greater contrasts may be cited. The Samnites swore their oath before altars where human heads lay amid the remains of other sacrificial victims (Livy 10.38.11). Whatever a modern may think of sacred chickens and their keepers, Roman actions are presented as practical and reasonable in contrast to Samnite activities. While Samnites, for example, indulged in superstitious ceremonies, Spurius Carvilius captured Amiternum:

dum hostes operati superstitionibus concilia secreta agunt, Amiternum oppidum de Samnitibus vi cepit [Sp. Carvilius].

(Livy 10.39.3)

While the enemy, busy with their superstitious rites, were holding secret councils, [Spurius Carvilius] carried the Samnite town of Amiternum by assault.¹⁴

It is in this greater historical and Livian context that we must compare Livy's to Valerius' Papirius.

In Livy we learn that Papirius rises at night and in silence to send the birdkeeper to retrieve the auspice. Livy takes care to explain the motivation for the lie. The whole army was extremely eager to fight. This motivation is lacking in Valerius, and, if intentions matter (and they do in Roman law at least), then Valerius' birdkeeper is guiltier than Livy's (a point to which we

shall return). In Livy the consul acts on the basis of a *tripudium solistimum* or “a full dancing,” that is, of grain from the beaks of greedily feeding sacred chickens (Livy 10.40.4). This technical term rings an archaizing note.¹⁵ We may contrast Livy’s conservative vocabulary with Valerius’ “thriving birds” (*auibus prosperantibus*). Valerius modernizes by recalling a traditional, conceptual framework without unusual vocabulary.

In Livy, the consul, Papirius, unknowingly orders battle on the basis of a false report:

consul laetus auspiciū egregium esse et deis auctoribus rem gesturos pronuntiat signumque pugnae proponit.

(Livy 10.40.5)

The joyful consul announced that the omens were most favorable, and that the gods would be with them as they fought. So saying, he displayed the signal for battle.¹⁶

The Valerian Papirius, on the other hand, is portrayed as interpreting the lie itself as a good omen, after which he enters battle:

de fallacia [pullarii] factus certior sibi quidem et exercitui bonum omen datum credidit ac pugnam iniit.

(Valerius 7.2.5)

Having learned of the [birdkeeper’s] lie, he believed that a good omen had been granted both to him and to the army, and he entered the battle.

The consul’s reinterpretation in Valerius is of course a reflex of the second interpretation in Livy. In Livy’s version readers experience the entire drama of how Papirius came to know that the birdkeeper’s report was false before they learn the consul’s reinterpretation.

In Livy, military preparations follow fast upon an initial happy report. Attention then shifts to the consul’s brother’s son, Spurius Papirius, who, we learn, had been “born before the doctrine of ridiculing gods” (*ante doctrinam deos spernentem natus*; Livy 10.40.10). Spurius Papirius discovered that the birdkeeper had lied, and, because it would never have occurred to him to doubt the importance of ritual, brought the matter to the consul’s attention. Punctilious observation of Rome’s established sacred protocols contrasts favorably with Samnite religiosity and superstition.¹⁷ The Livian Papirius’ response commands full quotation for the sake of its more strictly archaic tones, a rhetoric that creates a past that is remote and different from the present:

[Sp. Papirio consul]: “tu quidem macte uirtute diligentiaque esto; ceterum qui auspicio adest, si quid falsi nuntiat, in semet ipsum religionem recipit; mihi quidem tripudium nuntiatum, populo Romano exercituique egregium auspiciū est.” centurionibus deinde imperauit uti pullarios inter prima signa constituerent. promouent et Samnites signa; insequitur acies ornata armataque, ut hostibus quoque magnificum spectaculum esset. priusquam clamor tolleretur concurrereturque, emisso temere pilo ictus pullarius ante signa cecidit; quod ubi consuli nuntiatum est, “di in proelio sunt” inquit; “habet poenam noxium caput.” ante consulem haec dicentem coruus uoce clara occinuit; quo laetus augurio consul, adfirmans nunquam humanis rebus magis praesentes interfuisse deos, signa canere et clamorem tolli iussit.

(Livy 10.40.11–14)

[The consul replies to his nephew]: “For yourself, I commend your conduct and your diligence; but he who takes the auspices, if he reports ought that is false draws down the sanctions on himself; as for me, I was told that the chickens ate greedily; it is an excellent omen for the Roman People and the army.” He then ordered the centurions to station the keepers of the chickens in the front rank. The Samnites advanced their standards, which were followed by the battle-line in gorgeous armor – a splendid spectacle, though composed of enemies. Before the first shout and the clash of arms, a random javelin struck the chicken-keeper and he fell before the standards. The consul, on being told of this exclaimed, “The gods are present in this battle; the guilty individual has paid the penalty!” In front of the consul a crow, just as he spoke, uttered a clear cry, and Papirius, rejoiced with the augury, and declaring that never had the gods been more instant to intervene in human affairs, bade sound the trumpets and give a cheer.¹⁸

Livy’s comment about doctrines that ridicule gods provides a contemporary rhetorical screen on which to project, as it were, this ancient simplicity and sincerity. The omen was good, because the general had fulfilled his part of the ritual. The guilty party was sanctioned for his ritual neglect. A cawing crow verifies the general’s ritual interpretations, and the gods were indeed present as the outcome of the battle (victory) would manifestly prove. The sacred lessons are straightforward and pertain more to the state and society (adherence to traditional religious practices) than to personal morality. Livy contrasts ancient scrupulous care for ritual based on sincere belief with contemporary ridicule of ancient custom (*doctrina deos spernens*).

Valerius, on the other hand, explains why the consul does what he did, and brings in the gods explicitly:

mendam ante ipsam aciem constitit, ut haberent di cuius capite,
si quid irae conceperant, expiarent.

(Valerius 7.2.5)

[Papirius] also placed the liar in front of the battle line itself, so that the gods, if they had become at all angry, might have the individual from whom they could take vengeance.

Because Valerius takes care to explain explicitly the potential anger of the gods in addition to the consequent precautions of the consul, the reader's attention is drawn to the moral and ethical problems posed by the bird-keeper's lie as a topic of primary focus. Why would gods grow angry? Valerius has, moreover, unlike Livy, provided no mitigating motive for the lie. Ritual history, rather than nostalgically illuminating archaic religious sincerity, becomes relevant to contemporary moral concerns. People likely still lied in Valerius' day. Underscoring this contemporary relevance is the seamless integration of Livy's framing device. Livy calls attention to contemporary impiety by explicitly placing Spurius Papirius at a time before the conception of the doctrine that ridicules gods. Valerius, on the other hand, ingeniously integrates the sceptic's position; one does not know, according to Valerian rhetoric, whether the fatal missile was directed "by chance" (*casu*) or also "by the foresight of a heavenly power" (*caelestis numinis providentia*). Valerius introduces into the recreated historical moment the philosophical and religious concerns of his own day. This serves to establish the past as more like the present, and, because of such similarities, more immediately relevant to the present. Valerius' rhetoric, moreover, leaves no doubt as to which option is correct. The presence of the gods was in Livy heralded by a crow. In Valerius the power of the gods to punish immoral behavior (lying) is made central and explicit. Valerian rhetoric harnesses sacred history, including ritual, for ethical improvement. The consul becomes *religiosus*, that is, infused with a religiosity that in Livy would be more akin to Samnite superstition. Valerius' Papirius does not simply declare that the gods are present. He invaded Aquilonia with a "faithful" spirit (*fidente animo*). We find, in short, an emotional religion engaged with morality and grappling with issues of belief. Republican ritual has been harnessed to moral persuasion.

Translating *fidente* in terms of faith rather than simple confidence, the usual translation,¹⁹ should not, moreover, be dismissed as tendentious or Christianizing. The concept of faith in our own common usage (loyal and zealous adherence to partisan stances in regard to matters divine and secular) is central to Valerian rhetoric, and is adumbrated as such in his preface. What is it that renders Caesars in general and Tiberius in particular so thrilling in comparison with earlier gods? Tiberius' divinity appears equal to

the paternal and grandpaternal star. By what mechanism? By immediate (and thus powerfully effective) faith: “By means of immediate belief your divinity appears equal to your paternal and grandpaternal star” (*tua [diuinitas] praesenti fide paterno avitoque sideri par videtur; praef.*). Valerius speaks too of miracles producing faith. When the augur Attus Navius predicts correctly to King Tarquin that the gods will accomplish what he has in mind to do – namely, split a whetstone with a razor – the miracle engenders, in the surviving epitome of Nepotianus, “great faith in, as well as the authority of, augurs at Rome” (*magna fides et auctoritas Romae augurum; Valerius 1.4.1 [Nep.]*) as well as, in the surviving epitome of Paris, ocular proof of his craft in action (*effectum suae professionis oculis regis subiecit; Valerius 1.4.1 [Par.]*). Not all those with eyes see, but those who do, believe.²⁰

To return, though, to Papirius, another version of comparative interest survives. The ancient Christian presbyter, Paulus Orosius, also focused his historical gaze on birdkeepers’ lies, but he contrasts the lies of “augur birdkeepers” with the signal victory Romans won over Samnites. What is more, the naïvely sincere guardian of ritual propriety in Livy, who became emotionally religious in Valerius, becomes in Orosius a contemner of “augur birdkeepers,” laughing at them when they try to prevent him from entering battle:

adversum [Samnites] Papirius consul cum exercitu missus cum a pullariis auguribus uana coniectantibus congregari prohiberetur, inridens eos tam feliciter confecit bellum quam constanter arripuit.

(Orosius *Hist.* 3.22.3)

Against [the Samnites] Papirius, the consul, was sent with an army, although the augur birdkeepers, predicting empty outcomes, prohibited the advance. Laughing at them, he carried out the war as successfully as he had firmly undertaken it.

Orosius, as a Christian priest, ridicules the ancient gods. So does his Papirius. This anti-ritual rhetoric brings into even sharper focus the morally charged rhetoric of ritual in Valerius Maximus. Valerius’ *consul religiosus* is transformed in Orosius into an embodiment of the “doctrine that ridicules gods” (*doctrina deos spernens*) decried by Livy. One ritual, three interpretations, three lessons. Livy extols the ancient as different. His ritual embodies a time when, as opposed to his own times, men believed simply and did not doubt. Orosius sees shrewd men, even cynics, who recognized the absurdities of their own religious practice, and consequently ignored it. Neither of these views will come as news to those who have studied Roman religion.

Attention to Valerius contributes something less frequently examined or acknowledged in the study of Roman ritual.²¹ A rhetoric of faith, a zealous and emotional one at that, seizes upon ritual as a means to impress upon an audience a doctrine that gods intervene, that gods care about the conduct of individuals, and that the gods are on the side of conventional morality. The language of ritual becomes part of the language of moral persuasion.

Priesthood in Valerius Maximus

A discussion of priesthood in Valerius Maximus confronts us, in the very introduction to his work, with a significant literary dichotomy. In his introduction, the author contrasts his own insignificance (*paruitas*) with the outstanding priests of the past (*excellentissimi uates*). We confront a second dichotomy. The priests of the past derived their subject matter from “some god or other” (*numine aliquo*), whereas our author invokes a present and manifest god, Tiberius, “equal to the paternal and grandpaternal star” (*Caesar ... diuinitas ... paterno auitoque sideri par*). The past thus, on the one hand, contrasts favorably with the present. Outstanding priests outshine the author. On the other hand, the present is in an important respect superior to the past. The present offers Caesars, gods who deign to dwell among human beings in human flesh. This double dichotomy is most clever indeed. The priests of the past retain their stature and their exemplary power, and will thus assist in illuminating the paths that the present must follow. Again, though, bright as their exemplary lights will be, the glare of a greater god will help orient their ancient deeds in a present context. Gods and their care were always central to Rome’s well-being. This maxim remains valid, and for this reason Valerius Maximus begins his work with attention to the care that human beings lavish upon gods: “I have it in mind to take my beginning from the worship of gods” (*initium a cultu deorum petere in animo est; praef.*).

Priests are central to this care and concern for gods,²² and the very first anecdote of the *Facta et dicta* explains in some detail the organization of Roman religion in general and the duties of priests in particular.

Maiores statas sollemnesque caerimonias pontificum scientia, bene gerendarum rerum auctoritates augurum obseruatione, Apollinis praedictiones uatum libris, portentorum depulsi<one>s Etrusca disciplina explicari uoluerunt. prisco etiam instituto rebus diuinis opera datur, cum aliquid commendandum est, precatione, cum exoscendum, uoto, cum soluendum, gratulatione, cum inquirendum uel extis uel sortibus, inpetrito, cum sollemni ritu

peragendum, sacrificio, quo etiam ostentorum ac fulgurum denuntiationes procurantur.

(Valerius 1.1.1)

Our ancestors ordained that established and annual religious ceremonies be conducted in accordance with the science of the priests, that opinions concerning the success of the state's contemplated actions be obtained [from the gods] through observation by augurs, that the oracles of Apollo be interpreted in accord with his prophetic books, and that the warding off of omens and portents be accomplished through application of Etruscan doctrine. It is also according to ancient custom that in religious matters one employs prayer when making recommendations [to the gods], a vow when demanding [services], a thanksgiving when repaying [the gods for services rendered], a formal consultation of auspices when asking [the gods their opinion] whether by inspecting entrails or by casting lots, [and] a sacrifice when conducting a solemn ceremony (by which means one also expiates the formal threats [that the gods make] through terrible portents and lightning-bolts).

This summary derives from a speech Cicero delivered in 56 BC when, on the basis of portents, the *haruspices* declared that the gods were angry at impieties, including, specifically, impiety towards consecrated sites. Clodius argued that the gods were angry at the restitution of Cicero's house (which he had consecrated to the goddess Liberty). Cicero successfully argued before the senate that the impieties in question were Clodius'. None of this, however, matters to Valerius Maximus in particular and by extension to the age of Tiberius in general. What matters rather for those would-be citizens of the restored republic is the logic and order of the ancestral religion, not the political struggles of unstable times. Through selective quotation Valerius transforms Cicero's forensic rhetoric into a rudimentary theology suitable for the introduction of religious virtue. Analogously, priests play an incidental and supporting role in Valerius' anecdotes, and, as auxiliary religious agents, are best observed in the context of specific anecdotes. In the republic, priests were free agents. In Valerius' Rome, the only priest who matters, the pontifex maximus, is a god.

Divination by liver

We may also observe Valerius' transformation of Ciceronian rhetoric and values in his treatment of *haruspices*. Valerius does not question the efficacy of haruspicy. He accepts fortune, fate, necessity, and nature as an integral

part of divine law. He does not bother with philosophical complications arising from simultaneous belief in fate and divination. Valerius even takes an anecdote that ridicules divination through liver-reading, and retells it without the least hint of irony or disbelief.

A famous anecdote in Cicero's dialogue on divination informs us that Cato wondered how one *haruspex* could pass another without smiling (*Div.* 2.52). This anecdote serves as a contextualizing introduction for a discussion of the exiled Hannibal's rejection of unfavorable liver-readings conducted by the Bithynian king's priests. Valerius, whose version in other respects mirrors the language of Cicero closely, skips Cicero's contextualizing introduction. We may compare the corresponding texts:

Hannibal uero, cum apud regem Prusiam exularet auctorque ei committendi proelii esset, atque is non idem sibi extis portendi diceret, "ain tu?" inquit, "uitulinae carunculae quam imper-atori ueteri mauis credere?"

(Valerius 3.7.*ext.*6)

Hannibal indeed, while an exile at the court of King Prusias, advised the king to engage in battle, but he replied that the entrails did not advise to him the same thing. "So you," said Hannibal, "would rather believe a little chunk of calf's flesh over an experienced commander?"

Rex Prusias, cum Hannibali apud eum exsulanti depugnari placeret, negabat se audere, quod exta prohiberent. "Ain tu?" inquit, "carunculae vitulinae mavis quam imperatori veteri credere?"

(Cic. *Div.* 2.52)

When Hannibal, while in exile at his court, wanted to engage in battle, King Prusias indicated that he did not dare do so, because the entrails were preventing him. "So you," said Hannibal, "would rather believe a little chunk of calf's flesh over an experienced commander?"

Valerius tells the anecdote in a chapter devoted to self-confidence (*fiducia sui*), and his Hannibal, like Cicero's, does indeed appear to believe in his own powers of judgment. Divination by liver does not appear especially positively in Valerius' Hannibal's derision. Nevertheless, the overall effect remains less negative in Valerius than in Cicero, where Cato's dictum leads the reader to expect absurdity.

The divergent lessons drawn by Valerius Maximus and Cicero are most illuminating.

si uerba numeres, breuiter et absce, si sensum aestimes, copiose et ualenter: Hispanias enim dereptas populo Romano et Galliarum ac Liguriaie uires in suam redactas potestatem et nouo transitu Alpium iuga patefacta et Trasimennum lacum dira inustum memoria et Cannas, Punicae uictoriae clarissimum monumentum, et Capuam possessam et Italiam laceratam ante pedes hominis effudit uniusque hostiae iocineri longo experimento testatam gloriam suam postponi aequo animo non tulit. et sane, quod ad exploranda bellica artificia aestimandosque militaris ductus adtinebat, omnis foculos, omnis aras Bithyniae Marte ipso iudice pectus Hannibalis praegrauasset.

(Valerius 3.7.ext.6)

If you count his words, they were brief and to the point; if you reckon the implication, copious and powerful: Spanish provinces wrested from the Roman people, the subjugation of the Gauls and Liguria, the Alps broken open by a new route, the Trasimene Lake seared into ill-omened memory, Cannae, the greatest monument of Punic victory, Capua seized, Italy torn to shreds: indeed, all this Hannibal poured out before the man's feet. And he did not calmly suffer his glory so tested by long trial to be overruled by the liver of one sacrificial victim. And Hannibal spoke well, for when it came to the investigation of war's strategies and the evaluation of military leadership, if Mars himself were judge, Hannibal's heart would outweigh in value all the sacrificial fires and altars of Bithynia.

Quid? ipse Caesar cum a summo haruspice moneretur, ne in Africam ante brumam transmitteret, nonne transmitit? quod ni fecisset, uno in loco omnes aduersariorum copiae conuenissent. Quid ego haruspicum responsa commemorem (possum equidem innumerabilia), quae aut nullos habuerint exitus aut contrarios?

(Cic. *Div.* 2.52)

What about this? Caesar himself, when he was advised by a consummate haruspex not to cross over into Africa before winter, did he not cross over? And, if he had not done so, all the forces of his adversaries would have joined their forces in one place. Why should I recall the responses of haruspices (I can indeed recall countless responses) that were either to no effect or dead wrong?

Cicero's Hannibal appears as part of a series of examples illustrating the failure of augury. His role in Cicero's rhetoric is strategically limited.²³ Valerius not only makes Hannibal central, he amplifies the capacities of the man through a recitation of the disasters he inflicted upon Rome. This recitation rescues divination by liver. Hannibal's military experience defines him as a man with an authority to investigate the sacrifices pertaining to war that exceeds all the religious skill of Asia. (Similarly, Roman magistrates with *imperium* had always consulted their *haruspices*; they were not ruled by them.) Hannibal's judgment does not negate divination as an art. Mars himself approves of Hannibal's conduct. The great leader's judgment trumps divine specialists with the approval of the gods. The commander knows better because the gods give him deeper insight. Divination by liver deserves respect, so long as its practitioners know their place before military authority.²⁴

Imperium, auspicia, and endless triumph

Military victory in the field traditionally enjoyed the right of triumphing at home, and the prestige that such domestic displays could bring to the political arena led to no little wrangling over the granting or denying of a triumph. In his introduction to his chapter on the "law of triumphing" (*ius triumphandi*),²⁵ – in other words, the rules concerning the granting or denying of a triumph – Valerius outlines in some detail various laws passed to curtail "desire of laurels" (*cupiditate laureae*; 2.8.1).²⁶ That Roman religion also played a pivotal role in such political disputes under the republic is uncontroversial, and our Tiberian Valerius does not obscure the role played by religious questions in earlier political disputes.²⁷ Inspection, however, reveals that the outstanding laws and religious rules of earlier generations culminate in a new message.

We witness the contest between Gaius Lutatius,²⁸ the consul, and Quintus Valerius,²⁹ a praetor, over the right to triumph over a Carthaginian fleet destroyed on 10 March, 241 BC, under Valerius' active leadership while Lutatius was confined to bed.³⁰ The issue is decided by an appeal to the concepts of *imperium* (command) and *auspicia* (right to consult divine will). The consul's rights vis-à-vis the sacred were greater, and the case is, on religious grounds, decided in his favor (2.8.2).

This particular political battle, fought in terms of religious prerogatives, is thoroughly republican. As this is the first historical anecdote of Valerius' series on triumphs, we must ask ourselves what kind of rhetorical tone as well as potential religious lessons Valerius may have sought for his own age. Also salutary for Valerius' audience's reflection were anecdotes that denied a triumph to Publius Scipio³¹ for recovering Spain and Marcus Marcellus³² for recovering Sicily, because neither had done so while holding a magistracy (2.8.5). This, we may note, was precisely the situation in which commanders

of armies, as a rule, found themselves in Tiberius' Rome. Consuls no longer led armies. Armies were led by legates of Caesar. Only the supreme leader (and his heirs), in whom *imperium* and *auspicia* resided, retained the right to triumph. *Auspicia* simply become yet another religious justification for the supreme power that the supreme leader possesses.

Other anecdotes in the series also underscore the importance of hierarchy. The senate exiles a commander who refused its bestowal of the right to triumph (2.8.3).³³ Consuls are invited to the triumphal banquet, but the invitation is declined lest anyone with greater authority than the *triumphator* be present (2.8.6). Also interesting are victories not celebrated with triumphs. Triumphs are granted for the acquisition of new territory, not the recovery of lost territory (2.8.4). Triumphs were not celebrated over fellow citizens (2.8.7). Marius and Cinna may have drunk their fellow citizens' blood greedily, but they did not, according to Valerius, make their way to the temples of the gods and their altars in triumph (2.8.7). Sulla too only put the Asian and Greek cities in his parade, not Italian (2.8.7). By way of contrast, the leader, who put an end to independent triumphs, who retains the greater *auspicia* in perpetuity, celebrates an eternal glory for signal services that contrasts sharply with the actions of his republican predecessors:

Piget taedetque per uulnera rei publicae ulterius procedere. lauream nec senatus cuiquam dedit nec quisquam sibi dari desideravit ciuitatis parte lacrimante. ceterum ad quercum pronae manus porriguntur, ubi ob ciues seruatos corona danda est, qua postes Augustae domus sempiterna gloria triumphant.

(Valerius 2.8.7)

I am too ashamed and too tired to go any further into the republic's wounds. So long as any part of the citizen body was in tears, neither did senate confer laurels nor anyone desire to be granted any. But, on the other hand, open hands stretch eagerly towards the oak, whenever the civic crown is to be awarded for saving fellow citizens, in which (of course) the doors of the house of Augustus triumph in eternal glory.

We move in this chapter from Valerius' introduction concerning the traditional rules (2.8.1), to a classic republican struggle over auspices (2.8.2), and eventually to the new political and religious order (2.8.7). Auspices reside with the god who inhabits the divine household, and so do the laurels previously so hotly contested. Citizens wipe away their tears, and the Caesars triumph in eternal glory. Republican religion, formerly a field of battle in open political struggle, serves now only to justify and praise the living gods who keep the peace.³⁴

Clean hands

Is purity mere ritual?³⁵ According to Valerius, magistrates must have “holy hands” (*sanctas manus*; 2.2.8), that is, they must be virtuous in their conduct in order to participate in ritual.³⁶ Valerius thus sets up a parallel between moral virtue and the ritual purity necessary for worship of the immortal gods:

sacrificiisque populi Romani cum deorum immortalium cultus tum
etiam hominum continentia inerat.

(Valerius 2.2.8)

And not only worship of the immortal gods, but also the self-restraint of human beings was present at the sacrifices of the Roman people.

One cannot separate political morality from ritual scruples. They are connected.

We have observed that *Pudicitia* is a goddess with a divine force (*numen*; 6.1.*init.*). She is holy (*sancta*; 6.1.6), and this holiness trumps even tribunician sacrosanctity (6.1.7). Gaius Scantinus Capitolinus fails to receive aid from his tribunician colleagues when charged by Marcus Claudius Marcellus with sexual solicitation (*stuprum*; 6.1.7). The tribunes refused to intercede if it meant interfering with a trial where the issue was chastity (*quo minus pudicitiae quaestio perageretur*; Valerius 6.1.7). The proof of the charge against Scantinus is, moreover, striking. The jury infers the Marcellus’ son’s innocence by reading boy’s outward appearance:

constat iuuenem productum in rostra defixo in terram uultu
perseueranter tacuisse uerecundoque silentio plurimum in ultionem
suam ualuisse.

(Valerius 6.1.7)

It is agreed that when the boy was brought before the rostra, he looked continuously at the ground, and never uttered a word, and that by this respectful silence most especially prevailed in his own vindication.

Intent matters. Valerius assumes that his readers accept the ability of some human beings to infer the thoughts and feelings of other human beings on the basis of empathy, sympathy, and close study of context. From a moral and religious perspective, we note that hearts must be pure, thoughts clean.

This teaching is underscored by the anecdote immediately following the tale of Scantinus. Cn. Sergius Silus is punished not for any deed, but for an unchaste mind (*stuprosae mentis*):

non enim factum tunc, sed animus in quaestionem deductus est, plusque uoluisse peccare nocuit quam non peccasse profuit.

(Valerius 6.1.8)

For it was not then the deed, but the intent that was put on trial, and the desire to do wrong was more harmful than failure to do wrong was profitable.

Blood is holy (2.1.7), and Chastity, which preserves the safety of blood, is likewise sacred (6.1.6). The Roman state will protect the integrity of chastity in every class of citizen alike: “For [the senate] desired that chastity be protected in Roman blood, no matter what the [social] class in which it flows” (*in qualicumque enim statu positam Romano sanguini pudicitiam tutam esse uoluit*; 6.1.9). Chastity, as a virtue or source of power, works for the Roman state so long as the Roman state cares for and preserves its power by any means necessary, but especially through death. Of sixteen anecdotes in Valerius’ chapter on chastity, twelve involve death (other punishments include prison and castration). Concern with bodily purity and sexual continence is part of Valerius’ overall conception of a Roman people who survive on the strength not of their material, but rather of their spiritual, resources: “Our rule does not find its increase and safety so much in the brute strength of our bodies as in the healthiness of our minds” (*imperium nostrum non tam robore corporum quam animorum uigore incrementum ac tutelam sui comprehendit*; 7.2.ext.1). If thought is more important even than the body, then pure thoughts become that much more essential.

Ritual may by way of extension be viewed more generally as disciplinary, and religious rules may more generally pass over into rhetorical regulation of conduct, especially as regards lust, the enemy of discipline *par excellence*. One begins of course with Vestals, but other examples are not far to seek. The greatest example of wifely devotion that Valerius can name is the Indian woman who cremates herself atop her husband’s funeral pyre (2.6.ext.13), while the foulest is the Punic woman who sells her body at the temple of Venus in Sicca to gain a dowry (2.6.ext.15). Men can participate too. Numidian kings do not kiss (Valerius 2.6.ext.17) and Roman soldiers should not have easy access to prostitutes (2.7.1). Lust is bad for all types of discipline, and Rome wins when discipline is tight, especially military, “in whose protective lap rests the serene and tranquil state of blessed peace” (*in cuius sinu ac tutela serenus tranquillisque beatae pacis status adquiescit*; 2.7.init.). Expulsion of immoral bilge (*erubescenda sentina*, i.e. prostitutes) renders the army of Scipio upright and refreshed in virtue (2.7.1) – such are the fruits of flesh denied, of adherence to disciplinary prescriptions, and this general attitude may serve by way of extension to simple ritual prescriptions that magistrates have “clean hands.”

The rhetoric of sacrifice

Sacrifice was central to Roman religion, and Valerius Maximus does not neglect its rhetorical potential.³⁷ His anecdote of Mucius, not yet “Lefty” (*Scaevola*), provides a subtle example of how he can manipulate ritual language for rhetorical point (3.3.1). The botched assassination of Lars Porsenna is a story often retold: the would-be assassin’s right hand thrust into flames that burnt upon the intended victim’s altar, Lars Porsenna’s subsequent release of Mucius, etc.³⁸ Of interest here is the conduct of the immortal gods in the ritual of sacrifice and their implied approval of virtuous conduct. Mucius was “caught in the midst of an act” termed “as pious as it was brave” (*inter molitionem pii pariter ac fortis propositi oppressus*; 3.3.1). Livy’s longer account, on the other hand, presents a war of Roman youth against the king (2.12). Livy’s Mucius’ actions are brave and *Roman* (2.12.9).³⁹ If Valerius’ Mucius is pious and brave, what constituted the piety of a would-be assassin who before the very altars attacked a king engaged in sacrificing at the altars of the immortal gods (*immolantem ... ante altaria*; 3.3.1)? One might imagine that gods could look with unfavorable mien upon assassins disrupting their feast. These qualms, justified or not, are answered by Valerian rhetoric. Mucius, who disrupted the ritual, finishes it, and, according to Valerius, offers his right arm to the gods as a substitution for the king he failed to furnish in his aborted ministry:

perosus enim, credo, dexteram suam, quod eius ministerio in caede regis uti nequisset, iniectam foculo exuri passus est.

(Valerius 3.3.1)

I believe that he hated his right arm because he had failed to use it in killing the king, and consequently, thrusting it into the sacrificial flame, suffered it to be burnt up.

The gods accept and gaze greedily upon this ritual substitution, pleased, the reader gathers, indeed with Mucius’ worship: “The immortal gods certainly gazed with more eager eyes upon no other offering brought to their altars” (*nullum profecto di immortales admotum aris cultum adtentioribus oculis uiderunt*; 3.3.1). Readers may observe an analogous reaction in Porsenna, whose desire for revenge melts into astonished respect. Mucius’ pious intent (*pium propositum*) also earns him eternal glory in the name *Scaevola*, “Lefty” (*aeternae gloriae cognomine*).

The vocabulary of sacrifice is incorporated even when not strictly relevant to descriptions of the aborted ritual. Had Porsenna finished his sacrifice, *haruspices* might have examined the animals’ entrails in order to determine not only whether or not the gods had accepted the offering, but also whether

or not prospects were happy or sad, that is, good or bad. The standard Latin terms are *laetus* and *tristis*. Divination was of course a standard component of ancient sacrifice. Returning to Porsenna's sacrifice, a (pious) Roman usurper substitutes his own arm upon the altar. The gods are present. They pay very close attention. Is there an omen? Attention to the language of sacrifice reveals an omen in the rhetoric of Valerius:

Mucius tristior Porsennae salute quam sua laetior urbi se cum
aeternae gloriae cognomine Scaeuolae reddidit.

(Valerius 3.3.1)

Mucius “sadder” in Porsenna's safety than “happier” in his own betook himself to the city with a nickname of eternal glory: “Lefty.”

Valerius uses the language of sacrificial divination to conclude his anecdote with glorious lessons for all time. Such deployment of religion is not merely rhetorical, but integral to a world view where gods observe human actions, and foster approved behaviors (which in Valerius correspond to state-sanctioned conduct).

Valerius can also use ritual scenes as a context and background against which the moral of an action can be contrasted. In depicting vice, scenes of pious sacrifice can be used ironically as rhetorical commentary. Creditors, for example, kill an urban praetor for his efforts on behalf of debtors. The murderous tribune acting on the creditors' behalf contrasts unfavorably with the religiosity of the humane praetor:

[Creditores Sempronium Asellionem praetorem urbanum], quia
causam debitorum susceperat, concitati a L. Cassio tribuno pl. pro
aede Concordiae sacrificium facientem ab ipsis altaribus fugere extra
forum coactum inque tabernula latitantem praetextatum discer-
pserunt.

(Valerius 9.7.4)

Because Sempronius Asellio had taken up the cause of the debtors, the bankers, urged on by Lucius Cassius, tribune of the people, attacked the urban praetor while he was performing a sacrifice before the shrine of Social Harmony (*pro aede Concordiae*), compelled him to flee from the very altars past the forum, and, catching him hiding in a common tavern, they tore him to pieces, still wearing his magisterial robes.

That the lawless crowd should find their victim at the shrine of Social Harmony (*aedes Concordiae*) magnifies the irony, while the flight of the magistrate to a tavern and his slaughter there compounds the moral degra-

ation, again, by way of contrast to pious sacrifice before a god's temple. Circumstantial narrative details matter. Of course, impious sacrifice was of more than merely narrative concern; the Tiberian senate of Valerius' day condemned in its official decree the "sacrifices contrary to divine law" (*nefaria sacrificia*) performed by the alleged assassin of Germanicus (*s.c. de Cn. Pisone patre* 62–3). For Valerius, sacrifice surely remained both religious and political.

Valerius describes another political murder as a grotesque parody of an aborted sacrifice: "corrupted soldiers attacked [their appointed general when he was] beginning a sacrifice, and they slaughtered him in the manner of a sacrificial victim" (*corrupti milites sacrificare incipientem adorti in modum hostiae mactarunt*; 9.7.*mil.rom.*2). Valerius terms this murder by sacrifice "a horrible crime" (*tantum scelus*), and goes on in the subsequent anecdote to term an army that, rather than submit to military discipline, kills its general, "wickedly violent" (*nefarie uiolentus*); their morals (*mores*) are "depraved" (*prauos*) and "foul" (*taetros*; 9.7.*mil.rom.*3). The juxtaposition of this second army with the preceding army's impious sacrifice provides a religious context for moral judgment. Valerian rhetoric implies that military discipline and sacrifice form a continuity opposed to lawlessness. Religion, ritual, virtuous discipline therefore all stand on the side of order.

The funeral of Caesar leads to the lynching of Gaius Helvius Cinna, whom, while he is on his way home, an angry mob mistakes for the conspirator, Cornelius Cinna. They parade Cinna's head on a pike, and Valerius employs the language of ritual to give rhetorical shape to the enormity of the mistake, terming Cinna's death "the wretched sin-offering of his office and of other people's error" (*officii sui, alieni erroris piaculum miserabile*; 9.9.1). The conspirator, Brutus, on the other hand, despairing of news from his scout, incorrectly concludes that all was lost at Philippi, and kills himself. On finding his general dead, the tardy spy joins Brutus in suicide and death. Valerius again turns to the language of sacrifice:

superque exanime corpus eius iugulo suo gladium capulo tenus
demisit ac permixto utriusque sanguine duplex uictima iacuit,
pietatis haec, erroris illa.

(Valerius 9.9.2)

And over his lifeless body he sank his sword to its hilt in his throat,
and in the blood of each mixed with the other lay a double sacrifice:
the latter to piety, the former to error.

Religious ritual, here sacrifice, supplies a rhetorical paradigm for interpreting action according to moral codes, including notions of pious loyalty and error.

Vice and generalized ritual violation

In meeting the challenge of vice Valerius' rhetoric often makes use of a more generalized ritual rhetoric to castigate the guilty. In his examples of cruelty, Valerius turns with relief from Roman to foreign examples: "We shall turn to those examples, in which, although equal suffering is present, no shame is involved for our state" (*transgrediemur nunc ad illa, quibus ut par dolor, ita nullus nostrae ciuitatis rubor inest*; Valerius 9.2.ext.1). The crime that causes such shame is couched in terms of uncleanness and ritual violation, as if, for example, an animate sea could be violated by those unjustly killed. Valerius writes that Carthaginians who used their ships to run down Roman soldiers after a naval engagement were "going to violate the sea itself with a fleet polluted by foul crime" (*taetro facinore pollutis classibus ipsum mare uiolaturi*; 9.2.ext.1). What causes shame? Why should the sea find offense in slaughter? Unless, of course, the sea is treated as a divinity that favors just conduct more than it does criminal. Implicit in such a conception must be the knowledge that the sea, if enraged, can wreak no little havoc on those who would ply its waters.

Valerius names Neptune in other anecdotes, and we may read "sea" for a metaphorical "Neptune," but perhaps we would do better to practice the reverse, to read "Neptune" for "sea." By so doing we would remind ourselves, as readers, of a divine force with a life of its own. When, for example, Gaius Sergius Orata builds fish farms,⁴⁰ Valerius writes that Sergius "obviously thought up fish farms for himself so that his gullet would not be subject to the whim of Neptune" (*uidelicet ne gulam Neptuni arbitrio subiectam haberet, peculiaria sibi maria excogitauit*; 9.1.1). We encounter the "whim" or, more precisely, the "decision-making control of Neptune" (*Neptuni arbitrio*), and it is an interesting critical problem to decide how literally to read the phrase. Might this divinity control his countenance in conformance eventually with his notions of propriety?

The earth, moreover, is as sensitive to vice as the sea. Valerius shifts easily from "sea" (9.2.ext.1) to "Neptune" (9.2.ext.2), who in turn is opposed, in the description of Hannibal's crimes, to "land": "So that the earth would experience an incursion of Carthaginian land forces just as iniquitous as the one endured by Neptune of maritime forces" (9.2.ext.2). We may indeed read such divine substitutions for inanimate nature as metaphor, but we read then in conformance with our own preconceptions, conditioned by expectations of decorative mythology. These gods were, however, as alive in Valerius' day as the gods of contemporary religions are today – mere names to some, to others living gods.

The gods of hospitality take offense too when Mithridates orders the death of Romans throughout Asia, an offense, however, that did not go unavenged: Mithridates "spattered the gods of hospitality (*hospitalis deos*) of this great province with unjust, but not unavenged blood" (9.2.ext.3).

Mithridates died painfully by poison. His death consequently represents a “sin-offering” for murders committed out of lust for a castrated boyfriend: “He expiated those sufferings (*piacula crucibus illis dedit*), with which he had at the instigation of Gauro, a eunuch, tortured his friends, lecherous in groveling obedience and iniquitous in command” (9.2.*ext.*3). Piacular sacrifices were offered for ritual errors and were offered to appease the anger of the gods. Gods seem at times in Valerius to have grown angry at “moral” outrages, that is, if conventional Roman morality condemned murder for the sake of same-sex lust. Valerius’ appropriation of ritual paradigms once again seems a good rhetorical fit for the contemporary cultural context.

We have alluded to the use of potential ritual offense in the violence done to Neptune, but we observe more closely the use of ritual vocabulary to condemn moral outrage in words like *piaculum* (sacrifice of atonement, sin-offering, expiation). In the case of Mithridates, his death provides a just-*piaculum*. A false *piaculum* can also, however, be used to illustrate a complete reversal of moral values. Ritual maintains an uneasy truce with the gods (*pax deorum*). Violation of ritual angers the gods. The application of ritual vocabulary to scenes of cruelty may then, by way of narrative contrast, sanction in the reader a sense of moral outrage by appeal to a higher, divine authority.

Marius “butchers” the most noble body of Gaius Caesar, consular and censor (9.2.2). He proceeds in a manner contrary to divine law (*nefarie*). The scene is a sepulcher (tombs were of course hemmed in by no few ritual and religious considerations). Valerius comments: “For the republic in its abject wretchedness still lacked then that outrage, that Caesar should fall as a sin-offering to Varius” (*id enim malorum miserrimae tunc rei publicae deerat, ut Vario Caesar piaculo caderet*; 9.2.2). Marius’ cruelty confounds normal ritual practice,⁴¹ a practice abused further in the murder of Marcus Antonius:

[C. Marius] caput M. Antoni abscisum laetis manibus inter epulas per summam animi ac uerborum insolentiam aliquamdiu tenuit clarissimique et ciuis et oratoris sanguine contaminari mensae sacra passus <est>.

(Valerius 9.2.2)

At a banquet Gaius Marius for some time held the severed head of Marcus Antonius in his joyful hands, abusing it with the greatest arrogance of spirit and language, and he allowed the sacred rites of table to be contaminated with the blood of a most eminent citizen and orator.

Not only are the sacred rites of table (*mensae sacra*) contaminated, but Marius holds the head of the orator in hands called “happy,” a word that in sacrifice signifies “of happy omen.” Valerius embeds cruelty rhetorically in perversion of ritual. If rituals maintains peace with divinities, the ritual violations of Valerian rhetoric would suggest that the concomitant moral violations anger gods too.

Valerius underscores the contrast between vice and ritual literally in subsequent anecdotes of Damasippus, at whose “command the heads of the state’s foremost citizens were mixed in with the heads of sacrificial victims” (9.2.3). Valerian rhetoric does not allow us to construe such an offering as pleasing to the gods. It is likewise contrary to divine law, according to Valerius, for parents to feed upon the flesh of their own children (*nefas*; 9.2.ext.4). In other words, behavior not necessarily circumscribed by human legislation is prohibited by divine will. Divine will implies divinities. The gods, a reader might infer from Valerian rhetoric, cared in a more general and moral way about services in their honor.

Letter or spirit?

From Homer to Valerius Maximus, truth telling under oath (a ritual) is prescribed by divine law and perjury punishable by vengeful deities.⁴² Did letter matter more than spirit? Valerius’ example of Darius provides a test case. Darius is “bound by a most holy oath” (*sanctissimo ... iureiurando obstrictus*; 9.2.ext.6) not to harm the “seven” Magi who had conspired against the Persians.⁴³ He must find a way to kill them without technically violating his oath (*qua {illos} sibi non perrupto uinculo religionis tolleret*; 9.2.ext.6). Darius plies his victims with food and drink before placing them on beams above hot coals. Eventually, they fall asleep, fall from the beams, and perish. Darius’ attention to religious detail, the letter of ritual law – he did not kill the Magi; they brought their deaths on themselves by falling asleep – does not excuse him from censure in Valerius’ rhetoric. Because Valerian rhetoric makes no great distinction between ritual and moral requirements, spirit prevails over letter. Valerius relates the anecdote in a chapter devoted to cruelty, and terms it “foul cruelty” by way of implicit comparison with the subsequent anecdote, which, in its turn, he terms “even fouler cruelty” (*taetrior ... crudelitas*; 9.2.ext.7).

Another example of perjury shows the intersection of a different vice. Publius Clodius Pulcher, on trial for disrupting the festival of the *Bona Dea*, buys jurors the sexual services of married women and young aristocratic men.⁴⁴ This too Valerius terms “foul,” and editorializes accordingly:

quo in flagitio tam taetro tamque multiplici nescias primum quem detestere, qui istud corruptelae genus excogitavit, an qui pudici-

tiam suam sequestrem periurii fieri passi sunt, an qui religionem stupro permutarunt.

(Valerius 9.1.7)

And you would not know whom to hate first in this crime so foul and so multifarious, the one who invented this kind of bribery or those who allowed their chastity to become a security deposit for perjury or those who exchanged their sacred oath (*religio*) for illicit sex.

Stuprum (illicit sexual indulgence) and *religio* (here adherence to a ritually undertaken oath) appear incompatible. One is traded for the other. Again, though, can one have both *stuprum* and *religio*? Could a juror be both stuprous and religious? In other words, do the gods who enforce oaths care about other spheres of conduct? We have seen that gods not associated with oaths indeed care (Juno, for example), but in this instance all we can assert is that the rhetorical opposition of the two would appear to present a basic contradiction. And, if stuprous Vestals cannot perform rituals, then the ritual must participate in the general construction of their moral code. Performance of ritual by Vestals would advertise a claim to the moral purity in other spheres that is a precondition of the ritual. The two spheres confirm and reinforce mutual conformance. Perjury too is placed emphatically in opposition to various virtues, suggesting an analogous polarity.

The rituals of oath-taking and sacrifice can combine to express passionate commitment to a cause. Religious ritual provides a structure for the expression of emotions that, because channeled through ritual, may justly be termed religious. Nine-year-old Hannibal, gripping an altar during a sacrifice performed by his father, swears enmity to the Roman people with “very fervent prayers” indeed (*pertinacissimis precibus*; 9.3.ext.3). Sacrifice, oath, and prayer express a communal solidarity of purpose. Hannibal becomes one with a faith-community of family, leaders, and soldiers dedicated to the destruction of Rome. Valerius explicitly directs our attention to the depth of Hannibal’s emotion: “So effective was the power of hatred in a boy’s heart” (*in puerili pectore tantum uis odii potuit*; 9.3.ext.4). Hannibal’s hatred is in Valerian rhetoric structured by religious ritual.

The rhetorical rituals of friendship

It is impossible to draw a sharp line between the rituals that care for and preserve relationships with gods and their divine powers and the care and worship that serve individuals in their personal relations. When Valerius turns to men whose lives depart somewhat from customary ancestral patterns, he speaks of *ritus* and *cultus*:

satius est enim narrare qui inlustres uiri in cultu ceteroque uitae ritu aliqua ex parte nouando sibi indulserint.

(Valerius 3.6.*init.*)

For it is better to talk about which eminent men in the cultivation (of their persons) and other practices of life(style) indulged themselves by innovating in some respect.

The ways of gods and men are perhaps not so far distant from one another.

We can, in fact, observe the relationship between religion and virtue especially closely in friendship, *amicitia*.⁴⁵ According to Valerius, friendship is a relationship bound by affections (*uoluntas* and *caritas*; 4.7.*init.*).⁴⁶ Rhetorically, Valerius defines friendship through the language of ritual. Friendship is through this rhetoric not only bound by human affections, but, if we take Valerius at his word, also inspired by a divine force, the virtue, *amicitia* – a divinity, in fact, in its own right (4.7.3). Human beings inspired by the force of this divinity provide compensation to those not otherwise favored by gods directly:

felicитatis cultus maiore ex parte adulatione quam caritate erogatur, certe suspectus est perinde ac plus semper petat quam inpendat. accedit huc, quod infractae fortunae homines magis amicorum studia desiderant uel praesidii uel solacii gratia: nam laeta quidem et prospera negotia, utpote cum diuina subfragatione foueantur, humana minus indigent.

(Valerius 4.7.*init.*)

The service of prosperity is paid for in greater measure through flattery than love; certainly it remains suspicious to the extent that it always wants more than it offers. Additionally, people oppressed by fortune place greater demands on the obligations of friendship whether for the sake of protection or comfort: indeed, for happy and prosperous affairs need human help less, inasmuch as they are fostered by divine favor.

Felicitas, derived from gods, attracts greedy devotees. Those lacking the gods' gifts (prosperity) can still hope for human aid inspired by affection (*caritas*).

The human realm may by this calculation appear separated from the divine, but we deal not with one god alone. Where some gods fail, others may appear. Later in his chapter on friendship, Valerius introduces us to the divinity that is friendship or its divine power, its *numen*. In telling the story of Lucius Reginus' loyal friendship to the disgraced Caepio, Valerius

exclaims: “By your great and invincible divine force, O Friendship!” (*pro magnum et inexuperabile tuum, numen, Amicitia!*; 4.7.3). *Amicitia* is a goddess. And why not? As a divine force, friendship acts through human beings. Its manifestations are, moreover, like omens, like the Caesars, visible to the human eye, and may thus, as opposed to the myths of Greece, be all the more readily believed:

loquatur Graecia Thesea nefandis Pirithoi amoribus suscribentem
Ditis se patris regnis commisisse: uani est istud narrare, stulti
credere.

(Valerius 4.7.4)

Let Greece prattle on about Theseus, who, abetting the nefarious amours of Pirithous, harrowed Father Pluto’s kingdom: it is idle to narrate such a thing, moronic to believe it.

Roman friendship, by way of contrast, is based on “true facts.” It is observable in history. Volumnius was a friend of Marcus Lucullus, who, as a partisan of Cassius and Brutus, had been sentenced to death by Antony. After his own capture, Volumnius asked to die in the presence of his friend Lucullus’ corpse, which request Antony readily granted:

ductusque, quo uoluerat, dexteram Luculli auide osculatus, caput,
quod abscisum iacebat, sublato pectori suo adplicauit ac deinde
demissam ceruicem uictori gladio praebuit.

(Valerius 4.7.4)

And led to the place he had desired, he planted his hungry kisses on the right hand of Lucullus, picked up the head that lay there severed, hugged it to his breast, and then offered his outstretched neck to the victorious sword.

We view deeds of Roman history as opposed to myths of Greek words, reality as opposed to fantasy, truth as opposed to lies. The works of the Roman goddess *Amicitia* may be read from the signs of her manifestations in history:

mixtum cruorem amicorum et uulneribus innexa uulnera mortique
inhaerentem mortem uidere, haec sunt uera Romanae amicitiae
indicia, illa gentis ad fingendum paratae monstro similia mendacia.

(Valerius 4.7.4)

To gaze upon the commingled blood of friends and their wounds

enveloped in wounds and death clinging fast to death, these latter are the true signs of Roman friendship, the former the lies (like unto prodigies) of that race so prone to fabrication.

Roman religiosity defines itself not just in Roman deeds, but also in the mirror provided by less sincerely devout foreigners.

Other familiar religious vocabulary suffuses these anecdotes on friendship. When Lucius Petronius follows Publius Caelius in death, Petronius matches Caelius' *uerecundia* or "reverent respect" with his own *pietas* or "loyal piety" (4.7.5). When Blossius declares that he would have been willing to put torches to the temple of Jupiter Optimus Maximus at the command of his friend, Tiberius Gracchus,⁴⁷ the friendship is characterized in terms taken from cult:

sinistris quidem auspiciis amicitiae condicionem secuti, sed quo miseriora, hoc certiora fideliter cultae exempla.

(Valerius 4.7.2)

They contracted and pursued a friendship under unhappy auspices indeed, but the more unfortunate, the more certain the proofs of a friendship faithfully cultivated.

Friendship is both like a divinity and as a divinity in its own right, cultivated faithfully (*fideliter cultae*). Like all other events in life subject to fortune and the will of the gods, auspices may prove happy or sad (here rather bad, *sinistris*), and, like other auspices, proven by the course of events (here, because rather bad, that much the more sure – *quo miseriora, hoc certiora*).

Friendship retains this ominous face also in happy events, keeping its links thereby to traditional religious conceptions. Valerius turns from deadly friendship to happy (with no regard for implicit contradictions with his introduction; we search not for logical rigor, but the vague outlines of a working system):

Ab hoc horrido et tristi pertinacis amicitiae ad laetum et serenum uultum transeamus atque in<de> eam euocatam, ubi omnia lacrimis, gemitu, caedibus fuerant referta, in eo, quo dignior est, felicitatis domicilio conlocemus, gratia, honore abundantissimisque opibus fulgentem.

(Valerius 4.7.7)

From these sad and mournful proofs of steadfast friendship let us pass over to her happy and serene countenance, and once she has

been called forth from that place where all affairs had been choked with tears, groaning, and slaughters, let us plant her in a place more suitable to her dignity: a home of prosperity, resplendent in favor, honor, and most abundant wealth.

The borrowed vocabulary of augury is a striking feature of Valerian rhetoric. Friendship's visage, formerly *horridus* and *tristis*, becomes *laetus* and *serenus*, adjectives of ill omen yield to those of good omen. The characteristic collective term of the blessings bestowed by gods, *felicitas*, comes then as no surprise.⁴⁸ A goddess (*amicitia*) who lifts up her countenance (*uultum*) to make its light shine (*fulgentem*) completes the celestial picture.

How do divinely favored human beings foster their friendships? Valerius turns from his evocation of *Amicitia* to call upon the dead – Valerius, of course, not infrequently apostrophizes historical subjects⁴⁹ – in words that reveal both insight into his conception of death as well as the workings (or effect) of divine virtue upon the mortal condition. Valerius Maximus, author, calls upon “Decimus” Laelius and Marcus Agrippa:

orere igitur ab illa, quae sanctorum umbris dicata esse creditur, sede hinc Decime Laeli, illinc M. Agrippa, alter uirorum, deorum alter maximum amicum et certa mente et secundis ominibus sortiti, totumque beatae turbae gregem, qui uestro ductu ueneranda sinceræ fidei stipendia laudibus et præmiis onustus peregit, in lucem uobiscum protrahite.

(Valerius 4.7.7)

Be ye summoned, therefore, from that habitation, which we believe has been dedicated to the shades of holy men, on the one hand, O Decimus Laelius, and on the other, O Marcus Agrippa. With confidence and with favorable omens the one received as his lot a best friend from among men [i.e. Scipio], the other obtained his from among gods [i.e. Augustus]. And bring with you into the light the whole flock of the blessed crowd, who, under your leadership, laden with praises and rewards, practiced the venerable trade of sincerely faithful loyalty.

This sentence does more than provide evidence for Valerius' belief in an afterlife; it segregates the holy dead from other shades, anticipating once more the language of the religion that would replace his own. Would one go too far in translating *sancti* as saints? Yes, but one would not be far off the mark. Valerius' *sancti*, for example, obtained their status by performing the duties of unblemished faith (*sinceræ fidei*) in a manner attracting reverence

(*ueneranda*). An aura of religiosity permeates the anecdote. We must also not neglect Agrippa's friend. Here the cultivation of friendship (*amicitiae cultus*) becomes quite literally the worship of a god (*Augusti cultus*).

Closer examination reveals a curious incorporation of republican political procedure in the rhetorical service of these two paragons of virtue. They provide leadership (*ductu*) for a blessed crowd (*beatae turbae*), and are asked to come forth confidently (*certa mente*), because they have been selected by lot with favorable omens (*secundis ominibus sortiti*). We view no republic, nor republican politicians. Once practical religious usages and the historical exemplars, who once employed them in solving practical tasks, both serve the restored republic of Valerius Maximus as guarantors of virtue. Religious institutions, that once (because directed by gods) served politics, lend instead the authority and prestige of ritual vocabulary to a new master, not the politician, but the moralist.

There is more. Valerius concludes the anecdote and his evocation with a rousing apostrophe that explicitly mingles worship, reverence, and praise with law and religion:

uestros enim constantis animos, uestra strenua ministeria, uestram
inexpugnabilem taciturnitatem proque dignitate et salute
amicorum perpetuam excubationem et stationem beniuolentiae et
rursus harum rerum uberrimos fructus posterior intuens aetas in
excolendo iure amicitiae qua libentius qua etiam religiosius erit
operata.

(Valerius 4.7.7)

For our own later age, in gazing upon your loyal hearts, upon your energetic services, upon your invincible silence, as well as upon your eternal guard for the dignity and safety of your friends as well as upon your vigils of well wishing, and again (and again) upon the rich harvest of your works, will remain more willingly and even more religiously devoted to its own cultivation of the laws of friendship.

Spirit must be constant. One is on guard for friends in a fashion analogous to the guard kept by Chastity (*Pudicitia*) upon the cushions of Juno (6.1.*init.*).⁵⁰ Friendship (*Amicitia*) is cared for (almost “worshipped”; *excolendo*) according to its own laws (*iure*) and religiously (*religiosius*) at that.

After hemming in Roman friendship by means of Roman religion's ritual inheritance, Valerius may turn to foreign examples of friendship, but he does not turn to foreign gods. His first foreign example derives from the friendship of the Pythagoreans, Damon and Phintias:

Damon et Phintias Pythagoricae prudentiae sacris initiati tam fidelem inter se amicitiam iunxerant

(Valerius 4.7.ext.1)

Damon and Phintias, initiates in the sacred ceremonies of Wisdom, forged such a faithful friendship, that

This first foreign friendship is founded upon a religious basis, at least in Valerius' rhetoric. And again, the emphasis is on the faith one puts in one's friends, the same kind of trust one places in gods. Damon and Phintias' devotion to one another, even in the face of cruel tyranny, inspires even the tyrant himself (Dionysius of Syracuse) to set them free and beg their friendship:

eos rogauit ut se in societatem amicitiae tertium sodalicii gradum mutua culturum beniuolentia reciperent. hascine uires amicitiae? mortis contemptum ingenerare, uitae dulcedinem extinguere, crudelitatem mansuefacere, odium in amorem conuertere, poenam beneficio pensare potuerunt. quibus paene tantum uenerationis quantum deorum immortalium caerimoniis debetur: illis enim publica salus, his priuata continetur, atque ut illarum aedes sacra domicilia, harum fida hominum pectora quasi quaedam sancto spiritu referta templa sunt.

(Valerius 4.7.ext.1)

He begged them to admit him into the brotherhood of their friendship, as he would cultivate his third-degree membership with reciprocal kindness. Are these the powers of friendship? To inspire contempt of death? To quench the sweetness of life? To calm cruelty? To convert hate to love? To recompense punishment with favor? The powers of friendship could (and did)! And to her powers we owe almost as much veneration as to the services of the immortal gods: indeed, public safety is maintained by the gods, private health by friendship's forces, and, just as the shrines of gods are consecrated habitations, the temples of friendship are the faithful hearts of human beings, brimming, as it were, with a holy spirit.

Cultivation of friendship is more than simply similar to the worship of gods. Friendship, which is both a virtue and a god, incubates in her temples as a holy spirit (*sancto spiritu*) animated by faith upon cushions of human flesh (*fida hominum pectora*).

Friendship is an especially apt virtue for approaching as nearly as possible to Valerius' rhetoric of his personal emotional life. Our author uses the final anecdote of this chapter on friendship (4.7.ext.2) to describe his own

friendship to Sextus Pompeius. It is immaterial whether the feelings on display are authentic or merely artfully contrived. What we are after is the manner in which Valerian rhetoric seems to encourage the reader to believe that the emotions represented in his rhetoric “stuff the temple of his heart.” It would, in the face of such evidence, become difficult to argue that Valerius does not employ religious and ritual imagery to strengthen his rhetoric of friendship. Reciprocally, Valerius’ professed religiosity acquires an emotional depth from its correspondence to the personally professed emotions of friendship, emotions moderns have been in general more willing to accept than ancient passions for gods and ritual. Valerius’ zealous adoration (*alacritas*) for Tiberius, for example, as a god on earth, may ring a bit more true rhetorically, at least, than similar depictions of devotion do in the words of Tacitus or even Suetonius. The confessions of Valerius Maximus provide a context, enabling us to conclude more confidently that Valerius’ rhetoric truly does expect readers to believe that Papirius Cursor was faith-inspired and that the temple of his heart pulsed with authentic religiosity.

After Alexander the Great captures Darius’ camp and thereby Darius’ family, Darius’ mother, mistaking Hephaestion for Alexander, falls prostrate before the great man. She is mortified by her mistake, but Alexander takes no offense, excusing her as follows: “It means nothing,” he said, “that you are confused by this name: for he too is Alexander” (“*nihil est,*” *inquit,* “*quod hoc nomine confundaris: nam et hic Alexander est*”; 4.7.ext.2). Valerius professes amazed admiration for such magnanimity, and turns to recollection of his own friendship with a “most brilliant and learned man” (Sextus Pompeius), using the language of religion and ritual:

quod priuatim quoque merito ueneror clarissimi ac disertissimi uiri
promptissimam erga me beniuolentiam expertus.

(Valerius 4.7.ext.2)

Because in private I too justly worship the ever-ready kindness I’ve
experienced at the hands of a most eminent and learned man.

Valerius reueres. He worships at the altar of friendship. Traditional divinatory adjectives are present too:

[eius] in animo uelut in parentum amantissimorum pectore laetior
uitae meae status uiguit, tristior adqueiuit.

(Valerius 4.7.ext.2)

In his heart as in the bosoms of most loving parents the happier
events of my life have thrived and the sadder have found comfort.

One may protest that, because the vocabulary of Latin is limited, such adjectives as *laetus* and *tristis* do not always carry divinatory overtones. On the other hand, Valerius goes on a little later to write:

qui studia nostra ductu et auspiciis suis lucidiora et alacriora reddidit.

(Valerius 4.7.ext.2)

And he with his leadership and under his auspices rendered my enterprises more brilliant and more passionately enthused.

The friend leads by virtue of his auspices. Augural language is integral to Valerius' rhetoric of friendship. Zeal (*alacriora*) too finds a place amid the ritual vocabulary, as does the so-often-prayed-for result of divine favor – prosperity. Others envied Valerius his *modesta felicitas* (4.7.ext.2). The language of traditional Roman religion's most characteristic rituals color an emotional and deeply devotional conception of friendship, a force that, if we accept Valerian rhetoric at its word, is a divinity in its own right (4.7.3).

The prior interests of the state and personal grief

Last moments were in the Roman world surrounded with religious usages, not, to be sure, enjoined by or part of state cult, but certainly rites that contributed in the individual to a sense of his place in the overall scheme of things, human and divine. Such usages were not simply custom or, less charitably, superstition. Proper burial is in Valerian terminology the final obligatory entitlement of the human condition (*supremus ... humanae conditionis honos*; 6.3.1), and the unburied corpse an example (like the slaughtered household gods) of religious severity. The state can here too intervene in the sphere of private religion to secure its pre-emptive interests.

We may recall that life was merely a loan. *Spiritus* is something acquired in trust at birth⁵¹ and returned at that mysterious moment – amid embraces and kisses of family, one hoped – of death. In drawing breath, one has acquired a debt to nature, to the gods, and to human beings. Only in such a context do passages like the following make moral, religious, and rhetorical sense:

[senatus] effecit ... ut quem honeste spiritum profundere in acie noluerat, turpiter in catenis consumeret.

(Valerius 6.3.3)

The senate enacted that whoever did not want to pour out his spirit honorably in the battle line, should consume it shamefully in chains.

Life is a debt to nature, gods, one's fellows, and, as it turns out, the state. Disobedient citizens may even analogously (and justly) be sold into slavery (6.3.4), and, according to Valerius, the exercise of authority (by a praetor, in the following anecdote, but also in general) should not be questioned: "On the other hand, respect for our public officials will not allow a praetor to be reckoned too harsh" (*ceterum ratio publici imperii praetorem nimis asperum existimari non patitur*; 6.3.5). If one's life is subject to such unquestioned state authority, is it surprising that one's death will be subject to similar authorities?

We may recall the famous example of Fabius Maximus, who, in order to prevent the people from recognizing the full extent of Roman losses after Cannae, not only canceled state festivities in honor of Ceres, but also confined private displays of mourning within affected households and prohibited public mourning through distinctive dress past thirty days. One might see too the suppression of grief in terms of gender. The example of Horatius, who killed his sister because she mourned too much – and hence a little too "unchastely" – one of the fallen Curiatii (*parum pudica ratus lacrimas*; 6.3.6) stands as an early warning to women not to mourn over-much men taken from them by Roman valor. Whatever else they may be, however, Fabius' decrees constitute state intervention⁵² on a massive scale into the most personal of private religious devotions and, in effect, emotions. As such, they deserve to be reckoned alongside later interventions, especially of Caesar and Augustus, but also of other late republican dynasts, who inserted their private cults into the public sphere, culminating with an *imago*, as it were, raised to the status of a state god.⁵³ We may, though, seek a closer contemporary parallel to Valerius' representation of Fabius' decrees – a senatorial decree from Tiberian Rome, the *senatus consultum de Cn. Pisone patre*. Lamentation of the dead is expressly forbidden to female relatives of Germanicus' accused assassin. Because Piso, by killing himself, "failed to punish himself enough," the senate thought fit to add the following:

ne quis luctus mortis eius caussa a feminis quibus {e}is more maiorum, si hoc s(enatus) c(onsultum) factum non esset, lugendus esset, susciperetur.

(*s.c. de Cn. Pisone patre* 74–5)⁵⁴

That none of the women (by whom he, according to ancestral custom, ought to have been mourned – had this senatorial decree not been made) should undertake mourning because of his death.

Time and again in Valerius' work, public religion and private concerns are opposed. The state comes first. Public weal is privileged over private interest. In the face of an often rigid public duty and fixed religious forms, it is fascinating to observe how Valerius' rhetoric opposes an outward immobility to an intense but – save for his rhetoric – invisible emotional life. The death of loved ones is a topic especially apt to evoke sympathy, playing as it does upon a most intimate and intensely private emotion, grief. In the ancient world, a place where death frequently came so much more unexpectedly and suddenly, grief was likely an emotion that had left few of Valerius' readers unscathed. Can we find a *religio Valeriana* providing comfort to the bereaved? Certainly no happily populated afterlife consoles lonely survivors. Valerius' depictions are too hesitant. The dead may not perish entirely (Valerius occasionally calls forth their shades), but of human beings, only Caesars have hopes of heaven (but, of course, they are not, strictly speaking, human beings).

Xenophon's son Gryllus fell in the battle at Mantinea. Xenophon receives the news in the midst of sacrifice, but continues with his public, religious duties:

nec ideo institutum deorum cultum omittendum putavit
numina, quibus sacrificabat, testatus maiorem se ex uirtute filii
uoluptatem quam ex morte amaritudinem sentire.

(Valerius 5.10.*ext.*2)

And he believed that the established worship of the gods should not be omitted The divine powers, to whom he made sacrifice, he called to witness that he derived greater pleasure from his son's virtue than he did bitterness from his death.

Valerius' Xenophon's attention to religious duty is thoroughly Roman, and hearkens closely to the anecdote that opens this chapter on parental grief. Horatius Pulvillus, despite learning of the death of his son,⁵⁵ continues with the dedication of Jupiter Optimus Maximus' temple:

neque manum a poste remouit, ne tanti templi dedicationem inter-
rumperet, neque uultum a publica religione ad priuatum dolorem
deflexit, ne patris magis quam pontificis partes egisse uideretur.

(Valerius 5.10.1)

And he did not remove his hand from the column, lest he interrupt the dedication of this great temple, and he did not turn his countenance from public religion to private grief, lest he appear to have played the part of a father more than that of a priest.

Valerius represents the father, Pulvillus, as clearly afflicted with "grief" (*dolor*), which, by an act of will, he turned aside. The opposition between public and private religion is hardly exceptional, and the association of death, grief, and gods common as well throughout the chapter. Of six anecdotes clustered around parents who bear lightly their grief for deceased children, four introduce gods and *numina* explicitly,⁵⁶ and even the two anecdotes that lack epiphanies offer *pietas* (5.10.3) or the "iron-clad law of nature that bestows mortality on all those who live" (5.10.ext.3).

In reading these anecdotes of grief, we enter not diverse times and places reconstructed according to Valerius' historical researches, but rhetorical representations of Tiberian Rome. The grief of Pulvillus, so concisely wrapped up in the almost formulaic term *dolor*, may thus be explored in greater rhetorical detail in the vivid descriptions lavished upon Xenophon, who, like his Roman counterpart, lost a son but presses on with religious obligations despite the bitter news. Can we measure what storm of grief Valerius would have us believe Xenophon suppressed? We learn what Xenophon faced through the manifest distress others (not so wise or in control of emotions or aware of duty) would have displayed during that sacrifice: "Another man would have driven away the sacrificial victim, toppled the altars, and flung aside the incense, spattered with his tears" (*alius remouisset hostiam, abiecisset altaria, lacrimis respersa tura disiecisset*; 5.10.ext.10). Surely the father felt as much as this imaginary weakling. Surely readers are to believe that Xenophon's grief was deep indeed. Most readers likely need only look inside themselves to discover rhetorical empathy for those in mourning. How then did Xenophon maintain composure?

Xenophontis corpus religione inmobile stetit et animus in consilio prudentiae stabilis mansit ac dolori succumbere ipsa clade, quae nuntiata erat, tristius duxit.

(Valerius 5.10.ext.2)

Xenophon's body stood unmoveable in religion and his mind remained stable in the council of wisdom, and he reckoned that it would be sadder to succumb to grief because of this calamity, which had been announced.

Xenophon's body stood unmoveable "in" religion. The phrase is striking, and Briscoe, reading *religioni*,⁵⁷ obelizes as did Kempf.⁵⁸ Nevertheless, *in consilio* provides, if not a key, at least a parallel. Just as Xenophon's mind rested in the council of wisdom, so also his body remained fixed in religion. Religion's grip is physical; it keeps Xenophon from succumbing to grief, to *dolor*.

We come almost full circle in the space of this short section – from Roman grief briefly sketched to Greek grief in contrary-to-fact, but full and tearful detail. There remains only to conclude with suitable words of

wisdom on the topic of losing one's children to premature death. Anaxagoras, the philosopher, provides a pretext for Valerius' reflections on those who would be wise in grief:

non ignorabit ita liberos esse procreandos, ut meminerit his a rerum natura et accipiendi spiritus et reddendi eodem momento temporis legem dici, atque ut mori neminem solere, qui non uixerit, ita ne uiuere [aliquem] quidem posse qui non sit moriturus.

(Valerius 5.10.*ext.*3)

He will not be unaware that children are begotten under the following condition: that one recalls that nature simultaneously imposes a law of receiving and of yielding up again the spirit, and that no one is required to die, who has not lived, and that likewise no one can live who is not going to die.

Those who are born must die. Grief, gods, and words for reflection. Valerius serves bracing doses of tonic to a society thirsty for gods and patriotic solace.

Cult and the virtuous rupture of family ties

Valerius' contemporary in Roman Palestine preached cutting family ties:

And every one that hath forsaken houses, or brethren, or sisters, or father, or mother, or wife, or children, or lands, for my name's sake, shall receive an hundredfold, and shall inherit everlasting life.

(Matthew 19.29)

Valerius' devotion to the state cult offers striking parallels. Time and again, Valerius praises those who put the state before family and who even sacrifice loved ones for abstract principles. It is indeed remarkable that Valerius' preferred method of illuminating military discipline is through the shattering of family ties.

We learn in Valerius that the state faced formidable hurdles in winning the religious loyalties of a people so powerfully bound to the mystic ties of blood, ties held by Valerius with great reverence, so long as the state's prior interests are not at stake:

quid enim tam difficile factu quam copulatae societati generis et imaginum deformem in patriam reditum indicere aut communioni nominis ac familiae ueteris propinquitatis serie cohaerenti uirgarum contumeliosa uerba adhibere aut censorium supercilium aduersus fraternam caritatem destringere?

(Valerius 2.7.5)

What indeed is a more difficult task than to send back home stripped of honors someone closely related by common parentage and ancestral family images or to inflict the degrading flogging of the rods upon a common name and member of one's own ancient family tree or to unleash censorial displeasure upon brotherly affection?

Valerius explicitly identifies family bonds (specifically father–son relationships) not only with blood, but also with private religion and the necessity of propagating an heir to the family's sacred ceremonies and gods (*penetratum sacrorum*; 2.7.6). Nevertheless, when private religious duty conflicts with public religious duty, Valerius comes down on the side of the state cult.

Roman *imperatores* have come home victorious, but dripping in the blood of their sons. To maintain military discipline the consul Publius Rupilius shatters family bonds (*necessitudinum perruptis uinculis*; 2.7.3). Publius Cotta demotes to the infantry and scourges a son “bound by blood” for failure to defend the camp adequately (2.7.4). Interesting here also is the fact that the father had placed the son in charge of the troops while he tended to auspices that had been improperly taken. The father's scrupulous religiosity is a fitting complement both to his military discipline and to his virtuous severity towards a son. Postumius Tubertus put his son to death because he routed enemies without express orders (2.7.6). Manlius Torquatus put his son to death for fighting without permission. The execution is in the style of a sacrifice (*in modum hostiae mactari*; 2.7.6). Private religion and private devotion are literally sacrificed on the altar of military discipline. The state religion (“cult” in our modern sense of the term would not be far off the mark) demands it.

Does such ritual enforcement of moral behavior arouse human emotions? The codes of ancient rhetorical discourse (apostrophe) allow Valerius to speak directly across centuries to Postumius Tubertus:

tu ... Postumi, dictator A. Postumium, quem ad generis penetratumque sacrorum successionem propagandam genueras, cuius infantiae blandimenta sinu atque osculis foueras, quem puerum litteris, quem iuuenem armis instruxeras, sanctum, fortem, amantem tui pariter ac patriae, quia non tuo iussu, sed sua sponte <e> praesidio progressus hostis fuderat, uictorem securi feriri iussisti.

(Valerius 2.7.6)

Your son, Postumius, whom you had begotten to carry on the traditions of your family's religious rites, whose infant prattlings you had cherished in your lap and with your kisses, whom, when he was a boy, you had taught to read, whom, when a youth, you had instructed in arms, a pious man, brave, as loving of you as his

country; you, ... Postumius, as dictator, because it was not at your command, but on his own initiative, that he made a sortie from the camp, and put the enemy to flight, ordered Aulus Postumius, victorious in battle, to be struck by the ax, and beheaded.

The relationship of father to son is mediated not just through paternal family feeling, but through private religion as well. The son was, according to Valerius, expressly begotten for the sake of continuing the family's sacred rites. The emotions of the one are intimately associated with the other. And both, religion and sentiment, find themselves opposed to the father's order to execute the son. Does such contrast lend the ritual of execution some emotional effect? Valerius' rhetoric certainly imagined that it did:

ad hoc peragendum imperium paternae uocis ministerio sufficere ualuit: nam oculos tuos certum scio clarissima in luce tenebris offusos ingens animi opus intueri nequiuisset.

(Valerius 2.7.6)

You were strong enough to supply the ministry of a paternal voice for the issuing of this command: but I am certain that your eyes, clouded by darkness in the midst of daylight however so bright, were unable to gaze upon the magnificent work of your will.

Not only does Valerius force the emotions of this scene upon his reader by means of his personal address to a grief-stricken but patriotic disciplinarian, but he also goes on to indicate clearly the religious nature of the paternal sacrifice in the execution conducted by Manlius Torquatus: "You likewise, ... O Torquatus, ... a consul, ordered your son to be seized by a lictor, and slaughtered in the manner of a sacrificial victim" (2.7.6). What calls forth such sacrifice? "He thought it was better that a father miss a brave son than his country lack military discipline" (*satius esse iudicans patrem forti filio quam patriam militari disciplina carere*; 2.7.6). Loyalty to the state is an emotion that in Valerian rhetoric appears religious in its intensity, more intense even than some of ancient society's most religious of bonds – the ties of blood that join father to son. Greater love, it seems, has no Roman father than this, that he sacrifice a begotten son for the sake of military discipline.

Disciplinary punishment exacted from those without blood ties to the general sheds light on general principles. Papirius Cursor exercises a military discipline upon a recipient who submits willingly:

o spectaculum admirabile! et Rullianus et magister equitum et uictor scissa ueste spoliatoque corpore lictorum se uerberibus lacerandum praebuit, ut in acie exceptorum uulnerum nodosis

ictibus cruore renouato uictoriarum, quas modo speciosissimas erat adeptus, titulos respergeret.

(Valerius 2.7.8)

What an awe-inspiring sight! Rullianus, master of the horse, victor, ripped off his clothing, exposed his body, and presented himself to the lacerating blows of the lictors: their vicious strokes reopened the wounds he had received in the battle, wounds which had been the harvest of his recent and most glorious victories, and he spattered the military standards with his blood.

Such ascetic self-abasement has found a place in other religious adepts at other times and places as well. Rullianus retained nobility of soul in submitting to a just punishment.

Not all men are so innately virtuous. Men, military men, must sometimes be compelled to desire death in manly fashion. Humiliation is an effective method for accomplishing such spiritual growth in soldiers, as demonstrated by Calpurnius Piso:

magnum ... dedecus patriae pari sontium dedecore uindicatum est, quoniam quidem id egit Piso, ut ... amarum lucis usum experirentur mortemque, quam effeminate timuerant, uiriliter optarent.

(Valerius 2.7.9)

The fatherland's intense shame was punished by an equivalent humiliation of the guilty, inasmuch, indeed, as Piso saw to it that ... they should experience a bitter use of light, and that for the death, which they had like women feared, they yearn like men.

Longing for death can become a source of virtuous behavior in this world. Necessity can likewise stabilize: "Necessity (*necessitas*) is the most powerful corrective to human weakness" (2.7.10). Death, necessity, fortune, nature, and the like are of course bound up with Valerius' ill-defined religiosity towards powers beyond human control. All these powers, though, must be utilized for virtue.

And Valerius outlines clearly his conception of the close connection between harsh discipline and the military religion of the state. Indeed, the father of the Roman empire (*imperii nostri pater*), Mars, may be worshipped by means of punishments meted out to those who fail in the exercise of virtue:

his, ut ita dicam, piaculis, Mars, imperii nostri pater, ubi aliqua ex parte a tuis auspiciis degeneratum erat, numen tuum propitiabatur,

adfinium et cognatorum et fratrum nota, filiorum strage, ignominiosa consulum eiuratione.

(Valerius 2.7.7)

By means of these sin-offerings, as I would call them, O Mars, father of our rule, when there was degeneration of any kind from your divine authority, your divine power was propitiated, by censure of in-laws and blood-relatives and brothers, by the slaughter of sons, by the humiliating abdication of consuls.

Punishments so conceived constitute, at least rhetorically, religious acts of atonement. Mars and, we may assume, other deities concerned with the Roman state took an interest in the behavior of Roman soldiers.⁵⁹ By analogy, the general who, while exercising virtue, punishes in accord with the views of the gods, enacts their rituals. And, *in extremis*, when, for example, father executes son, we observe how virtue and ritual, private and public religion, the deepest emotions of love, affection, grief, and anger combine to render military discipline a virtue safeguarded by religious zeal.

Conclusions

Our survey of ritual in Valerius Maximus is hardly complete. A close reading of Valerius Maximus' *Memorable Deeds and Sayings* with an eye towards religious vocabulary yields in fact such rich dividends that we may conclude that just as the gods live, ritual lives, inasmuch as an abiding faith in the efficacy of traditional religious forms animates Valerian rhetoric. Valerius' moral representations find confirmation, reflection, and contrast in traditional rituals precisely in proportion as religion in general and rituals in particular matter. Valerius' religious rhetoric appears to have expected these elements of imperial Rome's religious inheritance to have struck deeply sympathetic chords in his audience, an audience that accepted gods, their rituals, and the absolute primacy of the state.

SANCTITAS MORUM, OR THE GENERAL INTERSECTIONS OF RELIGION AND MORALITY

You can go mad from too much remembering, particularly of the endless flow of ... images ..., of the dark caravans of words that cross the pages ... to invade and ravish the delicate house of memory.¹

Our first three chapters, in so far as practicable, placed a narrow range of Valerian anecdotes in their historiographical, historical, and technical contexts in order to isolate the religious voice of Valerius' text. We discovered that traditional state gods manifested themselves rhetorically as present, powerful, and concerned. Caesars too, the new gods of Valerius' own day, lived (at least in rhetorical representation) in the hearts of Roman citizens, and cared in their turn deeply about their subjects' conduct. Our fourth chapter examined in more general fashion some of the ways in which Valerius Maximus was able to shape the ritual language of the Roman republic to conform to the contours of a rhetorical program focusing on morality rather than on politics or political history. In our concluding chapter, we shall cast our net even more widely. We shall trawl, as it were, the surface of Valerian waters. We shall be compelled to forego (as relentlessly as possible) digressions into subsidiary issues. Our aim is a general impression of how religion intersects with morality, to recuperate the religiosity of virtuous conduct, the kind of behavior that, Valerius writes, "cannot be praised enough" (*satis digna laudatio reddi non posset*; 9.11.2), the kind of behavior to which he lends a religious cast through phrases like *sanctitas morum* or "the sacredness of moral conduct" (9.11.2). We have established the adherence of Valerius' text to gods and to traditional religion. We can thus, by shifting focus, by looking at virtue first and religion second, now survey the general intersections of religion and morality permeating Valerius' work, and thereby recapture in part an ancient way of looking at the world that, in its own search for propriety in conduct, appears to appeal to divinity and to the sacred as a matter of course.

Elementa virtutis: the elements of virtue

Valerius proposes in his third book to treat the constituent parts of proper conduct, the “elements of virtue” (*elementa uirtutis*; 3.*init.*). Gods do not play a heavy-handed role in this book, but they are certainly not absent. In fact, gods observe human activities, and can intervene in a helpful way when they approve. The immortal gods, amazed at the bravery of Horatius Cocles as he defended the *Pons Sublicius*, kept him safe²: “Amazed at his bravery, the immortal gods provided him with inviolate safety” (*{eius} fortitudinem dii immortales admirati incolumitatem sinceram ei praestiterunt*; 3.2.1). A sceptic might scoff at the antiquity of the scene and a certain fabulous quality to the narrative, but Valerius provides proof:

For neither distressed nor jolted by the height, nor overwhelmed by the weight of his weapons, nor driven by any twisting eddy, nor harmed even by the missiles, which were being hurled from all sides, he successfully swam to safety.

(Valerius 3.2.1)

Escape from masses of missiles, aswim in the Tiber fully armed, Horatius Cocles arouses in the hearts of human beings the same divine emotions he had inspired in gods; they were overwhelmed with reverent awe (*stupentis illos admiratione*). Gods and human beings thrill to virtue, in this case bravery – and a far cry, we might add, from the pierced buttocks that Plutarch’s Cocles offers (βεβλημένον τῶν γλουτῶν; *Publicola* 16.6), but we digress.

The emotional depths of Valerian religiosity may be approached not only from descriptions of what the gods perceive when they look upon Roman conduct, but also from the emotional passions Valerius represents in religiously virtuous Greek philosophers and Indian sages. Illustrating the virtue of endurance (*patientia*), Greek philosophers receive high praise for the tortures they endure for the sake of their political convictions. Zeno of Elea endures the rack, rousing the citizens of Agrigentum to tyrannicide (3.3.*ext.*2). Another (according to Valerius, but actually the same) Zeno manages to bite off the tyrant’s ear before expiring (3.3.*ext.*3). Are Valerius’ readers to seek anti-Tiberian sentiments in philosophical resistance to tyranny? Any seeming contradiction of thought and feeling in an author who, on the one hand, views Tiberius as a god on earth and the assassins of Julius Caesar as mentally deranged, and, on the other, admires a Greek philosopher who roused a town to tyrannicide, lies in our own hearts and minds. It is possible to deplore lack of freedom in other societies while praising those who suppress it in one’s own. Modern parallels beckon, but would distract.

Valerius provides the secret of such endurance – conviction:

Est et illa uehemens et constans animi militia, litteris pollens, uenerabilium doctrinae sacrorum antistes, philosophia. quae ubi pectore recepta est, omni inhonesto atque inutili adfectu dispulso, totum [in] solidae uirtutis munimento confirmat potentiusque metu facit ac dolore.

(Valerius 3.3.ext.1)

There exists too that ferocious and inveterate militia of the spirit, powerful in scholarship, priestess of learning’s sacred religion: philosophy. And once it has been taken up in the heart, banishing every dishonorable and frivolous emotion, philosophy strengthens the whole heart with a mighty fortress of solid virtue, rendering it more powerful than fear and stronger than suffering.

One might argue that to call philosophy “priestess of learning’s sacred religion” is simply to use religion metaphorically, to imbue philosophy with a more decorative rhetorical veneer. Closer inspection reveals the opposite. Valerian doctrine calls for soldiers of spirit, not reason, men imbued with a moral code that, granted, rests on a philosophical basis, but that, more importantly, has been taken up by the heart, the surest fortification and defense. Tacitus tells us that Tiberius desired temples not of stone, but temples in human hearts and minds (*Ann.* 4.38). Such devotion is deeply emotional, not rational, not philosophical in any sceptically inquisitive way, but a “philosophy” that provided an ethical and literary bulwark to deeply imbued doctrines where self-denial and subjugation of self constitute the highest values *in extremis*.

We may compare Valerius’ Socrates, who was adjudicated the wisest of men, not only by the consensus of human beings (*hominum consensu*), but also by the god Apollo (*Apollinis oraculo sapientissimus iudicatus*; 3.4.ext.1). Rather than search out the secrets of the physical world (the paths of stars, etc.), Socrates had looked within:

primus ... animum suum intima condicionis humanae et in recessu pectoris repositos adfectus scrutari coegit, si uirtus per se ipsa aestimetur, uitae magister optimus.

(Valerius 3.4.ext.1)

He was the first to compel his spirit to examine the deepest matters of the human condition and the emotions arrayed in the recesses of the heart; if virtue itself is valued for its own sake, it is life’s best instructor.

In the Valerian analysis, emotions (*adfectus*) are the basis of virtue and wisdom. Tiberian Rome is a long way from Periclean Athens.

Valerius also calls to his Roman readers' attention the sages of India, who reckon as wisdom the ability to withstand ice and fire in equal measure – stark naked on mountain or in flames – and emit not a single groan. Contempt for pain, scorn for the body, is accounted wisdom (3.3.ext.6). Valerius' wisdom is sprung from deep and learned hearts (*pectoribus altis et eruditis orta*; 3.3.ext.7), vouchsafed by Roman examples, approved by wise men from Greece and India, and open to all classes alike, high born or slave:

non ergo fastidioso aditu uirtus: excitata uiuida ingenia ad se penetrare patitur neque haustum sui cum aliquo personarum discrimine largum malignumue praebet, sed omnibus aequaliter exposita quid cupiditatis potius quam quid dignitatis attuleris aestimat inque captu bonorum suorum tibi ipsi pondus examinandum relinquit, ut quantum subire animo sustinueris, tantum tecum auferas.

(Valerius 3.3.ext.7)

Virtue therefore does not discriminate against those who approach: it permits enthused and energetic spirits to enter, nor does it proffer according to any respect of persons miserly or generous portions of itself, but, on offer equally to all alike, it reckons not how much status you have, but rather how much desire, and, in the acquisition of its goods, it leaves taking the measure to you, so that you may carry off with you, as much as your spirit can bear.

Virtue's abundance is inexhaustible. One can have as much as one can take.

Kindness and mercy unto death

Mercy and kindness allow human beings, especially collectively and as military leaders, that is, in roles where they wield great power, to behave like gods.³ Valerius praises the Roman senate as a representation of the Roman people: "O liberality of the Roman people to be likened unto the kindness of the gods!" (*o munificentiam gentis Romanae deorum benignitati aequandam!*; 5.1.1). The Roman people earned this laudatory ejaculation by despising Punic money and by releasing Punic captives *gratis*.

The exercise of this decidedly Roman virtue is more than merely godlike. It is grounded in a proper regard for divinity. Lucius Cornelius, consul during the first Punic war, treats the body of Hanno with tender regard:

nec dubitavit hostis exequias ipse celebrare, eam demum uictoriam et apud deos et apud homines minimum inuidiae habituram credens, <quae> quam plurimum humanitatis habuisset.

(Valerius 5.1.2)

Nor did he hesitate to perform his enemy's funeral rites, believing then that that victory would occasion least envy both among gods and among human beings that had been characterized by as much humanity as possible.

The gods manifestly approve the consul's actions, and, by refraining from *inuidia* (jealous irritation), in effect reward human kindness.

The next example underscores the watchfulness of the gods even more clearly. Quinctius Crispinus, joined by rights of hospitality to one Campanian, Badius, is challenged to single combat by his ungrateful guest-friend. The Roman invokes virtue and religion:

“quid agis” inquit, “demens, aut quo te praua cupiditas transuersum rapit? parum habes publica impietate furere, nisi etiam priuata lapsus fueris? unus uidelicet tibi Romanorum Quinctius placet, in quo sceleste exerceas arma, cuius penetibus et honoris uicissitudinem et salutem tuam debes! at me foedus amicitiae diique hospitales, sancta nostro sanguini, uestris pectoribus uilia pignora, hostili certamine congredi tecum uetant.”

(Valerius 5.1.3)

“What are you doing?” he said, “you madman, or in what direction does your depraved desire rush you off-balance? Is the godless rage of your people too little for you, if you have not also lapsed into private impiety? Of the Romans evidently only Quinctius pleases you, against whom you wickedly bear arms, to whose household gods you owe the reciprocal exchange of honor, not to mention your personal safety! But the solemn contract of friendship and the gods of hospitality, pledges holy to our blood, but worthless to your hearts, forbid me to engage you in hostile combat.”

Gods of hospitality concern themselves with the bonds that join Quinctius and Badius, bonds which, moreover, Quinctius deems holy unto the core of his being and to all Romans like him (*sancta nostro sanguini ... pignora*), that is, bound by religious considerations, but which Badius and his raving countrymen have failed to lay up in their hearts (*uestris pectoribus uilia pignora*). The bonds of human faith are maintained by the strength of the human heart. Emotion is the religious linchpin of the anecdote, as Valerius himself explains in his introduction to it:

Quid de Quintio Crispino loquar, cuius mansuetudinem potentissimi adfectus, ira atque gloria, quater non potuerunt?

(Valerius 5.1.3)

What shall I say about Quinctius Crispinus, whose gentleness of spirit not even the most violent emotions, anger and glory,⁴ could shake?

What force could prevail against the violence of anger and the thirst for glory? A religion that made gentleness and friendship holy to the blood coursing through Roman veins, a devotion unto death. And the gods noticed:

dedit utrique caeleste numen debitum exitum, si quidem in eo proelio Badius obruncatus est, Quintius insigni pugna clarus euasit.

(Valerius 5.1.3)

A god of heaven bestowed upon each the end that he deserved, if indeed in that battle Badius was dismembered, and Quinctius departed with renown for signal combat.

The gods reward virtue manifestly.

When the Romans conquer a city, they do so humanely. Marcus Marcellus wept to behold Syracuse from on high, so beautiful of vista, about to fall prey to his soldiers, prompting Valerius to exclaim:

itaque, Syracusana ciuitas, maxima clade tua aliquid admixtum gratulationis habuisti, quia, si tibi incolumem stare fas non erat, leniter sub tam mansueto uictore cecidisti.

(Valerius 5.1.4)

And so, city-state of Syracuse, you had some grounds for congratulation mixed in with your terrible calamity, since, if it was not religiously permissible for you to stand unharmed, at least you fell softly at the hands of so gentle a conqueror.

The clue to divine sanction is the word *fas* (divine law), which stands in relation to divine regulation a *suis* (law) does to human.⁵ Syracuse thus takes a double consolation, and we see at once how gods side with Roman gentleness, a mercy on display and pleasing to them.

Caesar carries on that gloriously humane tradition. Tears fall from Caesar's eyes upon his father-in-law's face, and he burns the severed head with all the perfumes and sweet savors that money can buy (5.1.10). Valerius comments:

quod si non tam mansuetus animus diuini principis extitisset, paulo ante Romani imperii columen habitum – sic mortalium negotia Fortuna uersat – inhumatum iacuisset.

(Valerius 5.1.10)

But, if the spirit of the divine ruler had not proven so gentle, the man considered only just recently the bulwark of Roman rule – thus does Fortune overturn the affairs of mortals – would have lain unburied.

Fortune may have left Pompey to rot, but not the divine and gentle Caesar. Only Cato's jealousy of Caesar's glory and consequent suicide prevented his salvation at the merciful hands of Caesar, a salvation that Valerius claims would have constituted no small part of Caesar's divine achievements (*diuinorum Caesaris operum*; 5.1.10). Truly, kindness and mercy are of the gods.

Trials of religion

The law courts were busy with more than merely wills, and the gods, who, while they may not act on stage often, have concerns that matter, make their virtuous influences felt. Condemnation or acquittal is subject to influences of *Inuidia* (Malevolent Envy), nature, and intervening gods. Questions of ritual, religion, and morality play their part too.

Valerius introduces his chapter on infamous defendants who were for various reasons either acquitted or condemned by placing all of the chapter's twenty-two examples under the sway of the abstract force and divinity, *Inuidia*:

Nunc, quo aequiore animo ancipites iudiciorum motus tolerentur, recordemur *inuidia* laborantes quibus de causis aut absoluti sint aut damnati.

(Valerius 8.1.*init.*)

Now, so that we may endure the uncertain judgments of the courts with a spirit of self-control, let us recall for what reasons those beset by *ill will* were either acquitted or condemned.

Valerian rhetoric takes it for granted that all struggles in court are subject to the forces of *inuidia*. Given the adversarial nature of the courts, it would certainly appear natural that “ill will” (also jealousy, envy, hatred, unpopularity) as an abstract concept plays a role in trials. Indeed, as Epstein points out, such *inuidia* was a “potent source of *inimicitia*” in politics.⁶ Pöschl too,

who discusses *invidia* in Cicero's speeches, concludes that the term shows us "something about the peculiarities of political and social relations in Rome as well as their psychological effects and preconceptions," and quotes Cicero and others comparing *invidia* to storms and lightning striking from the sky.⁷ Celestial interventions (*tempestates*), on the other hand, do clearly have divine origin.⁸ Could *invidia* have had an analogous origin? Valerius' phrasing, "beset by ill will" (*invidia laborantes*), suggests battle against a force to be reckoned with in its own right.⁹ This pattern of thinking is habitual and suggestive of a universe where individuals contend with myriad divinities and forces.

We may, moreover, put Valerian *invidia* in its social context. Related to *invidia* is *fascinatio*. Pliny attests to its power:

Isogonus adds that there are people ... among the Triballis and Illyrians, who ... bewitch with a glance and who kill those they stare at for a longer time, especially with a look of anger, and that their evil eye is most felt by adults; and that what is more remarkable is that they have two pupils in each eye.... Also among ourselves Cicero states that the glance of all women who have double pupils is injurious everywhere. In fact when nature implanted in man the wild beasts' habit of devouring human flesh, she also thought fit to implant poisons in the whole body, and with some persons in the eyes as well, so that there should be no evil anywhere that was not present in human beings.¹⁰

(Pliny *HN* 7.16–18)¹¹

Ordinary Romans consequently took measures to protect themselves, among which were *bullae*, or the amulets worn by boys.¹² *Fascinus* was, moreover, a god and a phallus, and was carried in the *bulla* in order to ward off evil glances.¹³ Boys become men. Even victorious generals were once boys. And, when they made their way as *triumphatores* towards the temple of Jupiter Optimus Maximus, the greatest of the Roman gods, these generals did not give up entirely the customs or gods of their youth. Pliny informs us that underneath the triumphal chariot was a *fascinum* (*membrum uirile*, a phallus) or, as Pliny puts it, a "prophylactic against ill will" (*medicus inuidiae*; *HN* 28.39). Others enjoyed other protections. The chastity of self-castrated eunuchs not only helped them approach the deity, but their cross-dressing could also be used as protection against the evil eye.¹⁴ And "it is agreed by several ancient authors that a man becomes dumb if a wolf looks at him before he sees it."¹⁵ Many Romans seem to have adhered to less than rationally abstract beliefs in regard to *invidia*. We must then decide whether Valerius, who calls the *bullae* that pious boys give up during military and fiscal crisis the "insignia of their free-born status" (*insignia ingenuitatis*;

5.6.8), should be classed among the “superstitious,” or, better, “religious.”¹⁶ Did those boys relinquish mere jewelry or did they yield to the state objects in which numinous deity resided?

Valerius presents *invidia* as a simple fact. It is up to the reader, in light of the cultural context, and what follows, to decide what that means. What interests Valerius is why the accused were condemned or acquitted. This is useful information. There is, however, a larger issue: Valerius states that he wishes to help his readers acquiesce in political arrangements as they stand so that “with a spirit of self-control we may endure the uncertain judgments of the courts” (8.1.*init.*). Valerius does not argue for a world of rational, impartial (or philosophical) justice, but rather one where various forces (not necessarily capricious and often divine) are at work wherever troubles begin. These forces Valerius seeks out. Three of twenty-three outcomes are clearly determined by forces resident outside the world generally open to human inspection. Of the twenty-three anecdotes Valerius relates in this chapter, a named god intervenes in the case of Tuccia (8.1.*abs.*5);¹⁷ storms, considered divine in origin, save two other defendants (8.1.*abs.*4 and 8.1.*abs.*6); another is released because the crime was not committed “in a godless manner” (*impie*; 8.1.*abs.*1); a provincial case is referred by a Roman magistrate to the Areopagus because the woman, although “contaminated” (*contaminata*), had justifiable grounds for murdering her husband and son (8.1.*amb.*2). We see then the results of three cases determined by demonstrably divine intervention, and two trials clearly judged on religious grounds. If one grants that cases involving potentially violated chastity (*pulicitia*; 8.1.*abs.*1, 5, 8, 12), parricide (8.1.*amb.*1–2), and a fire on the “Sacred Way” (*sacra uia*; 8.1.*damn.*5)¹⁸ carry religious associations, then fully a third of these public trials involve religious elements. We must also note that Valerius places the trial of Tuccia, a religious trial, in the midst of a series of political and criminal trials. He does not distinguish the two types.

The anecdotes proper, moreover, begin with severity and piety in ancient Rome, and end with the pious wisdom of Rome’s provincial magistrates, who make use of the Athenian Areopagus. Pious reverence from a structural standpoint thus frames the chapter’s intervening anecdotes, including those more strictly mundane. We may turn first to virtue and divinity at odds. Lucius Scipio was an innocent man, according to Valerius, but, despite a life of moral purity (*sincerissimae uitae*), he was condemned, “as if” he had been bribed by his former foe, Antiochus. In face of so much guiltlessness, the cause of this defeat was not natural: indeed, he was a victim of *Invidia*, the goddess of ill will (8.1.*damn.*1). On the other hand, Lucius Claudius Pulcher was saved by a sudden and violent thunderstorm (*repentina uis nimbi*) and the resulting mud, with which the abject defendant filled his mouth while kissing the feet of judges and jurors, enabled him to obtain pity and thereby absolution (8.1.*absol.*6). Thunder and lightning themselves, however, constituted communications from gods, an *omen infaustum*.¹⁹ Nature (and the gods

who animate it) participates or refrains as fits its whims. In the case of the Vestal, Tuccia, accused of unchastity, nature allowed the defendant to carry water in a sieve as proof of divine testimony on her behalf: “Nature itself yielded before the vows of the priestess” (*uotis sacerdotis rerum ipsa natura cessit*; 8.1.*absol.*5).²⁰ Why nature intervened so willingly in her case is spelled out clearly. The priestess made her vows boldly (*temere iactis uotis*), because she knew that she had always brought chaste hands (*castas ... manus*) to the sacred rites (8.1.*absol.*5). That this chastity was more than ritual abstinence from sexual activity, we have discussed, and, as Valerius explains, it bestowed a virtuous state of mind (*conscientia certae sinceritatis*; 8.1.*absol.*5). Because her thoughts were pure, nature (and the gods) allowed her to carry water in a sieve from the Tiber to Vesta’s temple. Ritual conduct, moral religiosity, and miracle intersect, but, in light of Antiochus, not necessarily according to a strict calculus.

Valerius is most explicit regarding divine intervention in the anecdote immediately preceding his version of Tuccia’s sieve. Publius Claudius Pulcher ignored warnings provided by Jupiter when the sacred birds refused to feed before he engaged in, and lost, a sea battle, thereby – according to Valerius – harming religion even more perhaps than he had his country. Nevertheless, when his trial was delayed by sudden rains, it was decided not right to begin it anew, inasmuch as it was as if the gods themselves were intervening (through nature) on Claudius’ behalf: “Once indeed the trial had been delayed, as the gods were intervening, it did not seem right to begin the proceedings anew” (*discussa enim quaestione aliam uelut dis interpellantibus de integro instaurari*²¹*non placuit*; 8.1.*abs.*4). “No doubt, even the augurs must have been baffled by Jupiter’s decision to save Claudius.”²² Baffled or not, they paid attention, and we, for our part, may view yet again gods as powerful and active agents.

A few more moral highlights are also of interest for the light they shed on the intersections of religion, morality, and law. Marcus Horatius, in the chapter’s first anecdote, killed a sister (who lamented a bit unchastely a fallen enemy and fiancé) severely rather than impiously (*seuere magis quam impie*; 8.1.*abs.*1). This not impious, hence pious, sacrifice of kinship on the altar of chastity was judged necessary by the Roman people, whom Valerius, in commenting on the judgment of Horatius, terms guardians of chastity: “The Roman people has distinguished itself as a ferocious guardian of chastity” (*acrem se ... pudicitiae custodem populus Romanus ... praestitit*; 8.1.*abs.*2). Other abstract and quasi-religious values, *infamia*²³ (infamy, disrepute) and *fides* (faith, loyalty),²⁴ play central roles in the second and third anecdotes of the chapter, bringing us by way of crescendo from an initial *inuidia* (ill will) to *di interpellantes* (intervening gods; 8.1.*abs.*4), the miraculous ordeal of Tuccia (8.1.*abs.*5), and a saving cloudburst (8.1.*abs.*6). Anecdotes follow without such supernatural elements, but surely a religious tone has been set. And, again, Valerian ring composition underscores the

connection of law and religion. In the series' concluding anecdote Publius Dolabella, proconsul of Asia, refers to the Areopagus for sentencing a woman "contaminated" with murder. She has killed a husband and a son because they murdered another son by a previous marriage. She has required parricide with parricide.²⁵ Dolabella was perplexed:

ipse neque liberare duabus caedibus contaminatam neque punire
tam iusto dolore impulsam sustinebat.

(Valerius 8.1.amb.2)

He could not decide whether to acquit a woman contaminated by two murders or to punish someone motivated by such righteous agony.

Perplexity leads to a "considered and gentle" referral by the magistrate of the Roman people. The Areopagites prove themselves equally wise, ordering the woman to return in one hundred years for sentencing. No decision is rendered, and religion, law, and morality are equally served and on rhetorical display to conclude a chapter that began with universal suffering at the mercy of *invidia*.

Religious issues come themselves before the courts. The college of augurs orders Claudius Centumalus to reduce the height of his house because it interferes with their observations.²⁶ Instead, he sells the house without revealing the defect. The subsequent owner must demolish the structure, and files suit. Marcus Porcius Cato, who adjudicates, condemns Claudius because the sale was not in good faith (*ex fide bona*; 8.2.1). Moral and legal rectitude circumscribe, support, and in a sense reflect in the practical world the punctilious attention the augurs pay to their religious duties. The entire Roman world, one might infer from such rhetoric, is governed by similar attention to appropriate rules.

Personal conscience or personal religion?

In Valerius' chapter on the trials of private citizens or civil cases, religious concepts play an even stronger supporting role in sorting out questions involved with personal morality. To recompense her stuprous love, Gaius Visellius Varro contrives to pay Otacilia (Laterensis) a large sum of money at the cost of his heirs. While gravely ill, he signs a promissory note acknowledging a fictitious debt that she is to collect from his heirs upon his demise. Contrary to her "prayers" (*uota*), Visellius recovers. She consequently brings suit as if the note were authentic. The presiding magistrate, rejects the woman:

C. Aquilius uir magnae auctoritatis et scientia iuris ciuilibus excellens
iudex adductus adhibitis in consilium principibus ciuitatis
prudencia et *religione sua* mulierem reppulit.

(Valerius 8.2.2)

Gaius Aquilius, a man of great authority and distinguished for his knowledge of civil law, having been appointed judge, upon consultation in council of the city's foremost citizens, relying on his wisdom and *his own* "religion," rejected the woman.

Advice from friends, legal expertise, and wisdom combine effectively and might seem sufficient unto the judgment day, but the interjection of personal "religion" (*religione sua*) is rhetorically interesting. Would Aquilius' legal acumen have sufficed? Was the magistrate's *religio* (however we choose to define the word) really a necessary part of the judicial picture?²⁷ And, if so, in what way did Otacilia offend the personal sensibilities of the fastidious magistrate?

Offenses are not far to seek. Otacilia engaged in sex for pay and Visellius paid for sex, or, in Valerius' more suggestive phrasing, their relationship was a "commerce of lust" (*commercium libidinis*; 8.2.2). When Visellius fails to die, she loses her "reward" or "prey" (*praeda*). His recovery is her disaster or "storm, contrary to the expectation of her vows" (*tempestas aduersus uota*). Her misuse of Roman rites for immoral purposes sets the rhetorical stage for the religious wisdom of Aquilius, but there is more. Otacilia is a female usurer (*feneratrix*) and her very brow is unchaste (*frons inuerecunda*). An unchaste, female usurer who abuses the customary means of seeking favor from the gods (vows) certainly provides more than enough context both for offense and for reading into the word *religio* some of its religious connotations. We might assume as well that the upright example of Roman probity, the presiding magistrate of the court, would likely have been conceived by Roman readers as sharing more generally the religious conceptions represented rhetorically by Valerius throughout his work.

The succeeding anecdote combines the same triplet: violated chastity, law, and religion. Gaius Titinius marries a notoriously unchaste woman with the intent of catching her in adultery and thereby securing to himself the right to keep her dowry. According to plan, Titinius and his adulterous bride arrive in court, the court, however, of Gaius Marius, whom Valerius takes care to introduce as a man of greater energy and military spirit (8.2.3) than Aquilius (8.2.2).²⁸ Marius, upon failing to dissuade Titinius from pursuing his case, fines Fannia a mere sesterce, but Titinius the entire sum of her dowry. The case acquires larger implications when Marius, having been declared a public enemy, finds himself at Minturnae in the house of this same Fannia, who assists him substantially in his distress:

ope quantacumque potuit adiuuit, memor, quod inpudica iudicata esset, suis moribus, quod dotem seruasset, *illius religioni* acceptum ferri debere.

(Valerius 8.2.3)

She aided him as much as was in her power, mindful, that she had been judged unchaste because of her own moral conduct, but that she had preserved her dowry, on account of *his* “*religion*.”

Personal conscience, *religio*, here appears slightly askew. Should Marius not have made every effort, like Aquilius, to see Fannia humiliated? Fraud may be worse than unchastity. We see in the legal efforts of these two men, in their personal consciences or *religiones*, certainly not religious doctrine, but individual moral sensibilities applied in reference to particular situations in a practical manner. Individuals must work in accord with a personal conscience, a *religio*.

Such personal *religio* is in evidence elsewhere in Valerius’ legal chapters as well. When Marcus Aemilius Scaurus appears as a witness, the credibility of his testimony rests in part on his “religion, concerning which no one had any doubts” (*religio: de qua nemo dubitabat*; 8.5.2). When Publius Servilius appeals to jurors, he refers to their individual consciences, deploying again the term *religio*: “What, if anything, may, according to your individual ‘religion,’ pertain (to the case) you yourselves will decide” (*quod an aliquid ad religionem uestram pertineat ipsi aestimabitis*; Valerius 8.5.6). *Religio* is individual, not doctrinal. Nevertheless, as a matter of conscience – that is, as a state of mind that takes into account societal custom, laws, standards of conduct, notions of justice, and even the will of the gods – it is in touch with every aspect of Roman life that molded behavior and, as a way of life, is not devoid of the connotations carried by its English derivative, “religion.”

Law and religion are, as Plutarch, an insightful student of Roman culture, observes, closely connected. He describes the connection of Aemilius Paullus’ scrupulous performance of his augural duties to his more general attention to virtue:

For all the duties of this office were performed by him with skill and care, and he laid aside all other concerns when he was engaged in these, omitting nothing and adding nothing new, but ever contending even with his colleagues about the small details of ceremony, and explaining to them that, although the Deity was held to be good-natured and slow to censure acts of negligence, still, for the city at least it was grievous thing to overlook and condone them; for no man begins at once with a great deal of lawlessness to disturb the civil polity, but those who remit their strictness in small matters break down also the guard that has been set over greater matters.²⁹

(Plutarch *Aemilius* 3.3)

For the cosmopolitan Greek’s gentle God, we may substitute the narrower Roman moralist’s more unpredictable gods, *numina*, nature, and necessity,

and Valerius himself expresses sentiments similar to Plutarch's in his asyndetic description of the parallel spheres, in which Scaevola acted: "since he had well and long administered the laws of the citizens, the ceremonies of the gods" (*cum bene ac diu iura civium, caerimonias deorum ordinasset*; 8.8.2). Reverence for one sphere implies reverence in another, a concept that Valerius sums up in reference to the severity of earlier ages (a severity couched in terms of reverence):

quid aliud hoc loci quam uerecundiam illius saeculi laudemus, in quo tam minuti a pudore excessus puniebantur?

(Valerius 8.2.4)

May we do anything else here than praise the reverent respect of that age, in which such minute departures from propriety were punished?

In Valerius' own times there were similar remedies, and new ones too. Emperors (*principes*) could supply want of well-developed, personal *religiones*. Indeed, reverence for such authority prevents crime: "Jurors believed that he, who did not know how to venerate the state's leaders (*qui uenerari principes nesciret*), would be more than willing to commit any crime whatsoever" (8.5.6). With *principes*, we come of necessity back to religion, inasmuch as in Valerius' day the state was ruled by a god, descended of gods.

Justice

Virtue and religious considerations intersect in many ways with law courts and conscience, but Justice in the abstract is of course a virtue and a goddess in her own right, and we can explore what this goddess/virtue means in Valerian rhetoric. Justice merits a temple, religious observations, zealous reverence, and is embodied in the city of Rome itself:

tempus est iustitiae quoque sancta penetralia adire, in quibus semper aequi ac probi facti respectus religiosa cum obseruatione uersatur et ubi studium uerecundiae, cupiditas rationi cedit nihilque utile, quod parum honestum uideri possit, ducitur. eius autem praecipuum et certissimum inter omnes gentes nostra ciuitas exemplum est.

(Valerius 6.5.*init.*)

It is time to enter the sacred sanctuary of Justice, in which regard for the just and righteous deed ever abides with religious observance and where partisanship yields to reverence, greed to reason, and nothing is deemed effective, if it could seem less than honorable.

The most conspicuous and surest example of Justice among all the nations of the earth is, of course, our own state.

One might be tempted to dismiss this “Justice” and her religious accoutrements as mere rhetorical embellishment. The Praenestine calendar lists under 8 January, however, a Statue of Augustan Justice dedicated in AD 13, coins issued by Tiberius AD 22–23 portray her,³⁰ and an inscription speaks of a priest of Justice (*sacerdos Iustitiae*).³¹ Valerius’ religious rhetoric corresponds to contemporary religious practice.³² A cynic might add that spontaneously convicted belief in one’s society’s innate goodness, justice, and righteousness in the eyes of divinity and religion would well serve the interests of any imperial state, but that is beside the point.

Even without the context of contemporary practice, the religious rhetoric of Valerian justice allows the Romans, as a people, to behave like gods. In the chapter’s first example, defeated Faliscans submit to Rome because their hearts and minds (*animi*) are “taken prisoner” by Roman justice: “Roman justice captured the hearts and minds of those whose walls they had been unable to breach” (6.5.1). On another occasion, the Faliscans submit not to Roman power (*potestati*), but to Rome’s trustworthiness, that is, Roman faith (*fidei ... Romanorum*; 6.5.1).³³ Faith itself is of course a divine power in its own right and worthy of reverence (*uenerabile fidei numen*; 6.6.*init.*). Faith too received a temple during the reign of Augustus,³⁴ and Valerius makes use perhaps of this religious reality as well when he calls the senate a temple of faith: “that senate of mortals, who would call it a council and not a temple of Faith?” (*illam curiam mortalium quis concilium ac non Fidei templum dixerit?*; 6.6.5). Roman virtues are divinities, and Romans who behave virtuously are depicted in religious terms. When, then, the Faliscans entrust themselves to Roman “faith,” they entrust themselves both to Roman virtue and in Valerius’ rhetoric to Roman conceptions of divinity.

We may inquire what animating powers justice and faith possessed as goddesses, inducing defeated Faliscans on two occasions to entrust themselves to Rome. What sorts of gods were at work? Augustine derides Romans for making gods of such virtues:

uirtutem quoque deam fecerunt; quae quidem si dea esset, multis fuerat praeferenda. ... Sed cur et Fides dea credita est et accepit etiam templum et altare? Quam quisquis prudenter agnoscit, habitaculum illi se ipsum facit.

(Augustine *Civ. Dei* 4.20)

They made Virtue a goddess too, and, if indeed a goddess, she had necessarily been preferred to many. ... But why has Faith both been deemed a goddess and also received a temple and an altar? Anyone

intelligent enough to know her, makes of himself a habitation for her!

Augustine's rhetoric summarizes, though in negative fashion, Valerius' rhetorical practice.³⁵ Just as Christian churches need not exclude heartfelt devotion to Christ, Roman temples to Faith, Justice, and other virtues need not have excluded the deepest religious emotions. Valerius' rhetoric, in fact, provides evidence that at least one author wrote in a manner that appears to expect readers' hearts to resonate with virtue and religion. We have noticed Valerius' use of *in pectore* and the like. Virtues are at every turn religiously hemmed in, defined, expanded, sanctioned outright by gods, their temples, and quasi-religious vocabulary.

The devout gaze and marital affection

In the language of reverence, we find a language appropriate to the contemplation of visible objects of religious devotion. This language is also applied to the examples that Valerius places before his readers' eyes:

legitimi ... amoris quasi quasdam imagines non sine maxima
ueneratione contemplandas lectoris oculis subiciam.

(Valerius 4.6.*init.*)

I shall cast before my reader's eyes some icons, as it were, of legal love, that ought not to be gazed upon without the greatest veneration.

Valerius introduces spousal love more than merely rhetorically (by announcing that he will employ the rhetorical figure of vividness). *Exempla* become virtual icons capable of admitting reverent contemplation. And, as if to confirm this subtle religious underpinning, the chapter's first anecdote of spousal love revolves around religious matters. Tiberius Gracchus (Cos. 177, 163) catches two snakes.³⁶ It is not unusual for divinity to manifest itself in nature, hence a priest, here an *haruspex*, is consulted, who reveals that Tiberius may kill one snake and let the other go. If he lets the male snake live, he will live, but if the female, his wife. Tiberius releases the female snake, thus vouchsafing his wife's life.

Valerius goes on to contrast Tiberius' devotion favorably with Admetus (who, the Greek story goes, after failing to persuade either of his parents, finally convinced his wife to take his place when death came calling). Valerius berates Admetus directly: "Behold, O Admetus, king of Thessaly, your condemnation by the great judge³⁷ for committing a cruel and ruthless crime!" (4.6.1). Greek weakness serves once more as a mirror to Roman

magnanimity, and Valerius underscores his drubbing of Admetus with the example of Gaius Plautius Numida, who killed himself rather than live on after the death of his wife (4.6.2). Marriage, instituted by rituals not necessarily religious, represents a social state of affairs and a set of legal obligations. As a word, it conjures a range of emotions and behaviors that two human beings experience in relation to one another. Valerius interprets this complex word for his readers by appealing to the example of Plautius' suicide: "He testified by so violent a death to the strength of the marital fire that he had kept locked in his heart" (*tam uiolenta morte testatus quantum maritalis flammae illo pectore clausum habuisset*; 4.6.2). We ought not to ignore the attention that Valerius expressly draws to the emotions. Literary representation cannot convey "actual" marital emotions. On the other hand, even today and without the aid or comfort of ancient rhetorical principles, lovers kill each other and themselves, confessing by their crude acts violent passions. And, although we may never know exactly what emotions beat in such hearts, Valerius' rhetoric does not hesitate to ascribe emotion and passion to his historical exemplars. Similarly, Valerius encourages his readers to contemplate with the greatest veneration the *imagines* he presents, a veneration that gains in emotional intensity through the violence of his examples (4.6.*init.*).

The gods and freedom

Not all virtues receive such religious sanctions. Despite the derivation of liberty from the god *Liber*, freedom of speech and action (*dictis pariter et factis*) is not a virtue especially supported by gods, at least actively. Rather, liberty seems to play itself out in Valerius' anecdotes on a more human plane, and is, for that very reason worth examining by way of contrast.³⁸ Valerian rhetoric provides good reasons for this seeming hesitation of the gods: "Freedom is situate between virtue and vice" (*{libertas} inter uirtutem uitiumque posita*; 6.2.*init.*). Valerius' twelve Roman and three foreign examples portray freedom of speech (all the anecdotes deal with words freely spoken) as an unruly force that assaults authority. What virtue is in evidence often resides in the restraint shown by the powerful figure against whom free speech is exercised, not in the speaker himself. Valerius, after relating an anecdote in which a senator upbraids a consul, asks and answers the following question: "What? Has freedom left the people safe from its aggression? On the contrary, freedom has similarly attacked and likewise found the people long-suffering" (6.2.3). Freedom of speech lashes out, but authority, whether in magistrates or resident in the people as a whole, tolerates.

Valerius singles out Pompey as an exemplar whose authority many times contended with freedom (*Pompei auctoritas totiens cum libertate luctata est*; 6.2.4). We see in Valerius' rhetorical diction a battle of abstract forces.

“Authority” struggles with “freedom.” In these struggles, the perpetrator of verbal attack remains safe and the powerful victim receives high praise: “Not without great praise, since with placid exterior he bore being the butt of every sort of person’s unrestrained commentary” (*licentiae*; 6.2.4). Those who exercised freedom of speech against Pompey are accused of “license,” while the great man, abused, majestically tolerates affronts.

Helvius Mancius Formianus, for example, uses the rhetoric of hell to attack Pompey.³⁹ The result is savage and vivid. Pompey had maligned Helvius as low born and so old that, Pompey surmises, he must have arrived at court directly from the land of the dead. Helvius agrees: “You do not lie ..., Pompey: I come indeed from hell” (*ab inferis*; 6.2.8). Helvius proceeds to recount the testimony of witnesses to Pompey’s cruelty, whom he evidently deposed among the departed:

uidi cruentum Cn. Domitium Ahenobarbum uidi ... <M.>
 Brutum ferro laceratum uidi Cn. Carbonem ... catenis, quas tu
 ei inici iusseras, uinctum, obtestantem se aduersus omne fas ac
 nefas, cum in summo esset imperio, a te equite Romano truci-
 datum. uidi ... Perpennam saeuitiam tuam execrantem, omnesque
 eos una uoce indignantes, quod indemnati sub te adulescentulo
 carnifice occidissent.

(Valerius 6.2.8)

I saw Gnaeus Domitius Ahenobarbus dripping with blood I saw
 ... Marcus Brutus lacerated by the sword I saw Gnaeus Carbo
 ... bound by the chains you had ordered thrown upon him, testi-
 fying that, when he held the highest command, he had, contrary to
 all that is holy and unholy, been slaughtered by you, a Roman
 knight. I saw ... Perpenna cursing your savagery, and all of them
 screaming with one angry voice, because without trial they had died
 at the hands of the likes of you, a teenage butcher.

Despite good manuscript tradition, the phrase “contrary to all that is holy and unholy” (*aduersus omne fas ac nefas*) has occasioned spirited textual debate on logical grounds. How can evil deeds be in contravention both of divinely sanctioned good and of religiously prohibited evil? Such logic ignores a rhetoric where words presumably flow in outraged torrents. The phrase is striking, a rhetorically effective screech against a potentate, who, by Valerius’ time, had safely gone the way of his victims. Valerius reflects on the nature of political speech in days of yore: “In those days it was both very brave and very safe to revile Pompey” (*eo*⁴⁰ *tempore et fortissimum erat Cn. Pompeio maledicere et tutissimum*; 6.2.8). Pompey takes it on the chin here, and in the anecdote that immediately follows as well (6.2.9). This example reveals how the low might have employed religious rhetoric against the

mighty. Valerius' own deployment (as opposed to representations of such employment) is of a different order.

Valerius is rhetorically more likely to invoke gods against those attacking liberty, rather than in support of those exercising it:

quantum ergo odii aduersus hostes libertatis insitum animis antiqui
haberent parietum ac tectorum, in quibus uersati fuerant, ruinis
testabantur.

(Valerius 6.3.1)

The ancients testified therefore how deeply rooted in their hearts their hatred was against the enemies of liberty by tearing down the walls and roofs, in which they had lodged.

An attack on the house of an enemy of liberty is fundamentally a religious act, because pulling down a house slaughters the household gods (*penates*).⁴¹ Spurius Cassius' house was torn down, so that he might also be punished with the slaughter of his household gods (*penatium quoque strage puniretur*; 6.3.1). A like fate befell the household gods of Marcus Flaccus and Lucius Saturninus (*penates ab imis fundamentis eruti sunt*; 6.3.1). Such properties are replaced by temples. Manlius' house on the Capitoline had stood where Juno received a temple (6.3.1). Tellus' temple was built on the site of Spurius Cassius' home – a monument to religious severity (*religiosae seueritatis monumentum*; 6.3.1). Liberty itself may be problematic, but its defense is not: "Severity is the guardian and avenger of liberty, but also just as earnest on behalf of dignity and discipline" (*libertatis ... custos et uindex seueritas, sed pro dignitate etiam ac pro disciplina aequae grauis*; 6.3.3). The exercise of liberty is itself problematic, but severity in defense of liberty is decidedly virtuous.

At war with vice

The intersections of divine solicitation and human error serve as more than mere moral fault line, and illuminate how divinity differs from humanity. We turn to Caesar. Whatever its resonance may have been when Marius practiced cruelty amid sacred sepulchers by offering a Caesar as piacular sacrifice to Varius (9.2.2),⁴² the name itself had, by Valerius' times, been endowed with numinous divinity. As such, its every mention in Valerian rhetoric invokes both man and god at least latently, until readers have had a chance to orient themselves historically. The name Caesar thus serves as another opportunity to view how gods insert themselves into history and the affairs of human beings.

Munatius Flaccus, partisan of Pompey, was during civil war locked up in a Spanish town besieged by Caesar's forces, and he was very cruel: "He exercised his bestial cruelty with a most savage sort of insanity" (*efferatam*

crudelitatem suam truculentissimo genere uaesaniae exercuit; 9.2.4). This much of the anecdote, despite rhetoric, wears an historical guise. Munatius slashes the throats of Caesar's partisans, and hurls them from the walls, calls out to Caesar's soldiers by name before slaughtering their wives, kills small children in their mothers' laps, dashes others to the ground, and has others displayed aloft on pikes.⁴³ This outrageous conduct is a moral offense against divinity, which, in this anecdote, has lain only implicit in the name Caesar. Valerius elicits that divinity explicitly: "Flaccus ... was fighting with insane stubbornness against divine works" (*Flaccus ... diuinis operibus uaecordi pertinacia resistebat*; 9.2.4). Caesar is revealed for the god that he is, and what had been an historical siege becomes a divine intervention, struggle against which was insane.

Human vice and error in spite of divine law, in fact, sufficiently justify – according to Valerius elsewhere in the same chapter – both human mortality and all the other ills that human beings bring down on their own heads:

queramur nunc cum rerum natura, quod nos multis et asperis
aduersae ualetudinis incommodis obnoxios esse uoluerit, habi-
tumque caelestis roboris humanae condicioni denegatum moleste
feramus, cum tot cruciatus sibimet ipsa mortalitas impulsu crudeli-
tatis excogitauerit.

(Valerius 9.2.*ext.*11)

So should we now lodge a complaint with nature, because it has seen fit to subject us to many and rough trials of ill health, and endure with difficulty the fact that the vesture of heavenly vigor has been denied to the human condition, when mortals themselves through their impulse to cruelty have contrived so many tortures for themselves!

We may deserve our fate, but Valerius recognizes too the violence of human emotions and the gods who can cause them to well up within those whom they wish to render exemplary:

Ira quoque et odium in pectoribus humanis magnos fluctus exci-
tant, procurso celerior illa, nocendi cupidine hoc pertinacius,
uterque consternationis plenus affectus ac numquam sine tormento
sui uiolentus, quia dolorem, cum inferre uult, patitur, amara sollici-
tudine ne non contingat ultio anxius. sed proprietatis eorum
certissimae sunt imagines, quas <di> ipsi in claris personis aut
dicto aliquo aut facto uehementiore conspici uoluerunt.

(Valerius 9.3.*init.*)

Anger and hatred too stimulate vast surges in our hearts, the former swifter in onset, the latter more steadfast in its lust to injure, and

each a violent emotion full of turmoil that ever tortures itself, since, whenever it wants to attack, it suffers, anxious with bitter worry lest it fail to achieve vengeance. But the surest images of their essential nature are those, which the gods themselves wanted to display in famous persons or in some saying or rather vicious act.

Valerius recognizes in this conflux of human emotion and divine interference the difficulties we must face. Life becomes a battleground where human beings with the assistance of virtues (divine forces) and guided by gods (including Caesars) can hope, especially in light of conveniently provided negative examples, to avoid undue vice. History provides a record and a guide. Indeed, any prize for conduct generally goes to the past.

Past and present live together not only in Valerius' pages, but also in the sacred traditions of individual households:

eodem tempore et in isdem penetibus diuersa saecula habitarunt,
frugalissimum alterum, alterum nequissimum.

(Valerius 9.1.6)

At the same time and among the same household gods diverse ages have dwelt, the one extremely virtuous, the other thoroughly vile.

We may gloss *isdem penetibus* as "in the same house," but to do so denies the religious reality of a society where individual families and households maintained their own religious traditions.⁴⁴ The father and the son (here Curiones) did indeed live in the same house, but, despite worshipping at the same altar at the same time, lived apart both spiritually and temporally. Time is malleable when subjected to narrative manipulation, but virtue? Virtue remains at all times (rhetorically) subject to the same religious and moral (and rhetorical) considerations, but, again, varies according to individual exemplar. History breaks the barriers of time through narrative, and individuals too may consequently, in proportion as they emulate or avoid the religiosity and virtues of various eras, choose to inhabit whatever *saeculum* they will. The religious reference points of *penates*, *imagines*,⁴⁵ and (especially for those not noble) *exempla*, provide the crucial religious links.

Repentance and reverence

Is repentance a religious value? Or, to rephrase, can vice in the Valerian context be construed as condemned by religious values, recognition of whose violation might be expected to engender a sense of shame, acknowledgment of wrong, and an impulse to improve according to the standards of morality espoused by Valerius Maximus? Evidence suggests room for guilt and a sense of having violated religion by immoral conduct. And Valerius' examples

of vice, even if we discover no redemption for the guilty, provide at least a salutary warning – or so Valerius’ rhetoric would have us believe. Valerius introduces vice in book nine (beginning with luxury and lust) as a topic in its own right⁴⁶: “Not indeed so that it receive any honor, but so that recognizing itself for what it is it can be compelled to repent” (*ut se ipsa recognoscens ad paenitentiam impelli possit; 9.1.init.*). Shame is part of this repentance, because “shame sharpens virtue” (*ignominia uirtutem acuit; 2.9.9*). And ignominy, we may add, as a state of shame, results from failure to maintain a state of mind that Valerius terms *uerecundia*, that is, deference, restraint, a sense of propriety, a sense of modesty or reverence for right conduct.

Reverence (*uerecundia*) is extremely important. In fact, it is the foundation of the state. Reverence must animate Rome’s officials or Rome’s conquests will mean nothing at all:

expugnentur licet urbes, corripiantur gentes, regnis manus iniciantur, nisi foro et curiae officium ac uerecundia sua constiterit, partarum rerum caelo cumulus aequatus sedem stabilem non habebit.

(Valerius 2.9.*init.*)

Granted, cities may be stormed, nations enslaved, kingdoms seized, but, unless duty and its reverence have stood fast in the forum and in the senate, acquisitions heaped all the way to heaven will not have a stable foundation.

The objects of this reverence, as it turns out, are good morals.

Valerius illustrates censorial⁴⁷ protection of domestic morality in the punishment of men who refrain from marriage and reproduction, because, by so doing, they deny the laws of nature:

Natura uobis quemadmodum nascendi, ita gignendi legem scribit, parentesque uos alendo nepotum nutriendorum debito, si quis est pudor, alligauerunt.

(Valerius 2.9.1)

Just as nature prescribes to you a law for coming into existence, so also it prescribes a law of begetting new life, and your parents by taking care of you have obligated you, if you have any shame, to the debt of raising their grandchildren.

How do human beings relate to the strictures laid down by this absolute authority Valerius calls “nature”? Their adherence is based on an emotional relationship, on *pudor*, or “shame.” Valerius likewise condemns in religious terms the man who, “scorning the sacred rites of marriage” (*coniugalia sacra*

spretā; 2.9.2), divorced a woman who was a virgin when he married her. Valerian rhetoric neatly associates legalities with violated religion and, with the introduction of virginity, outraged morality. Bodily impurity is again at issue in his next example. Lucius Flamininus, who executed a condemned man at table for the delight of a prostitute, receives the censor's note from Cato (2.9.3). Not only is the "sin" or "crime" (*facinus*) "foul," but the deed is also condemned as an outrage to the ancestral religion of Flamininus' household.⁴⁸ The virtuous censor considers it intolerable that the household's illustrious *imagines* should be made to view the eyes of an unchaste prostitute taking delight in human blood (*meretricis oculos humano sanguine delectatos*; 2.9.3). The censor's intervention maintains propriety, that is, the necessary precondition for reverence before ancestral shrines.

Reverence and devotion to gods are fountainheads of virtue. Devotion to divinity brings with it benefits to the state, but not necessarily to the individual. The individual may even suffer monetarily, but in Valerian religion success is measured by conduct rather than accumulation.⁴⁹ Proof of inner virtue may (as the history of republican temple-building would seem to indicate) be demonstrated by ritual activities as well as through the facilitation of religion in the construction of temples, the consecration of altars. Valerius offers a building program suited to a new age:

[*uerecundia*] iustissimis uiris praecepit ut priuatas facultates neglegerent, publicas quam amplissimas esse cuperent, digna cui perinde atque caelesti numini templa extruantur araeque consecrentur, quia parens est omnis honesti consilii, tutela sollemnium officiorum, magistra innocentiae, cara proximis, accepta alienis, omni loco, omni tempore fauorabilem prae se ferens uultum.

(Valerius 4.5.*init.*)

Reverence for virtue [including Poverty, subject of the previous series] has taught the most fair-minded men to neglect private wealth, to desire that the public welfare prosper as much as possible. And, because she is worthy, to Reverence, just as to a celestial goddess, temples should be raised and altars consecrated, since she is the parent of all honest human counsel, the guardian of all religiously established duties, the teacher of innocence, the darling of close relations, charming to strangers, in all places and at all times, lifting up her well-beloved countenance.

It is fortunate indeed when the virtuous can afford to pay for the habitations of the divinities from whom virtue flows, but, in Valerius' day, virtue's abodes could be gotten more cheaply. One needed only to find an open heart.

When Valerius turns from initial praise to exemplary deeds illustrating the state of mind he calls *uerecundia*, his first anecdote displays the reverent

respect of commoners (*plebs*) towards political magistrates at the entertainments (*ludi*) put on during religious festivals. In earlier times, there was no assigned seating in the theaters, but the deference of commoners made it unnecessary:

numquam tamen quisquam ex plebe ante patres conscriptos in theatro spectare sustinuit: adeo circumspecta ciuitatis nostrae uerecundia fuit.

(Valerius 4.5.1)⁵⁰

Nevertheless, no common person could ever bear to sit in the theater in front of our conscript fathers: so circumspect has been our state's reverence.

Valerius represents rhetorically an emotional state of mind in the context of Rome's religious and political history. What did Valerius imagine that those ancient commoners felt as they gathered to observe plays performed in honor of gods, taking care that their social betters received preferential seating? He called it *uerecundia*.

We may observe how this virtue works in divinities themselves. The seeming death of Caesar provides a venue for observing *uerecundia*, the display of which virtue helps in its turn prove the divinity of the practitioner. Caesar demonstrates his divinity through a proper regard for propriety:

Quam praecipuam in C. quoque Caesare fuisse et saepe numero apparuit et ultimus eius dies significauit: conpluribus enim parricidarum uiolatus mucronibus inter ipsum illud tempus, quo diuinus spiritus mortali discernebatur a corpore, ne tribus quidem et xx uulneribus quin uerecundiae obsequeretur absterreri potuit, si quidem utraque togam manu demisit, ut inferior pars corporis tecta conlaberetur. in hunc modum non homines expirant, sed di immortales sedes suas repetunt.

(Valerius 4.5.6)

And reverence for propriety was conspicuously present also in Gaius Caesar and made manifest many times and his last day demonstrated it: indeed, though slashed by the knives of so many parricides, even at that very moment when his divine spirit was being separated from his mortal body, not even twenty-three stab wounds could cow him from paying homage to reverence for propriety, if indeed we consider that he let down his toga with both hands so that as he fell it covered the lower part of his body. Human beings do not die in this manner; thus do immortal gods return to their habitations.

The verecundious care Caesar displayed in death for his genitals offers too an avenue by which the vulgar, who must revere their leaders and superiors, may likewise participate in divinity. Not only do divinities (as the case of Varro proves) respect modesty in human beings, but they also practice it themselves. *Verecundia* thus belongs to divine nature, and human beings who practice, who “use” *uerecundia*, become like gods, like the angered powers presiding over Cannae, like Caesar.

Immediately after narrating Caesar’s death, Valerius directs his readers to an Etruscan, Spurrinna, whose very name eerily and surely evokes the quasi-religious awe, or ominous reverence, of Caesar’s last day clothed in human flesh, a day when an unrelated namesake was so fatefully spurned.⁵¹ The Spurrinna whose tale follows Caesar’s circumspect passing, however, was a young man of amazing good looks (*mira specie*), whose beauty attracted the gaze of large numbers of upper-class women (*complurium feminarum illustrium*). This Spurrinna, who discovered that he offended the eyes of others, found a remedy:

oris decorem uulneribus confudit deformitatemque *sanctitatis suae*
fidem quam formam inritamentum alienae libidinis esse maluit.
 (Valerius 4.5.ext.1)

He disfigured with gashes his gorgeous face, and preferred that his repulsiveness demonstrate the *good faith of his sacred moral purity* than his ravishing beauty allure another woman’s lust.

This religion of virtue is open to all. Poverty, chastity, and reverent regard for authority and social standards. Those who worship Caesar may become like him, covering their lower parts, or, like Spurrinna, refraining from arousing lust, by any means necessary.

Faithful devotion

Faithful devotion to purpose or principle can, in the language of Valerian virtue, receive the name *constantia*, and this virtue finds illustrious and noble exemplars in Rome’s republican past. Fulvius Flaccus was able to put the entire senate of Capua to death before opening a letter from the senate enjoining mercy (3.8.1). Less violently, Fabius Maximus’ stubborn adherence to delaying tactics saved Rome from Hannibal (3.8.2). Great generals acting in defiance of the senate, however, and in accord with their own counsel do not find exact parallels in Tiberian Rome. Could one still practice such republican *constantia* in the Rome of the Caesars?

Indeed, a more accessible constancy may be found in men without *imagines*, whose spirits become noble through the exercise of this virtue.⁵² An obscure Titus, for example, a centurion, preferred to die rather than desert

Caesar and serve Pompey (3.8.7). Apropos this constancy, Valerius exclaims, “A spirit noble without any ancestral images!” (*sine ullis imaginibus nobilem animum!*; 3.8.7). Valerius argues that men of status should recognize the value of those who combine humility with virtue:

nam ut humilitas amplitudinem uenerari debet, ita nobilitati
fouenda magis quam spernenda bonae indolis nouitas est.
(Valerius 3.8.7)

For just as the lower classes ought to venerate the upper, the newcomer of good character must be promoted rather than scorned by the nobility.

Those without status acquire status through faithful devotion.

Another centurion, Maevius, showed similar devotion to the god Augustus (*diuus Augustus*) when he fought against Antony:

“Order my throat slit,” he said, “since neither the favor of life nor the punishment of death can convince me either to cease being Caesar’s soldier or begin to be yours.”
(Valerius 3.8.8)

No Valerian reader would have the opportunity to defy the Roman senate by putting the senates of captured cities to the sword (3.8.1), but all citizens, no matter how humble, could be, if not literal, at least spiritual soldiers of Caesar, devoted body and soul to the preserver of Roman life, and thereby through this, their unselfish devotion to the Caesars (very gods of very gods), become, through the transformative miracle of mimesis, and with the express approval of all the gods both old and new, moral equals to Rome’s illustrious republican magistrates.

Conclusions

A doctor of virtue, we are told, acquires his wisdom through a dedication of spirit that is closely related to religious reverence: “And though the reverent exercise of effort [which, in this anecdote, consists of boys waiting upon senators] they soon became themselves the instructors of their own future virtues” (*breuique processurarum in lucem uirtutum suarum uerecunda laboris meditatione ipsi doctores erant*; 2.1.9). Thus, according to Valerius, did Roman youths learn to become great. They follow examples with reverent devotion. The emotional forces that animate imitations of ancestral examples are indicated in the subsequent anecdote, as is the alliance of great men with divinities. Ancient Romans rendered their young “eagerly zealous for imitation” (*ad {exempla} imitanda alacriorem redderent*; 2.1.10) through the singing

of famous deeds at supper.⁵³ Such emotional zeal for imitation was better than any Athenian school of philosophy, and thence, according to Valerius, arose such men as the Camilli, the Scipiones, the Fabricii, the Marcelli, the Fabii, as well as the source of the brightest part of heaven, the divine Caesars (2.1.10). Emotions bind the spirit to virtue and one follows great men and gods through enthusiastic participation.

In fact, the state, which is led of course by gods (in the person of the emperor),⁵⁴ itself deserves veneration (*ueneratio*), a fierce and primary devotion that relegates all other loyalties to secondary status: “And I am not unaware what is owed to the proper veneration of our country,” says Fabius to his son, “indeed, I believe that public institutions are more important than private loyalties” (*pietate*; 2.2.4). The results of zeal, veneration, and harsh ancestral institutions (*seuerissima maiorum instituta*) imbue citizens with “spontaneous conviction”. Such citizens fulfill duties not from obligation or necessity, but of their own free and immediate will (*sponte*; 2.2.6).⁵⁵ We find not only that virtuous conduct is supported by the “true facts” of history (*exempla*), but also that history, especially Roman history, is – in the rhetoric of Valerius Maximus – sacred. Valerius’ rhetoric is animated by gods, by religious vocabulary, and by religious emotions. Every sphere of human activity represented in his anecdotes reveals some connection to Valerian conceptions of religious devotion.

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“I, conscript fathers, call you to witness, and I want those who come after us to remember too that I am mortal, that I perform the duties of a human being, that I consider it enough, if I serve as the most powerful among you. And our posterity will do more than enough service to my memory, if they believe that I was worthy of my ancestors, careful of your affairs, a bulwark in dangers, not afraid to offend in defense of the public interest. These are my temples in your hearts, these my most beautiful and long-lasting effigies. For, if the judgment of posterity changes to hatred, those temples built of stone will be reviled as tombs.”

Tacitus *Ann.* 4.38¹

It is time now to take stock of our results. This book has argued that we find in the *Memorable Deeds and Sayings* of Valerius Maximus a theology of virtue, a polytheistic and multi-centered one, to be sure, and one already tending to organize itself around the emperor as a living god, but one where traditional gods communicated and acted in the human realm according to a logic revealed in the anecdotes of Rome’s sacred history. At the outset of our study, we made a self-conscious decision not to dismiss rhetorical statements out of hand as “mere rhetoric,” but rather to accept the style as part of the man, the means employed by the human being, the author called Valerius Maximus, to express his point of view. His work is complex. We followed initially three divine guides, traditional gods of Rome. Having examined in some detail the roles of Juno, Vesta, and Jupiter in the anecdotes of the *Facta et dicta memorabilia*, we turned to ritual vocabulary and the more general intersections of virtue and religion. We may now sketch our conclusions regarding Valerius’ general presentation of gods, the function of traditional Roman religion in his *exempla*, and the relation of religion to the virtues or values he upholds. We shall also, however, have to sketch the role of one god in particular, one not of our own choosing, but one, nevertheless, whose presence we felt throughout our study, one intimately connected in fact to

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the political circumstances of Valerius' own day. Let us turn first, however, to *exempla* and to religion.

In general, by comparing Valerius' anecdotes with versions of the same historical material preserved elsewhere both in the works of his literary predecessors and in those of his literary successors, we discover that the nature of Valerius' genre (*exempla*) imposes both severe compression as well as some expansion of that material. Valerius himself, however, imposes a third consideration: intensification of the religious element. Compression is the least problematic. Obviously, if Valerius attempts to relate in a paragraph an incident on which Livy expends pages, details will be lost. Our study, however, reveals that certain classes of details are lost with greater regularity than others. Details that differentiate an anecdote, that would tie it either to specific circumstances (for instance, the treasure that Aemilius Paullus wished to bring back safely to Italy in Livy becomes in Valerius the general safety of the state) or to specific historical moments (the political struggle between consuls played out in the dedication of republican Rome's first temple, for example) are eliminated more ruthlessly than others. Details that relate an anecdote to the wider historical context tend to limit the action to that context. One may of course still draw moral lessons, but one must first distill those lessons out of a mass of extraneous facts. By removing history from historical context, Valerius has not only already done this work, but he has also brought the anecdotes into close connection with the present.

Organization of Valerius' work by category rather than chronology contributes significantly to this perception. Time is irrelevant. When one gazes on the accumulated wisdom of the *mos maiorum*, one gazes, so to speak, on eternity. Past conduct retains present validity (and, by extension, endless future validity as well). In Valerius one enters a realm of universally and eternally valid paradigms. This very timelessness marks the anecdotes as sacred.² From the days of Romulus to his own day, Valerius never alters his tone. He relentlessly exalts what is right and vehemently condemns what is wrong, all according to this world's only sure standard, the *mos maiorum* of the world's most religious people, masters of the earth. (That Valerius does not represent a philosophical or cosmopolitan point of view is obvious.)

On the other hand, expansion is also frequently an important component of Valerius' anecdotal presentation. Expansion, however, is related to Valerius' focus on individual conduct in specific situations. Valerius introduces details that illuminate not necessarily the person, as in biography, but rather personal conduct in a personal (not an historical) context. For example, only Valerius names Juno as the god to whom Aemilius Paullus prayed, and he alone provides the omens that compelled Metellus to return to Rome. Valerius brings divinity into sharper relief, so that we may better understand personal conduct in an ethical or moral context framed not by historical conditions, but by religious considerations.

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One therefore views neither the sweep of history nor the character of the individual. Rather, one views the building blocks of human character. One views human conduct in moments of decision. Horatius Pulvillus, for example, made a choice. He chose the demands of public religion over the private affections of the heart. Conversely, it is the accumulation of such decisions by a given individual that of course constitutes that individual's general character, and it is, moreover, the collective and accumulated actions of individuals that constitute history. Valerius thus, in a sense, lays out a periodic table of the elements of Roman character, the repeated patterns of behavior sanctioned under the general rubric of ancestral custom, the *mos maiorum*, but labeled each according to its particular virtue, the *elementa uirtutis*.

Virtues, however, we discover, are in Valerius sanctioned by divinity. This brings us to the third, more characteristically Valerian element, the religious intensification that one so frequently observes in his *exempla*. Virtues are themselves, like *Pudicitia*, like *Amicitia*, like *Pietas*, each with its own powerful *numen*, divine forces in their own right. They reside in the body of the individual but can be inspired by gods. Jupiter, for example, inspires Roman leaders with intelligent plans and Caesar soldiers with zeal for battle. The gods and the whole apparatus of Roman cult and ritual also, however, fulfill a general "rhetorical" function. Gods, religious vocabulary, and cult can sanction the behavior and virtues that Valerius describes, thus lending his presentation and his point of view greater moral authority, or, by way of contrast, they can provide a commentary upon outrage, as when human heads are placed among sacrificial victims.

Roman religion is able to perform this function, because in Valerius the living gods of a living Roman tradition constitute a powerful faith animated by intense emotions. Not so long ago, Balsdon wrote:

from the East Rome imported something more important by far than luxury goods. It imported oriental religions: particularly the cults of the Syrian goddess, of Isis and of Mithras. The number of Jews increased; and, in due course, Christianity reached Rome. ...[T]heir attraction was immediate and inescapable. They were living religions, by contrast with a religion which was dead. ...The new deities were intimately concerned with the personal life of the individual, unlike the Roman gods, who were like powerful absentee landlords, from whom the best that you could hope was that they would leave you alone if you paid your rent at the proper time.³

Valerius obviously offers powerful evidence to the contrary.⁴ It is indeed fact that the Roman state religion eventually yielded its place and died, but there was no vacuum already present centuries before the final struggle.

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Tertullian, Arnobius, Lactantius, Augustine, and Orosius, as we have had some occasion to observe, did not struggle against gods dead since republican times.⁵ The traditional gods lived.

The continued vitality of Roman religion quickly becomes evident from the central role Valerius grants traditional gods and Roman cult, not infrequently introducing them where they are absent from his ostensible sources. We may analyze Valerius' religion with the tools offered by philology and reason, but the rhetorical role of Roman religion is clear: it offers the proof of "spontaneous conviction." Valerius was no mere compiler.⁶ Valerius can take material from a Cicero in order to prove what Cicero used the same material to disprove. Religious considerations are manifest in a vocabulary that employs Rome's ritual inheritance in contexts where less suggestive terms would suffice. Again, this becomes apparent through comparison with other extant versions. This religious intensification, although it may merely represent the result of "rhetorical" strategy, seems in the context of Valerius' contemporary political culture to reflect instead the success of the return to traditional religion as advocated by Augustus.

The gods and religion are not the subjects of Valerius' anecdotes. Human beings are.⁷ Nevertheless, the presence of gods and their cult infuse moral meaning through divine support of what is right. The gods in particular and religion in general form in fact an integral part of the moral fabric of Valerius' work. The gods constitute as natural a part of Valerius' world as the temples that Augustus restored and upon which Valerius tells us he gazes. Although we can only guess at the splendor of Augustan temples from their shattered remains,⁸ Valerius' rhetoric allows us a glimpse into the emotional power that they and the gods they housed once exerted over his spirit, and, presumably, over the spirits of others like him. Valerius' nationalistically narrow and chauvinist religiosity may well represent one elusive "average" educated point of view. Valerius was obviously both educated enough to compose the *Facta et dicta memorabilia* and conventional enough to support the contemporary regime with enthusiasm.

The role traditional gods play is traditional, and we find literary confirmation for the general observation of Friedländer made over a century ago:

The common people's belief in the old gods, which had sunk countless roots deeply into the spiritual lives of millions, remained [in the first century AD] untouched or at least unshaken.⁹

Juno, Vesta, and Jupiter take special interest in the state and its leaders. These gods as well as Neptune, Apollo, and all the other crowd of lesser gods (*turba minorum*) promote traditional virtues such as bravery, intelligence, friendship, hard work, and endurance among male citizens, chastity among female citizens, as well as chastity's defense by both. In the Valerian scheme the chastity of female citizens represents a virtue crucial to the

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preservation of the Roman state, the political freedom of its male leaders (freedom subject, however, to the will of the new gods), and of social harmony itself. Valerius' moral concerns find contemporary corroboration in the moral legislation of Augustus and the traditional policies of Tiberius. Divinity's role in promoting societal reconciliation and harmony is readily apparent in Valerius as well. Everywhere we look in Valerius, we find language and thought steeped in traditional Roman religion and inextricably bound up with "morality."

In Valerius, however, religion and morality also have a political dimension. We frequently discern new gods lurking amid the ancient gods' sacred couches or *puluinaria*. The gods that the Roman republic bequeathed to the restored republic had acquired divine patrons of their own. Tiberius and the *diui Caesares* stand at the emotional and moral center of Valerius' religion.¹⁰ They are not themselves the subjects of significant numbers of anecdotes, but they do nevertheless, with the divine assistance of the other gods, set the tone. Valerius' mind, when he allows it to wander, is often enthusiastically transported to contemplation of stars visible in the night sky, that is, the *diui Caesares*; the marriage bed of Livia, a place where the *numen* of *Pudicitia* resides; and other similar blessed locales. History, Scipio Africanus Major, for example, is accommodated to their paradigmatic presence.

Valerius' own princeps Tiberius is himself a god on earth who promotes virtue and punishes vice (*praef.*). He holds the reins of power, and Jupiter accompanies him as a personal attendant. Our study has examined many of the virtues Tiberius promotes. The gods punish too, however, and we may conclude our study of Valerius' *exempla* with a brief examination of one more example. This *exemplum* not only combines many of the elements we have just summarized but also refers to many of the anecdotes we examined in detail in the chapters above. Valerius celebrates the suppression of the conspiracy of Sejanus, beginning with "vindicated vice" (*scelera superata*; 9.11.*ext.*4).¹¹ He calls attention to his own religious point of view and emotional upheaval: "With the mind's every driving force, with all the powers of outrage, I am impelled to lacerate this act with a pious rather than a sufficiently capable emotion" (9.11.*ext.*4). Sejanus, according to Valerius, attacked the source of Rome's power and safety: "The reins of the Roman rule, which the prince and our parent holds in his saving right hand" (*habenas Romani imperii, quas princeps parensque noster salutari dextera continet*; 9.11.*ext.*4). The metaphor is revealing. Tiberius clearly holds absolute authority. Not only are reins usually used to harness animals, but Tiberius as male parent (*parens*) represents a father (*pater*), whose authority in the quintessentially Roman tradition was absolute.¹² How did Tiberius foil the attack of Sejanus? Valerius, typically, makes no mention of such historical details as the isle of Capri, of Macro, or even of Sejanus' name. History, however, is not absent. Rather, diverse situations from the past will be brought up in answer to a question posed to the would-be assassin: "If you

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had succeeded in your madness, would our world have continued to exist?" The answer? "Rome captured by Gauls and the river Cremera polluted with the massacre of three hundred men of a celebrated clan and the day of Allia and the overthrow of the Scipios in Spain and the Trasimene Lake and Cannae and the swords of civil wars dripping with blood." All these political and military disasters represent historical moments when the gods were angry with Rome. What makes then the present moment of the anecdote so different from the disastrous past? Valerius exposes the role of divinity: "The eyes of the gods were awake and on guard, the stars retained their strength, the altars, the sacred couches, the temples were defended by the presence of divinity" (*uigilarunt oculi deorum, sidera suum uigorem obtinuerunt*,¹³*arae, puluinararia, templa praesenti numine uallata sunt*; 9.11.ext.4). In a way, this is very traditional. We may compare Cicero:

pietate ac religione atque hac una sapientia quod deorum numine
omnia regi gubernarique perspeximus, omnis gentis nationesque
superauimus

(Cicero *Har. Resp.* 19).¹⁴

We have conquered all peoples and nations through piety and through religion and through this knowledge alone, namely, that we have ascertained that all things are controlled and governed by the divine power of the gods.

Religion, always Rome's surest protection, still protects Rome.

But in Valerius' day state and religion were personified in one man, a temporal ruler and a god, or, as Valerius here calls him: "the prime mover and warden of our safety" (*auctor ac tutela nostrae incolumitatis*; 9.11.ext.4). This god, like Rome's traditional gods, intervenes in this world and acts in history. Valerius tells us how: "He cares for us in accordance with his divine plan" (*diuino consilio prouidit*). The result of such divine intervention: "Peace prevails, law rules, the course of private and public duties is kept pure" (*stat pax, ualent leges, sincerus priuati ac publici officii tenor seruatur*). Religion, in Valerius' view, is the very foundation of Roman society. From it spring peace, law, and all the ethical and moral obligations that bind a society together. Finally, the power of this god's wrath is revealed in the furious vengeance the Roman people take on Sejanus and his family (we may recall in whose hands the reins rest, and with what "divine purpose" (*diuino consilio*) he wields them): "Along with his entire family he was rubbed out by the power of the Roman people" (*omni cum stirpe sua populi Romani uiribus obtritius*). Why was this punishment exacted? Sejanus had, quite simply, done wrong. He had broken the bonds of friendship (*uiolatis amicitiae foederibus*).¹⁵ Tiberius, the god, promoted virtue and punished vice. Grant Valerius sin-

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cerity, and his religion manifests itself. He becomes simple and consistent. Valerius Maximus worships authority and its power.¹⁶ Over and over again, we find “simple ideas and sincere emotions.”¹⁷

Tacitus informs us that Tiberius desired “not temples of stone,” but “temples of the heart.” What did such temples of the heart look like? The rhetoric of Valerius Maximus provides useful clues. We turn once more to Warde Fowler:

We are gradually shedding that old delusion ... that there must be something vulgar or degrading in the worship of a man, one of these rulers, whether alive or dead. ... I can see now that in spite of the miserable failure of Tacitus to point the right moral, he is representing more exactly than I used to think, the real feelings of the Spanish petitioners for the privilege of worshipping the emperor.¹⁸ Or to take another example from the same reign, when Velleius tells us that Tiberius “[consecrated his father not by command, but by religion; he did not call him a god, but made him one],” I do not doubt that the soldier-historian was quite in earnest, and from the point of view of his own time justly so; the deification of the dead Augustus was not a merely official or political act, but a genuine act of devotion towards one who had wrought great things for the world and proclaimed a gospel of peace and glad tidings.¹⁹

Warde Fowler well recognizes the appeal of deified men to religious feeling. On the other hand, Tacitus, judging from the comparative evidence of Valerius Maximus, may have drawn reasonable conclusions.²⁰

Indeed, analysis of the religious element in the *Memorable Deeds and Sayings* discovers a pious soul passionately devoted to the moral and religious reforms initiated by Augustus and promoted by Tiberius.²¹ Roman religion constitutes the moral foundation of the virtues that Valerius illustrates and promotes. In the *Facta et dicta memorabilia*, traditional Roman religion, as adapted to the political conditions of the early principate, constitutes a powerful component of the modified *mos maiorum*, and Valerius' *exempla*, because they relentlessly advocate “traditional” values, allow a glimpse into the intoxicating potential of the new imperial gospel. In short, Valerius Maximus is a true believer. Rome's traditional gods live. They intervene in this world. They are powerful. They desire moral behavior. Rome's traditional gods, however, are not alone. Their ranks have been reinforced. From the ancient gods immortal the spirit of Valerius Maximus flies to the Caesars of his own day. In Valerius Maximus we may thus view nakedly revealed the rapid descent from history, ancestral beliefs, and cultural traditions to the worship of temporal authority, the worship of violence legally codified and religiously sanctified in the person of the dictator. Obeisance before such

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human powers has always held its rewards both spiritual and material. We know almost nothing, however, of Valerius' personal life. His work may therefore stand as eloquent testimony to the moral rewards of piety.

NOTES

Introduction

- 1 Rome was (as long as it was successful) inherently imperialistic, aggressive, and well organized for war; Harris (1979); cf. Linderski (1984a).
- 2 *MRR*, 2, 52; cf. 2, 555: L. Cornelius – f. – n. Merula Pat. (272) Pr. by 90?, Cos. Suff. 87, Flam. Dial. ?–87.
- 3 Unattributed translations are my own, though I have checked my translations against others, especially – in the case of Valerius Maximus – those of Hoffmann (1829), Combès (1995 and 1997), and Shackleton Bailey (2000), and have sometimes adjusted my own as a result. Whatever is felicitous may be attributed to their work.
- 4 Vangaard (1988), 70; cf. Lou-Gille (1999).
- 5 Bleicken (1957) views the restoration as empty, and the involvement of priesthood in politics (and vice versa) the reason for a “collapse” of Roman religion. Compare, however, Jocelyn (1966–7 and 1976–7); Linderski (1982 [1983]); Momigliano (1984); and Becher (1985).
- 6 Vangaard (1988), 84. On requirements for recruitment into priesthoods under the Julio-Claudians, see Scheid (1978), 629–45. Cf. Fishwick (1978), 1210–15, on *sodales Augustales*.
- 7 Tacitus *Ann.* 4.16. On confarreate marriage, see Linderski (1984b, 1986b, and 1995 [1989]), with further literature.
- 8 See the excellent overview of Coarelli (1977).
- 9 Compare Linderski (1993a), 619.
- 10 Portions of this introductory material appeared in an earlier version in Mueller (1998). I am grateful to the editor of the *Transactions of the American Philological Association* for permission to adapt some of that material here.
- 11 Even the recent works of Feeney (1998) and Beard, North and Price (1998) all but ignore Valerius Maximus. Only Claus (1999), 88–9, cf. 484–99, gives some aspects of Valerian religion its due. Coudry (1998c) and other recent students of Valerius, while recognizing the crucial value he represents for recovering Tiberian ideology in general, neglect religion. Skidmore (1996) and Weileder (1998), on the other hand, constitute exceptions, but do not concentrate on religion.
- 12 A work on Roman nomenclature, the *De praenominibus*, accompanied manuscripts of Valerius as a “tenth book,” but is in fact not by Valerius. The long-standard edition of Valerius has been Kempf’s Teubner of 1888, though his earlier *editio maior* of 1854 remains essential, and in some respects (especially the extended discussion of textual issues) surpassed neither by his second edition nor by the new editions of Combès (1995 and 1997), Briscoe (1998), and Shackleton

- Bailey (2000). Linderski (1990a), 87–8 n. 7, surveys older commentaries; compare Schullian (1984) 324–403; Briscoe (1993) 395 n. 5. Basic orientation to Valerian studies and bibliography may conveniently be had from Bliss (1952); Bloomer (1992); Briscoe (1993 and 1998); Guerrini (1981); Maslakov (1984); Schullian (1984); Sinclair (1980); Skidmore (1996); Combès (1995), 7–97; David (1998a); Wardle (1998); and Weileder (1998), all with further references.
- 13 On the general structure of Valerius' work, see Bloomer (1992), 11–58; Römer (1990); and Guerrini (1980 and 1981).
 - 14 Valerius casts his net wide. One may take as an example his chapter on foreign customs (2.6.1–17 *de institutis antiquis*). Although half the anecdotes refer to various Greek peoples, Valerius also glances at customs of Gauls, Thracians, Lycians, Cimbrians, Celtiberians, Indians, Carthaginians, Persians, and Numidians.
 - 15 Compare the assessment of Weileder (1998), especially 320.
 - 16 For Valerius' *Nachleben*, see Schanz-Hosius, 591–5; Helm (1955), 114; von Albrecht (1992), 2, 857–9; Schullian (1937) and (1984), 289–96; Di Stefano (1961–2); Guerrini (1981), 61–136; and Casella (1982). For a case study of how the historical evidence provided by one Valerian anecdote (3.8.ext.4 on Ephialtes of Athens) has fared at the hands of historians over the last century, compare Mueller (1999b).
 - 17 Syme (1939), 1.
 - 18 Val. Max. 9.11.ext.4 refers to the fall of Sejanus in AD 31. General consensus consequently maintains that the work appeared around AD 30; cf. Kempf (1854), 6–8; Briscoe (1993), 398–402; Combès (1995), 7–11; Wardle (1997), 328–9. Bellemore (1989) disagrees, placing the work at the end of Augustus' reign. The traditional date remains the most probable.
 - 19 Michels (1962), 441.
 - 20 Cf. Mueller (1998).
 - 21 Jocelyn (1976–1977).
 - 22 Valerius' interest in "superstition" (we shall call it religion) is remarked by Jocelyn (1966–7), 103.
 - 23 Warde Fowler (1971 [1911]), 288.
 - 24 Norden (1958 [1898]), 303–4. One notes that Kenney and Clausen (1982) more recently provide no appendix for Valerius. More inclusive treatment may be found in von Albrecht (1992), 2, 852–9.
 - 25 Source criticism begins really with Kempf (1854). Chronologically the main developments are as follows: Elschner (1864); Zschech (1865); Kempf (1866); Kranz (1876); Krieger (1888); Maire (1899); Thormeyer (1902); Bosch (1929); Ramelli (1936); Helm (1939 and 1940); Klotz (1942); Bliss (1952); Helm (1955); and Maslakov (1984). Bloomer (1992), 59–146, takes stock of previous work on both *Quellenforschung* and *Quellenkritik*. For a shorter summary of the main trends, compare Bliss (1952), 19–45; and Sinclair (1980), 176–214.
- Other extended work on Valerius has mainly been of a lexical nature devoted to emendations and study of his unusual vocabulary and grammar. Cf. especially Gelbcke (1865); Busch (1869); Seelisch (1872); Blaum (1876); Gehrmann (1887); Vahlen (1895); Novák (1896); Ungewitter (1903); Lundberg (1906); Muench (1909); Hinójo Andres (1986); Taddei (1988); the lexicon of Otón Sobrino (1977–91); and, for further references, Briscoe (1998), 1, xxxii–xlii.
- 26 Compare Potter (1993), 237: "B[loomer]'s discovery of the mind of Valerius is of lasting value for the intellectual history of the early principate. It was no easy task." Bliss (1952) and Sinclair (1980 and 1984) must, however, also be considered pioneers in the treatment of Valerius as an author.

- 27 Comes (1950), 53–6; cf. von Albrecht (1992), 2, 855. I offer in general a reading of the *Facta et dicta* that takes Valerius at his word. I have looked for, but not found, traces of irony in his text.
- 28 Maslakov (1984) provides the best introduction to the use ancient historians make of Valerius. Because Valerius' sources are generally good, and because Valerius tends to omit or confuse (e.g., misidentification of consuls or temples) rather than invent, he is considered generally reliable.
- 29 Aristotle *Rb.* 1356b; cf. 1394a. It is not my purpose to rehearse the rhetorical and literary problems associated with *exempla*. For a general overview of the ancient *testimonia* on *exempla*, see Lausberg (1960), 1, 227–35 (= §§410–26); cf. 2, 699–700. A useful introduction is provided by Lumpe (1966). For analysis of the psychological mechanisms by which *exempla* do their persuasive work, see Hauser (1968); Consigny (1976); Benoit (1980); Hauser (1985); and Natali (1989). Although details differ, these scholars generally agree that the *exemplum* persuades by providing positive proof of a proposition, and that such positive proof enables the recipient to make conclusions as to general validity without bothering with logical analysis. Von Moos traces the *exemplum*, or “history as *topos*,” from antiquity to modern times. See von Moos (1988), 69–187, for development of the *exemplum* in Latin literature, including an illuminating discussion of the role *exempla* played in ideological struggles between Christians and adherents of classical religions under the empire, and pointing the way to much further literature. Full-length studies devoted exclusively to the *exemplum* as a rhetorical device in classical literature have been undertaken by Alewell (1913); Kornhardt (1936); and Price (1975). “Moral” aspects of Roman *exempla virtutis* are investigated by Litchfield (1914) and Lind (1979). Ancient (Greek) religious aspects of the *exemplum* are examined by Koch (1960 [1956]). On the usefulness of historical anecdotes for investigations into the ideology of the principate, see Saller (1980), 82; for a less sanguine view, compare Dover (1988). Interest in *exempla* is increasing; see especially Hölkeskamp (1996) and Chaplin (2000). Readers seeking to explore the general function of *exempla* in Valerius' work may consult Bloomer (1992), 3–9, and Skidmore (1996), *passim*.
- 30 Chomsky (1988), 400.
- 31 Translation by H. Caplan in *LCL*.
- 32 Marrou (1965 [1948]), 339–55 outlines the peculiar features of traditional Roman education. Cf. Nicolai (1992), 32–61, as well as (for more general surveys) Linke and Stemmler (2000).
- 33 Hellegouarc'h (1963), 303. Kaser (1955), 217 describes developments under the empire: “Unsittliche Geschäfte (turpia), die das gute Herkommen der Vorfahren verletzen (contra bonos mores), werden von den Kaisern, die sich zum Schutz der Sitten ebenso berufen fühlen wie vormals die Zensoren, und von den klassischen Juristen unterdrückt. Den Maßstab nimmt man dabei nicht von philosophischen Lehren, sonder von gesunder Volksmoral.” Cf. Kaser (1939a, b) and Lind (1979).
- 34 Syme (1970), 120. Cf. Syme (1939), 315–16 and Wiseman (1971), 107–16.
- 35 Ramage (1987), 111: “The *mos maiorum* is the starting point for most, if not all, of Augustus' actions.”
- 36 Bayet (1957), 175: “Le ‘comportement traditionnel’ (*mos maiorum*), les exemples légués par les ancêtres, les vertus de simplicité, de pureté familiale, d'inébranlable fermeté, de courage, sur lesquelles s'était fondée la grandeur de Rome, étaient présentés comme corollaire de la restauration religieuse.”
- 37 On the forum, cf. Evans (1992), 109–18; Sage (1979); Zanker (1970) and (1988), 209–15; Spannagel (1999). On inscriptions, cf. Degrassi (1937–63), 13,

- 3, 1–36 [§§1–59] and Alföldy (1991). On art and architecture of the Augustan age in general, cf. Simon (1986) and Galinsky (1998), 141–224.
- 38 Vision was important not just in the appreciation of monumental architecture, but also in Roman rhetoric and historiography, see Woodman (1988); Walker (1993); Vasaly (1993); Mueller (1995 and forthcoming); Bell (1997); and Feldherr (1998), 1–50. We shall have occasion to view the importance of Augustus' buildings in the construction of Valerius' visual rhetoric.
- 39 Hannestad (1986), 83–90.
- 40 Kennedy (1972), 378–84.
- 41 Flory (1984a) and (1996). Cf. Dickison (1988), 1325–31; Forbis (1988) and (1990).
- 42 Translation by B.O. Foster in *LCL*.
- 43 Compare Gabba (1991), 33 on Isocrates' influence on Dionysius of Halicarnassus, especially his principles of *imitatio*, excellence, and moral content.
- 44 Syme (1958), 1, 427–8.
- 45 On legal aspects of the term *condicio*, compare Berger (1953), 403–5 and Kaser (1955), 219–25.
- 46 See Wardle (1998) on Valerius' first book. Valerius reverses Varro's order. Varro, in his *Antiquitates rerum humanarum et diuinarum*, argued that one had to understand human affairs before one could proceed to divine. Varro *Antiq.* 5 (4) Cardauns: *propterea se prius de rebus humanis, de divinis autem postea scripsisse ... , quod prius extiterint civitates, deinde ab eis haec instituta sint. ... Sicut prior est ... pictor quam tabula picta, prior faber quam aedificium, ita priores sunt civitates quam ea quae a civitatibus instituta sunt*. Cf. Cardauns (1978), 99–101; Linderski (1982 [1983]), 17–18, on Varro's *theologia tripertita*; and Jocelyn (1982–3) on Varro's general organization of the work and literary purpose.
- 47 Valerius 1.1.1 and Cicero *Har. Resp.* 9.18 are quite similar, sharing many of the same phrases, and that is interesting, but does such dependence determine meaning? Bosch (1929), 104–7, thinks that such divergences indicate intermediary sources, but, in light of Bloomer's work, the more likely intermediary source is Valerius Maximus and his different literary goals. These sentences have attracted much learned attention for the insights they provide into wider aspects of Roman religious conceptions. See Linderski (1986a), 2148 n. 3, on augury; and Köves-Zulauf (1972), 42–6, and, for further literature, 43 n. 66.
- 48 Cf. Wardle (1998), 74–5, for an overview of the series.
- 49 On the epitomes of Ianuarius Nepotianus and Paris, see Briscoe (1998), 1, xix–xxvii; Hansen and Bergqvist (1998); Helm (1955), 115; Kappelmacher (1919); Stein (1916) and (1933); and Heraeus (1900).
- 50 Livy anticipates Valerius' interest in the miraculous. Valerius, however, in contrast to Livy, appears to believe everything. The examples Valerius relates do go back to earlier republican times, and thus, to some extent may represent a return to an earlier credulity. More below.
- 51 Valerius' general purposes, as illustrated by the first part of his programmatic preface, are amply discussed elsewhere. I do not dispute their conclusions. See especially the sensitive and perceptive literary assessment of Bloomer (1992), 14–17. Cf. Bliss (1952), 2–9; Honstetter (1977), 74–82; Sinclair (1980), 4–12; Guerrini (1981), 29–31; Loutsch (1998), 30–2; Wardle (1998), 66–74; Weileder (1998) 45–55 (on political implications); and Wardle (1999).
- 52 On the crucial importance of prefaces in general for understanding the purposes of Latin prose authors, see Janson (1964). For further literature on historical prefaces, see Stadter (1980), 210 nn. 1–4; and Moles (1993), 162 n. 2.
- 53 Wissowa, *Kultus*, 128. Cf. Preller, *RömMyth*, 1, 239–43; and Thulin (1919), 1135–9.

- 54 Fears (1981a), 56.
- 55 Fishwick (1992).
- 56 Syme (1939), 275, remarks: "Created belief turned the scale of history." Augustus managed indeed to unify Rome's ruling oligarchy and win the allegiance of a great empire that had previously been torn apart by murderous civil strife. The tables were turned, but what sorts of belief were created remains an interesting question.
- 57 Compare especially the two very different general treatments of Warde Fowler (1971 [1911]) and Liebeschuetz (1979). Scheid (1985) not only provides a general and sympathetic introduction to the main features of Roman religion, but also produces a useful historical survey of the major scholarship. Chini (1990) combines concision, citation (ancient sources and modern discussions), and, best of all, illustrations. MacMullen (1981) provides an overview of classical religions in general throughout the empire. More succinct and eloquent introductions to the current reassessment of Roman religion in particular can be had from Linderski (1993a) and Tatum (1993a). Cf. Feeney (1998) and Beard, North and Price (1998).
- 58 The bibliography on emperor worship is enormous. We may single out Heinen (1911); Kornemann (1911); Taylor (1931); Étienne (1974 [1958]); Alföldi (1984 [1973]); Herz (1978); Fishwick (1991a); Price (1984); and Clauss (1999). On private worship of the emperor, compare Santero (1983).
- 59 Taylor (1931), 241.
- 60 Taylor (1931), 235.
- 61 Taylor (1931), 235: "... we must turn to the poets as the best index of what the intelligent man was thinking." Fishwick (1991b) similarly turns to Ovid for evidence of popular belief. Fishwick (1991a) also effectively ignores Valerius.
- 62 Taylor (1931), 235. Weinstock (1970), 305, on the other hand, writes that, "considering the inscriptional evidence, these cases cannot be dismissed as sheer flattery."
- 63 Taylor (1931), 235.
- 64 See now the excellent work of Clauss (1999), whose detailed study documents on a massive scale just how sincerely Romans appear to have believed that they were ruled by gods on earth.
- 65 Cf. e.g., Lyne (1987), 2, on Vergil.
- 66 Cf. especially the recent work of Fishwick (1978, 1990, 1991a, b, and 1992) and Price (1980 and 1984), both with further references. Sajkowski (1991) also collects inscriptional evidence documenting the early spread of emperor worship and, more specifically and to the point, its promotion by Tiberius. Clauss (1999), 88–9, cf. 484–99, accepts worship of Tiberius in Rome during Tiberius' lifetime as fact, citing, among others, Valerius as proof.
- 67 A short survey quickly reveals the *consensus [paene] omnium*. Zscheck (1865), 1: *Factorum dictorumque memorabilium libri a Valerio Maximo scripti, qua multa per saecula dignitate florebant, non auctori debere mihi videntur sed malignae fortunae, quae maximam literarum nobis romanarum partem eripuit parvamque compensationem scriptores secundi et tertii ordinis reliquit ...*. Schanz-Hosius, 589: "unerträglich geschmacklos." George Clement Whittick, "Valerius (8, PW 239) Maximus," in *OCD2*, 1106: "shallow, sententious, and bombastic ..."
- 68 Cf. Syme (1986), 437: "... speaking of himself, [Valerius] sinks to 'mea parvitas', whereas Velleius has 'mediocritas mea'. The language reflects the spirit of the client."
- 69 The reading of the best manuscripts is *alacritatis*; the inferior manuscripts have *claritatis*. *Alacritatis* was read by Kempf (1854) and more recently by Combès (1995). *Claritatis* was read by Kempf (1888), which reading has been followed

- more recently by Wardle (1998); Briscoe (1998); and Shackleton Bailey (2000). Sound reasons exist for siding with the better manuscripts.
- 70 Alföldi (1970 [1934–5]), 45–6; cf. Schrömbges (1986), 222–54.
- 71 Williams (1978), 166.
- 72 Valerius celebrates all three: 1.8.3 (Juno), 1.8.2 (Aesculapius), 1.1.1 (Cybele).
- 73 One may compare Valerius' contemporary, Manilius 1.1–3, on the importance of stars to the regulation of human life.
- 74 Sutherland (1951), 103, comments on “the types of abundantly common *asses*, with reverses representing the thunderbolt of divinity and the eagle in which mortal eyes had seen his ‘caelo recepta mens’ ascending from the pyre.” Compare Valerius 2.1.10: *caeli clarissima pars, diui fulserunt Caesares*; and Valerius 3.2.19: *nunc etiam siderum clarum decus, diuum Iulium, certissimam uerae uirtutis effigiem*. Tiberius in fact overcomes the threat of Sejanus in part through the help of these stars (Valerius 9.11.*ext.*4). On the strength of the parallel faith in astrology and its political importance, see Cramer (1954), especially 81–112.
- 75 Janson (1964), 105–6.
- 76 Knickenberg (1889), 45, in his useful dissertation, correctly places Valerius' preface in the tradition of divine invocations.
- 77 Hickson (1993), 33. On Roman prayers in general, compare Appel (1975 [1909]).
- 78 Hickson (1993), 36–43.
- 79 See the essential discussion of Weileder (1998), 45–8, on the greater political implications of Valerius' phrase. Cf. also Fears (1977), 132–6. On the republican notion of *consensus*, see Hellegouarc'h (1963), 123–7.
- 80 See Fears (1977), 176–7, on the notion that the election of the princeps is in accord with the *providentia deorum*. Tiberius was elected by gods as well as men, that is, by all his colleagues.
- 81 De Ste. Croix (1983), 386–7.
- 82 Bloomer (1992), 146–229, provides a survey of civil war in Valerius' work; cf. also Freyburger (1998).
- 83 Cf. Weinstock (1970), 287–317, on Tiberius' grandfather, *Iuppiter Iulius*.
- 84 Such an idea corresponds well to the dual functions of a father and a god (*parens ac deus nostrae uitae*) described by Alföldi (1978 [1970]), 124–30 [= *MH* 11 (1954), 145–51]. On Tiberius' *providentia*, see Martin (1982), 103–39.
- 85 Alföldi (1978 [1970]), 124–130 [= *MH* 11 (1954), 145–51].
- 86 Rogers (1935), 205.
- 87 Manilius 1.7–10 had invoked Tiberius' divine predecessor in similar style.
- 88 Compare chapter one.
- 89 Compare the fate of C. Cassius (*C. Cassius numquam sine praefatione publici parricidii nominandus* [1.8.8]), who attempted to kill a god. Valerius 1.8.8: *non occideras tu quidem, Cassi, Caesarem, neque enim ulla extingui diuinitas potest, sed mortali adhuc corpore utentem uiolando meruisti ut tam infestum haberes deum*. Parricide is a vice. Cassius was punished. The new gods were not without power.
- 90 Compare the texts collected by Latte (1927). Cf. also Wissowa, *Kultus*, 60–4, on the earlier Hellenization of traditional Roman religion; Latte, *Religionsgeschichte*, 356–7, on later imperial syncretism; and North (1976) on Roman religion's constant dynamic evolution. Cf. Beard, North and Price (1998), especially 317–18 and 339–48.
- 91 Valerius was hardly the only author to imply that morality was a concern of the gods. Cf. e.g., Florus *Vergilius Orator an Poeta* 3.8.
- 92 Hellegouarc'h (1963), 197.

- 93 Hellegouarc'h (1963), 178–9. Saller (1982), 43, provides concrete examples of political favors that *amicitia Caesaris* could bring: magistracies, governorships. People tend to pray for what they want.
- 94 From Valerius, AD 30 (circa), back to moments when men like Cicero had delivered speeches such as the third Catilinarian in full view of the Temple of *Iuppiter Optimus Maximus* was less than a century.
- 95 See Newman (1967) on the numerous religious and political implications of the term *uates* in the Augustan period.
- 96 *OLD*, *numen*, 1202.
- 97 *Colligo* is a traditional technical term in Roman religion. Linderski (1981), 214, on *auspicia colligere*: “In the language of the augurs this term denoted both the perception of a sign and its interpretation and classification according to the rules codified once and for ever in the augural books.” Linderski (1982) looks at *colligo* again. The word refers not merely to the empirical observation and collection of religious data (*auspicia et auguria*) but also to the analysis of this data. From such analysis derives *colligo*'s derivative meanings of “deduce” and “infer.” Valerius' use of traditional terminology can thus hardly be construed as rejection of old traditions. Rather, Valerius grafts the new onto a solid foundation.
- 98 Cf. Manilius *Astron.* 1.385–6.
- 99 Cf. Manilius *Astron.* 4.933–5.
- 100 Woodman (1975), 18, who quotes Niebuhr, writes: “we must not lose sight of the fact that [Velleius] was more talented than his contemporaries; he is in the highest degree intellectual; his observations are exceedingly subtle. He is, moreover, completely master of his theme.” Comparisons of Velleius and Valerius may be had from Ungewitter (1903) and Jacquemin (1998b). On Velleius and the contemporary political scene, one may consult Schmitzer (2000).
- 101 Claus (1999).
- 102 Cf. recently Turcan (2000), 11: “in Rome people had always steered clear of imagination and the surge of emotion in religious matters, fringe prophesying, and even theology in general.”
- 103 Many people must celebrate or talk about something before it can become *inclitus*. *Inclitus* of course carries sacred associations as well; cf. O. Prinz, “*inclutus*,” in *TLL* 7, 1, 957–61; *OLD*, *inclutus*, 870; and Lewis and Short, *inclutus* § B., 974.
- 104 *Alacritatis* was read by Kempf (1854) and more recently by Combès (1995). *Claritatis* was read by Kempf (1888), which reading has been followed more recently by Wardle (1998); Briscoe (1998); and Shackleton Bailey (2000).
- 105 Kempf (1854), 106. Kempf (1888) reads *claritatis*, a more benign way to flatter.
- 106 E.g., Yavetz (1983), 19: “In the twentieth century ... Caesarism is of as little use as Fascism in helping us understand Caesar.”
- 107 On religious aspects of Nazism, see Reichelt (1990).
- 108 Further examples of *alacritas* and the corresponding adjective *alacer* are conveniently collected by Otón Sobrino (1977–91), 1, 121–2. Otón Sobrino, however, like Kempf in 1888, also reads *claritatis*. We may also compare Valerius' emotions to the sincere gratitude of a *sevir Augustalis* (*CIL* XI 4170; quoted by Latte, *Religionsgeschichte*, 315): *Saluti perpetuae Augustae, libertatique publicae populi Romani, Providentiae Ti. Augusti Caesaris, nati ad aeternitatem Romani nominis*. Key words like *salus*, *providentia*, etc., recur. Valerius provides a literary view closer to “average” than more polished artists. Cf. too the spontaneous effusions of reverence for Augustus recorded by Suetonius *Aug.* 98.2.

- 109 Latte, *Religionsgeschichte*, 312–26.
 110 Latte, *Religionsgeschichte*, 326.
 111 Price (1984), 10. Cf. Scheid (1985), 129–47.
 112 Price (1984), 7–22.
 113 Cf. e.g., Koch (1960 [1954]), 179, on ancient versus Christian belief and the incomparably greater “energy” of the latter. There is more than one way for *homines religiosi* to “live their faith.”
 114 I borrow the phrase “spontaneous conviction” from Joseph Conrad.
 115 Fustel de Coulanges, *La cité*, 7–38, well brings out the primal importance in antiquity of rites performed by descendants on behalf of their ancestors, and in turn the close connection of such private family rites to the communal family’s, i.e. the state’s, religion. Compare Syme (1960) on related political consequences of disruptions of aristocratic bloodlines.

1 Juno Valeriana

- 1 An earlier version of this chapter appeared as an article in Mueller (1998). I am grateful to the editor of the *Transactions of the American Philological Association* for permission to adapt much of that material here.
- 2 Chronology is alien to *exempla*. The moral lessons taught by history all remain equally relevant to any particular present moment. We are thus entitled to follow Valerius’ example, and to organize our inspection thematically.
- 3 It is generally agreed that the rubrics are probably the work of a later hand. Nevertheless, they are often adapted versions of Valerius’ own words and handy summaries of a chapter’s contents.
- 4 Wissowa, *Kultus*, 190, calls Juno Regina a “Frauen- und Ehegotttheit.” Cf. Paulus p. 248.5–7 (ed. Lindsay); the so-called *lex Numae* (*Paelex aram Iunonis ne tangito ...*) enjoined restrictions on women whose sexual relations with men were not sanctioned by marriage, but who desired to approach the altar of Juno. Plautus *Poen.* 1219–22 shows that these ritual regulations correspond generally in his times too to other popular associations of Juno with chastity, associations upon which the playwright could draw. Chastity and motherhood are also closely linked in Cicero’s *Div.* 2.85 offhand description of a statue of Juno (*castissime colitur a matribus*). The “epitaph” of Martial 10.63.5–8 similarly combines Juno and chastity, showing that such linkages were still comprehensible centuries later. Moreover, Martial’s sarcasm particularly links the gifts of Juno (children) with the deceased’s sexual temperance (specifically the chastity of a one-man woman [*uniuira*]): *Quinque dedit pueros, totidem mihi Iuno puellas / ... / Una pudicitiae mentula nota meae*. One may not often think of Martial as a moralist, but *castitas/pudicitia* appears to have been a real concern to him. In his poems, variations of the root *pudic-* occur some fifteen times (compare the more general *pudor* at twenty-nine) and the adjective *castus* another twenty-seven. We may cite the famous example of Paetus and Arria: *casta suo gladium cum traderet Arria Paeto ...*(1.13). See Howell (1980), 136–9, for discussion and further references.
- 5 On the “hymnic” quality of this introduction, see Römer (1990), 105.
- 6 *Pudicitia* is central to understanding Valerius’ Juno. We may note here the literary and historical context. On the Latin literary tradition of *exempla pudicitiae*, see Alewell (1913), 73–4. Fehrle (1910) details *Keuschheit*, or *pudicitia*, through both Greek and Roman antiquity. See Fehrle (1910), 123–6, for Juno in particular. The statue of *Pudicitia Patricia* stood in Rome’s Forum Boarium (Festus p. 282.18–22 (ed. Lindsay)). *Pudicitia Plebeia* once had her own altar and *sacellum* also (Livy 10.23). This *Pudicitia Plebeia*, however, passed into

oblivion (Livy 10.23.10; on Livy's view of *puḍicitia*, see Moore (1989), 122–4 with further references). Gag  (1963), 120–222, connects the moral value with religion under Augustus (cf. Fears (1981c), 837 and 894). For the changing valuation of *puḍicitia* in the context of various cults in the imperial period, see Cantarella (1987), 151–5. Valerius, who praises *puḍicitia* in general, singles out especially in 2.1.3 the *puḍicitia* of *uniuirae* under the rubric *de institutis antiquis: Quae uno contentae matrimonio fuerant corona puḍicitiae honorabantur: existimabant enim eum praecipue matronae sincera fide incorruptum esse animum, qui depositae uirginitatis cubile (in publicum) egredi nesciret, multorum matrimoniorum experientiam quasi legitimae cuiusdam intemperantiae signum esse credentes*. Epigraphical corroboration of such sentiments is not hard to find. One may compare inscriptions extolling *uniuirae* in particular (e.g., *CIL* VI 2318, 3604, 13299, 13303, 14771, 25392, 26268, 31711) and the *puḍicitia* of chaste wives in general (e.g., *CIL* VI 1341, 1527, 1779, 2141, 9693, 10230, 11252, 11602, 12072, 15448, 19128, 22380, 23297, 23397, 25427, 26192, 26442, 28785, 30102, 30213, 31986, 32041, 32424, 34728, 39086). Augustus was certainly interested in *puḍicitia* as well, having passed the *lex Iulia de maritandis ordinibus* in 18 BC, and was in fact quite proud of his moral legislation (*Res gestae divi Augusti* 2.12: *{ipse} multarum rer{um} exempla {posteris tradidi}*). *Puḍicitia* also played a role in Livia's propaganda (Flory 1984a). That *puḍicitia* should have mattered to Valerius is thus hardly incongruous. Cf. in general Raditsa (1980); Treggiari (1991), 277–98; and, on Augustus' marriage laws in the context of efforts to reform contemporary morals, Baltrusch (1989), 162–89. Chastity was a moral concern of the first century AD and beyond.

- 7 Cf. Ovid *Fasti* 9.949–54 on the house of Augustus with similar tripartite division. On Juno in Ovid, see K tze (1991), 117–76.
- 8 Juno was one of Rome's oldest goddesses; Roscher, s.v. "Juno," in Rosch. *Lex.* 3, 574–5; Wissowa, *Kultus*, 181.
- 9 Is *puḍicitia* a religious concern? Fears (1981c), 939, notes that "there does not exist a major general study devoted to the 'deified abstractions' as a group and to their role in Roman religion and thought." We shall thus have to examine (below) comparative evidence for the relation of *puḍicitia* to religion. One may consult, however, the lists compiled by Axtell (1987 [1907]).
- 10 See Adams (1982), 195–6, on the euphemistic use of *puḍicitia* in polite prose, and Treggiari (1991), 103–7, on the ideological importance of *puḍicitia* in contracting marriages.
- 11 On the corresponding legal protections afforded to *puḍicitia* by the state, see Mommsen, *Strafrecht*, 682–704.
- 12 Valerius has been condemned for excessive rhetoric. Compare, however, Tertullian *De puḍicitia* 1.1: *Puḍicitia, flos morum, honor corporum, decor sexuum, integritas sanguinis, fides generis, fundamentum sanctitatis, praedictum omnibus bonae mentis* Tertullian's rhetoric allows strong emotions and moral values to find strong expression. Literary critics do not in general doubt either Tertullian's religious sincerity or his moral fervor. For the sake of our literary experiment, we grant the adherent of a classical religion similar benefit of the doubt. One may compare Sinclair (1980), 72–89, who views Valerius' apostrophes (including 6.1.*imit.*) as both an infusion of the author's personality into the text as well as symptomatic of contemporary literary style.
- 13 Valerius' clear identification of the concept of *puḍicitia* with the goddess *Puḍicitia*, whose *numen* he invokes, becomes more striking in light of Moore's statement that in Livy "*puḍicus* and *puḍicitia* are never directly connected with religious ritual" (122). Our discussion (below) of Valerius 1.1.16, on the other hand, will show that *puḍicitia* is in the Valerian (as opposed to the Livian) view

- germane indeed to religious ritual. Valerius 9.7.1 tells us more generally that those who violate religion through sexual misconduct are detested. The phrasing implies that they are mutually exclusive. A vitriolic attack by Apuleius upon a woman he terms an enemy of chastity (*hostis pudicitiae*) also suggests the close connection between *pudicitia* (a moral quality) and religion. Apuleius *Met.* 9.14 denounces the unchaste woman for her treatment of *numina*: *Tunc spretis atque calcatis diuinis numinibus ... matutino mero et continuo stupro corpus manciparat.*
- 14 For a composite look at Germanic tribes in Valerius, see Weileder (1998), 107–9.
 - 15 We speak in Valerian terms. We may compare the action taken by P. Atilius Philiscus in Valerius 6.1.6, who, although his own chastity was violated when he was a boy, killed his daughter for the same crime (*stupri ... crimine*). Valerius has high praise for this act on behalf of “holy chastity” (*sanctam ... pudicitiam*). In Valerius 6.1.3 *stuprum* even between those betrothed elicits the same punishment; cf. Linderski (1990a). Tacitus also presents barbarians motivated by chastity, and, moreover, convinced that this value is a concern to the gods. Boudicca in Tacitus *Ann.* 14.35 claims that she fights on behalf of her daughters’ violated chastity (*contrectatam filiarum pudicitiam*), and that the gods of just vengeance (*deos iustae vindictae*) are on the British side. Boudicca’s reasoning certainly conforms, perhaps not coincidentally, to Valerius’ thinking.
 - 16 Florus 1.3 indicates that he, like Valerius, viewed this moral value (Lucretia’s chastity) as something of interest to the gods: *populus Romanus ad vindicandum libertatis ac pudicitiae decus quodam quasi instinctu deorum concitatus regem repente destituit ...* Despite his *quasi*, Florus appears ready to accept such divine concern as natural. Florus 1.17 similarly juxtaposes divinity and morality.
 - 17 Of the sixteen anecdotes in Valerius’ chapter dedicated to *pudicitia*, six involve males only (6.1.5, 6.1.7, 6.1.9, 6.1.10, 6.1.11, 6.1.12) and fourteen view males as criminal.
 - 18 Mattingly (1968), 2, 356 no. 135, obv. *IMP. CAESAR TRAIAN. HADRIANVS AVG.* Further examples are provided by Mattingly (1968), 2, 360–1 nos 176–8, which display the obverse *HADRIANVS AVGVSTVS* and the reverse legend *COS. III.* along with representations of *Pudicitia*; cf. Mattingly *et al.* (1968 [1923–49]), 2, 380 no. 343.
 - 19 Mattingly *et al.* (1968 [1923–49]), 2, 385 no. 389, obv. *HADRIANVS AVG. COS. III. P. P.*; rev. *IVNONI REGINAE*.
 - 20 Mattingly *et al.* (1968 [1923–49]), 3, 117 no. 702, obv. *ANTONINVS AVG. PIVS P. P.*; rev. *TR. POT. COS. III S. C.* “*Pudicitia* standing front ... raising r. hand and holding veil with l.”
 - 21 All citations refer to Mattingly *et al.* (1968 [1923–49]) – Septimius Severus: 4, 1. 162 no. 524 (AD 198–202); Severus Alexander: 4, 2, 94 no. 307 (undated); Gordian III: 4, 3, 40 no. 240; obv. *IMP. GORDIANVS PIVS FEL. AVG.*; rev. *PVDICITIA AVG.* (AD 238–44; *Pudicitia* herself is portrayed with the features of Gordian’s wife Otacilia Severa); Trajan Decius: 4, 3, 125 no. 46a (undated); Herennius Etruscus: 4, 3, 141 no. 159 (c. AD 251); Hostilian: 4, 3, 146 no. 196; 4, 3, 147 no. 203 (c. AD 251); Trebonianus Gallus: 4, 3, 168 no. 88 (c. AD 251; cf. also 4, 3, 171 nos 109–12 with the rev. *IVNONI MARTIALI*); Volusian: 4, 3, 185 nos 232–3 (c. AD 251); Gallienus: 5, 1, 154 no. 272 (undated).
 - 22 Compare also Valerius’ contemporary admiration (in his chapter *de abstinentia et continentia*) for Germanicus, a “one-woman man,” whose only sexual relations took place within the bonds of matrimony: *Drusum ... Germanicum ... constitit usum ueneris intra coniugis caritatem clausum tenuisse* (4.3.3).
 - 23 Cf. Flory (1984a).

- 24 Pighius (1612 [1567]), 532 (ad 6.1.*init.*): *sanctissimumque Iuliae gentis genialem torum*. Also discussed by Kempf (1854), 461; one manuscript does offer *genialem torum* (*ibid.*).
- 25 Lipsius (1612 [1585]), 640 (ad 6.1.*init.*). Also discussed by Kempf (1854), 461, and by Helm (1955), 91–2.
- 26 Elschner (1864), 23, however, does not see the logic: *me non intellegere confiteor*. He is hardly alone. Thormeyer (1902), 11, finds it somewhat absurd for Valerius to discuss Livia in this way: *paene ridiculum videtur de pudicitia loqui mulieris iam plus quam LXXX ann. agentis*. Carter (1975), 32, insists that Valerius refers to Tiberius' former wife: "If there is any Julia here it is the obvious one, Tiberius' former wife, the notorious daughter of Augustus. ... To inject Livia into the passage, ingeniously exploiting that 'happy' coincidence of name, is a distortion of natural sense and hopelessly contrived." Bellemore (1989), 76, agrees with Carter. For the most recent vindications, however, of Helm (1955) and Lipsius (1612 [1585]) – the view adopted here – compare Briscoe (1993), 400–1, and Combès (1997), 230. On the fate of the less fortunate Julia, see Linderski (1988).
- 27 Helm (1955), 91–2.
- 28 *Acta Fratrum Arvalium* p. 33.12 (ed. Henzen) [4 January, AD 27], and p. 34.13 [30 January, AD 27].
- 29 Mattingly (1923), 130–1, nos 76–8; cf. Sutherland (1938), 51–3. Cf. Mattingly (1923), cxxxvi and Grant (1950), 108–14.
- 30 Cf. Fishwick (1991), 423–35 on the *domus diuina*, who argues that "the imperial house as a whole came to be paid the same divine honours as the emperor himself [, and that] unofficially, at least, the *domus divina* evidently acquired the status that under the early principate was attributable to the emperor alone" (435). Valerius appears to provide corroboration.
- 31 Ovid *Pont.* 3.1.114–18 provides another very similar literary example not only with many of the same elements (Livia, *pudicitia*, Juno) but also with some of the same ideologically charged terms used by Valerius (*priscus, torus*). Neither should we neglect Valerius' admiration for the way Indian women respect their marriage beds (*geniales tori*). Valerius 2.6.14 describes stuttee, and concludes with ringing admiration for such wifely devotion (*uxoria pietas*). The fact that Julia Augusta never married certainly proved her *uxoria pietas* as well.
- 32 See Rives (1992); Palmer (1974), 27; Haug (1919), 1115; Wissowa, *Kultus*, 182; Ihm, s.v. "Iunones," in Rosch. *Lex.* 3, 615–18.
- 33 *Acta Fratrum Arvalium* p. 34.22 (ed. Henzen) [4 January, AD 27].
- 34 Cf. e.g., the inscription of Dessau (120) from Africa in AD 3 cited by Mattingly (1923), cxxxvi: *Iunoni Liviae Augustae sacrum*. Also, the *Acta Fratrum Arvalium* p. 82.24–31 (ed. Henzen): "*immolavit in Capi-<i>tolio et in templo divi Augusti novo ... Genio imp(eratoris) Ne-ironis ... taurum, Iunoni Messallinae vacc(am).*" Rives (1992), sees in the later development of the *Iuno Feminae* a reflection of the social and economic advances made by women under the early empire.
- 35 We may note that not only had Augustus restored the temple of Juno, but that Juno was also a goddess whom Livia herself especially favored; Taylor (1931), 232.
- 36 See Crawford (1974), 864, for references.
- 37 Juno: Mattingly *et al.* (1968 [1923–49]), 2, 386–8 nos 394, 401–4; cf. Vesta: 2, 387–8 nos 397, 410.
- 38 Juno: Mattingly (1968), 3, 68 no. 338; 3, 73 no. 391; *AETERNITAS (Pudicitia)*: 3, 69 no. 346a.
- 39 *Pudicitia*: Mattingly (1968), 3, 94 nos 507–8.
- 40 Carinus defeated Diocletian in AD 285 only to be murdered after the battle by an officer whose wife he had seduced.

- 41 All references are to Mattingly *et al.* (1968 [1923–49]) and, unless otherwise specified, all citations are to coins advertising *PVDICITIA*: Faustina Junior: 3, 270 nos 707–8 (cf. e.g., Juno: 3, 269–70 nos 687–98; Mater Magna: 3, 270 nos 704–6; Vesta: 3, 271 no. 737). Lucilla: 3, 275–6 nos 778–80 (no. 779 with the features of Lucilla); 3, 353 nos 1758–9 (cf. e.g., Juno: 3, 275 no. 772; 3, 353 nos 1744–52; Mater Magna: 3, 353 nos 1753–4). Julia Domna: 4, 1, 170 nos 575–6; 4, 1, 178 no. 644; 4, 1, 273 nos 385–6; 4, 1, 310 no. 589; 4, 1, 312 no. 602. Julia Paula: 4, 2, 46 no. 221a–b. Julia Soaemias: 4, 2, 48 no. 238 (cf. e.g., Juno: 4, 2, 48 nos 235–6). Julia Maesa: 4, 2, 50 no. 267; 4, 2, 61 nos 417–20 (cf. e.g., Juno: 4, 2, 49–50 nos 253–60). Orbiana: 4, 2, 97 no. 324. Julia Mamaea: 4, 2, 98 no. 347 (cf. e.g., Juno: 4, 2, 98 nos 340–2). Otacilia Severa: 4, 3, 83 no. 123; 4, 3, 83 no. 128a; 4, 3, 86 no. 145; 4, 3, 94 nos 209–11 (no. 210 *Pudicitia* veiled and with child; no. 211 sim., but with child and cornucopia; cf. e.g., Juno: 4, 3, 83 nos 127–8). Herennia Etruscilla: 4, 3, 125 no. 46a; 4, 3, 127–8 nos 58–60; 4, 3, 137–8 nos 136–7 (cf. e.g., Juno: 4, 3, 127 no. 57). Salonina (joint reign of Gallienus and Saloninus): 5, 1, 111 nos 24–5; 5, 1, 115 no. 65 (cf. e.g., Juno: 5, 1, 110 nos 20–1; 5, 1, 112 nos 40–1, 46; 5, 1, 113 nos 49, 53). Salonina (sole reign of Gallienus): 5, 1, 194 nos 24–5; 5, 1, 195 no. 43; 5, 1, 196 nos 46–7, 51 (cf. e.g., Juno: 5, 1, 193 nos 11–15). Magnia Urbica: 5, 2, 183 no. 339.
- 42 As an anonymous reader pointed out, the ability of Claudia Quinta, because of her outstanding personal *pudicitia*, to rescue the stone of Magna Mater in 204 BC (Ovid *Fasti* 4.305–49; cf. Livy 29.14.5–14) deserves mention here, inasmuch as others have seen in allegorizing accounts of this event attempts by Romans to introduce moral lessons into religious ceremonies: see Sharples (1985) and Michels (1966); cf. Roller (1999), 263–85. Such allegorizing, which finds its way eventually into the propaganda of Julia Domna, was part of Valerius’ cultural milieu. One may compare similar contemporary interest in foreign goddesses with moral concerns such as Venus Verticordia (the Semitic Astarte) who turned thoughts from lust to chastity; Valerius 8.15.12; cf. Preller, *RömMyth*, 392–3 and Staples (1998), 103–13.
- 43 Mattingly (1968), 4, 1, 89. Examples of reverse legends to Diana, to Juno, to Julia Domna as “Mother of the Senate, of the Country, etc.” may be found in Mattingly (1968), 4, 1, 310 nos 583–8.
- 44 Cf. Bloomer (1992), 123–6.
- 45 Cf. Combès (1995), 300 n. 4.
- 46 Compare also Valerius’ admiration for other examples of chaste conduct from the past; 2.1.5 (*de institutis antiquis*): formerly women did not drink wine, contributing to physical continence.
- 47 Liebeschuetz (1979), 90–100.
- 48 Fehrle (1910), 54–64, identifies *pudicitia* as a source of power. Understanding *pudicitia* as a source of power (*uirtus*), as in the case of the German women (Valerius 6.1.ext.3) makes sense within the Valerian outlook and illuminates the rationale of his rhetoric. Ritual and laws control and adjust sources of power (*uirtutes*) according to the interests of the ruling elite in particular and of patriarchy in general. Cf. Fustel de Coulanges, *La cité*, 92–103. We may note that changes in the patterns of sexual behavior (or demands for such change) can in fact accompany substantial changes in a society’s political organization (i.e. adjustments in the distribution of power). For the legal underpinnings as well as discussion of possible sources for Rome’s double-standard, see Treggiari (1991), 299–319.
- 49 Roscher, s.v. “Juno,” in Rosch. *Lex.* 3, 576–94.
- 50 *MRR*, 1, 381, 427; cf. 2, 528: L. Aemilius L. f. M. n. Paullus Pat. (114) Cos. 182, 168.

- 51 On chronology, compare Combès (1997), 233.
- 52 Younger sons traditionally rode with the father in the triumphal chariot, while older sons walked. A triumph was a dangerous time; *Inuidia* a particular threat. Cf. Künzl (1988), 87–8 and Ryberg (1955), 21. Would the gods of Valerius' day have noticed that the son of Paullus' second wife rode in the chariot while the spurned wife's son, no longer part of the family, walked?
- 53 Paullus' personal calamity was actually in answer to his prayers and a fulfillment of his vows. According to Valerius 5.10.2, Paullus had prayed to the great Capitoline triad (*Iouem optimum maximum Iunonemque reginam et Minervam precatus sum*) that they might turn any disaster threatening the Roman state upon his own house instead. Paullus had done this for the sake of Roman *felicitas*, a word which Valerius, according to Zieske (1972), 258, uses "häufig mit religiöser Nuance." Valerius, moreover, is the only ancient source to name the gods to whom Paullus prays. His contemporary Velleius Paterculus 1.10.4–5 (who has Paullus pray in direct speech before the calamity) terms the gods *deos immortales*. What Valerius and Velleius, however, represent as prayer to gods, their predecessor Livy 45.41.1–12 had reduced to a mere desire (*Illud optavi, ut ...*). Greek versions of the story (Diodorus Siculus 31.11.2–3, Plutarch *Aemilius* 36, and Appian 19.1–5) provide commonplaces on τὸ ἄριστον. Of our sources, Valerius exhibits the greatest religiosity.
- 54 Valerius 2.1.4 condemns the first man in Rome ever to divorce his wife (for sterility). Valerius 2.9.2 praises the censors C. Iunius Brutus Bubulcus and M. Valerius Maximus who in 307 BC (*MRR*, 1, 165) removed Lucius Annius from the senate because he had divorced a wife who was a virgin when he married her (thus scorning *pudicitia*) and had divorced her without consulting his friends (thus neglecting social constraints). Valerius considers Annius' action even worse than celibacy, *coniugalia sacra spreta* (2.9.1), thus again revealing that marriage, procreation, and the protection of *pudicitia* are in Valerius' mind moral values backed by religious force. That Valerius alone of all our ancient sources names the goddess Juno when relating the anecdote of L. Aemilius Paullus does not seem out of place in the context outlined by Csillag (1976), 127–43, on the less tolerant legal attitude towards divorce under Augustus. On the other hand, Valerius approves of divorces when the woman's *pudicitia* has been compromised: 6.3.11, 6.3.12, and 8.2.3. Cf. Csillag (1976), 175–99, and Baltrusch (1989), 167–8, on Augustus' *lex de adulteriis*. Valerius' rhetoric supports the law. Not everyone did so: Baltrusch (1989), 179–80, outlines the opposition; Valerius does not appear.
- 55 One went to P. Scipio Africanus Major's son (P. Scipio Africanus). This son became P. Scipio Africanus Aemilianus or Minor. The other went to Q. Fabius Maximus, becoming Q. Fabius Maximus Aemilianus.
- 56 To understand the nature of the calamity in Valerius' day, one must also recall that a man's *manes* could be cared for only by direct male descendants, whether by blood or by adoption. For Paullus, aristocrat and augur, the blow must have been grievous; the adopted sons would by rights have tended the *manes* of their new fathers. Cf. Fustel de Coulanges, *La cité*, 49–57.
- 57 Thurmond (1992), 21.
- 58 Adoption does not meet with the ringing disapproval that Valerius reserves for divorce (one recalls too that adoption played a significant role in the dynastic politics of the day). Neither, however, does it enjoy Valerian praise (unreserved for many another Roman custom). Valerius 2.10.4, on the one hand, seems to view Paullus' action in giving Scipio Aemilianus away in adoption as a legitimate scheme to increase the glory of two families: *{eum} in adoptionem dando duarum familiarum ornamentum esse uoluit*. Other glimpses of adoption in

- Valerius are, however, decidedly negative. He proclaims, for example, that natural bonds justly prevail over adoptive (and legal) bonds. Valerius 7.7.2 recounts the tale of M. Anneius Carseolanus who was able to contest successfully his natural father's will (which had passed him over) even though he had been adopted by his uncle and although Pompey backed Anneius' opponents. What power was able to prevail over both the letter of the law and the great man? Blood – because procreation, according to Valerius, constitutes the tightest bond between human beings: *artissimum inter homines procreationis uinculum* (7.7.2). Cf. Valerius 7.7.5 (sim.); 7.8.5 (for an adoptive father in a negative light); and 9.1.2 (for a view that sees adoption as a way to rid oneself of an unworthy son). Valerius appears ambivalent about adoption, and we may thus legitimately raise questions about what position a Valerian Juno might take. Cf. Corbier (1991), who concludes that, whatever the utilitarian value of adoption (a practice also liable to abuse), stable marriage and natural descendants remained the Roman ideal (77).
- 59 See the discussion of this divine force in chapter five.
- 60 Kappius (1823), 130 n. "r."
- 61 Köves-Zulauf (1972), 258 n. 484.
- 62 Hase (1822–3), 19 n. 1. Hoffmann (1829), 21 n. 3, concurs: "Diese Leute galten in Rom für ehrlos."
- 63 As Watson (1992), ix, points out, the opposite has also been true. Studies of Roman law have traditionally ignored Roman religion.
- 64 Dieter Medicus, s.v. "Infamia," in *KP*, 2, 1406–7. Cf. Mommsen *Staatsrecht*, 2, 377–88 [364–74]; Kaser (1956); and, for a discussion of *infamia's* place in the moral legislation of Augustus, Mette-Dittmann (1991), 67–73.
- 65 Marcianus *Dig.* 1.22.2.*pr.* tells us that *infames* are barred even from auxiliary roles in the government: *infames autem licet non prohibeantur legibus adsidere, attamen arbitror, ut aliquo quoque decreto principali refertur constitutum, non posse officio adessoris fungi*. In this light, although Cicero is speaking of foreign religion, it is certainly worth noting that the only occurrence of the term *adessor* before Suetonius (*Galba* 14.2) refers to the augur that assisted the Spartan kings (Cic. *Div.* 1.95).
- 66 For a discussion of the various assistants employed by priests and in religious ceremonies see Marquardt, *Staatsverwaltung*, 3, 224–30. Cf. Mommsen, *Staatsrecht*, 1, 325 [311] on *servi publici* and 1, 359 on *calatores*; and Samter, s.v. "Calatores," in *RE* (1899), 3, 1335–6.
- 67 Early in his career Cicero *Verr.* 1.1.43–44 calls on the gods when chastising jurors in order to recall to the jurors the religious values that should animate their judgments in order to preserve themselves from charges of *infamia*. Cicero *Verr.* 2.1.8–9 suggests that Verres' violations of *pudicitia* ought to be expiated along with his offenses against religion. Later in his career, Cicero *Har. Resp.* 8–9 is outraged that Clodius, against whom so many decrees had been passed by the senate on religious grounds, should dare complain about neglected religion, but Cicero is especially outraged because Clodius had violated the *puluinaria* of a goddess with *stuprum*. Cicero likens the appropriateness of Clodius' complaints about the neglect of religion to an harangue from Clodius on *pudicitia*. Cicero *Prov. Cons.* 24 explains that he hates Clodius because Clodius violated religion and chastity. These passages not only suggest connections of *infamia*, *religio*, and *pudicitia*, but also imply that Roman gods may have concerns extending beyond ritual in general to morality in particular. Cicero's philosophical reflections underscore these public appeals. Cicero *Nat. D.* 1.3–4 argues that without true piety and religion, society and justice become impossible. Cicero *Leg.* 2.24 similarly stresses that purity of mind is even more important than bodily purity

- when performing religious ceremonies. Ritual concerns do not preclude, but rather include, moral considerations. Cf. Tatum (1993).
- 68 Velleius Paterculus 2.45.1: *etiam sororis stupro et actus incesti reus ob initum inter religiosisima populi Romani sacra adulterium*. Cf. Woodman (1977), 66.
- 69 Paulus p. 248.5–7 (ed. Lindsay).
- 70 Cf. Liebeschuetz (1979), 1.
- 71 Cf. Livy 5.22.4, where those selected for the duty of bearing Juno's statue from Veii to Rome, although described in terms indicating physical cleanliness, demonstrate a corresponding religiosity or moral devoutness as well: *delecti ex omni exercitu iuuenes, pure lautis corporibus, candida ueste, quibus deportanda Romam regina Iuno adsignata erat, uenerabundi templum iniere, primo religiose admoentes manus* etc.
- 72 Cf. Regling, s.v. "Spintria," in *RE* (1929), 3A, 1814. Tokens (*lasciua numismata*) were enjoined as payment in brothels in order to protect the image of the emperor present on regular coinage. *Sacra numina* were not to look upon such unchaste matters.
- 73 Nor did Tiberius remain neglectful of his *divus pater*. In AD 25, Tacitus tells us, Cyzicus lost its *libertas* for neglecting the cult of Augustus (*Ann.* 4.36), and Apidius Merula was removed from the senate for refusing to take an oath of obedience to the acts of the divine Augustus (*Ann.* 4.42).
- 74 For a discussion of the attitude expressed in this introduction, and its relation to Roman atrocities in warfare, see Westington (1938), 1 and *passim*.
- 75 *MRR*, 1, 92; cf. 2, 586: M. Manlius T. f. A. n. Capitolinus Pat. (51) Cos. 392.
- 76 *MRR*, 1, 102; cf. 2, 609: Q. Publilius (*4).
- 77 *MRR*, 2, 569: M. Furius L. f. Sp. n. Camillus Pat. (44) Mil. Tr. c. p. 401, 398, 386, 384, 381.
- 78 See *MRR*, 1, 95 (for 390) and 1, 102 (for the transfer of venue). Cf. Mommsen, *Staatsrecht*, 2, 615–18 [598–601] and *Strafrecht*, 550–3, on *perduellio*. On the location of the *saxum Tarpeium*, see Coarelli (1985), 2, 80–7. Cf. Jordan, *Topogr.*, 1, 2, 127–31; Platner-Ashby, 509–10; and Richardson (1992), 377–8.
- 79 Jordan, *Topogr.*, 1, 2, 108–11 (cf. 1, 3, 165–7); Nash, *PictDict*, 1, 515–17; Richardson (1992), 215. For a discussion of the technical difficulties in the topography of Manlius' trial, see Wiseman (1979b); for the rhetorical implications of the topography, Vasaly (1993), 15–16.
- 80 This, however, is not certain either; there are two candidates. *MRR*, 1, 128, 131; cf. 2, 569: L. Furius M. f. L. n. Camillus Pat. (41 [assigned no. 42 on 1, 131]) Dict. 350, Cos. 349, ?Dict. 345. *MRR*, 1, 131, 138, 147; cf. 2, 569: L. Furius Sp. f. M. n. Camillus Pat. (42 [assigned no. 41 on 1, 131]) ?Dict. 345, Cos. 338, 325. Livy 7.28.4–6 separates the destruction of Manlius' house from the dedication of the temple as does Ovid *Fasti* 6.183–9. Plutarch *Camillus* 36.7–9, on the other hand, like Valerius, seems to connect Manlius' trial with Camillus' dedication of the temple. For discussion, see Ziolkowski (1992), 345f.
- 81 Cf. Wissowa, s.v. "Consecratio," in *RE* (1901), 4, 896–902. Cicero did not make use of these historical anecdotes featuring the replacement of houses with temples in the defense of *libertas*. What historical anecdotes Clodius' speeches may have contained is unfortunately unknown.
- 82 The story is, however, told at greater length in Livy, and involves many more religious elements than the Temple of Juno. Levene (1993), 206–7, analyzes literary elements only; for a rigorous approach to religion in Livy that remains sensitive to literary issues, compare Linderski (1993a). Cf. Oakley (1996–8), 1, 566. It is also worth remarking, in light of the similar decree regarding Cn. Piso's son in AD 20 (Tacitus *Ann.* 3.17), that Valerius, unlike Livy, does not tell us that the Manlian *gens* was forbidden the use of the praenomen Marcus.

- 83 Lewis and Short reveal an even division between the phrase's religious as opposed to civil uses; the *OLD* places a greater emphasis on the latter. For Valerius' contemporaries, the phrase *latum ad populum est* would have had little relevance. Not only had the senate replaced the old assemblies as the usual legislative body, but it was at the beginning of Tiberius' reign as well that elections were finally transferred to the senate, reducing the role of the people in general to occasional displays of *acclamatio*. Valerius' vaguer *lege sanciri placuit* thus leaves unexpressed the dative locus of desire, a place that could easily be supplied with authorities more appropriate to parallel situations in Valerius' day. Compare e.g., Suetonius *Aug.* 34.1.1: *Leges retractavit et quasdam ex integro sanxit, ut sumptuarias et de adulteriis et de pudicitia, de ambitu, de maritandis ordinibus*. Also Tacitus *Ann.* 15.22.3: *mox auctore principe [= Nero] sanxere [= consuls and senate] ne quis ad concilium sociorum referret ...*
- 84 Maslakov (1984), 468–71, discusses Valerius' sources for the sequence *de seueritate*. For *seueritas* in Livy, cf. Moore (1989), 137–41.
- 85 Preller, *RömMyth*, 616 summarizes the general meaning of this *libertas* in imperial times: "Unter den Kaisern verstand man unter *Libertas* die Befreiung von dem Joche des Despotismus im Gegensatz zu dem milderen Regiment der besseren Kaiser" Fears (1981c), 869–75, traces its changing meaning, and defines its religious nature: "a political order brought into being through the operation of this goddess in the person of the charismatic figure" (870). For fuller discussions, see Wirszubski (1950); Hellegouarc'h (1963), 542–65; Brunt (1988), 281–350; cf. Raaflaub (1974), 155–62; and Syme (1977).
- 86 As noted above, vindication of chastity can also lead to vindication of liberty, e.g., Lucretia. Hyginus *Fabulae pr.* 24 actually derives the abstract deity *Libertas* from the union of Jupiter and Juno: *Ex Ioue rursus et Iunone, Iuuentus Libertas*. We have seen already Juno's links to *pudicitia*. The relation, however, of *pudicitia* and *libertas* is also elsewhere attested. Compare the devout reasoning offered by T. Annius, bloody knife in hand, over Clodius' corpse in Cicero *Mil.* 77: *ut unum ius aequitas, leges libertas, pudor pudicitia maneret in ciuitate ...* In fact, Cicero *Part. Or.* 86.4–5 closely associates – as if by some natural and rational logic – life, chastity, and liberty: *Bonorum autem partim necessaria sunt, ut uita, pudicitia, libertas ...* Seneca, *De beneficiis* 1.11.4, on the other hand, reformulates the trinity as *libertas et pudicitia et mens bona*. Liberty and chastity are linked in more Valerian fashion with the gods in Seneca *Controv.* 1.2.17. Compare also Livy 3.52.4 on the secession of the *plebs*: *prosequuntur coniuges liberique, cuiam se relinquere in ea urbe in qua nec pudicitia nec libertas sancta esset miserabiliter rogantes*. That the concatenation of these virtues resonated even outside the higher social classes we can glean from the self-introduction in Livy 42.34.3 of a modest man, *Sp. Ligustinus*, who relates that his wife brought with her nothing except her *libertatem pudicitiamque* (and, like the woman mocked by Martial 10.63.5–8 who was granted so many children by Juno: *cum his fecunditatem sex filii nobis, duae filiae sunt*). Cicero *Part. Or.* 42–3 tells us how one can in general use these values rhetorically to defend an action: *Aut iure factum depellendi aut ulciscendi doloris gratia, aut pietatis aut pudicitiae aut religionis aut patriae nomine, aut denique necessitate, incitata, casu*. Cicero links religion, chastity, and defense of one's country in a way hardly to be compartmentalized by the emotions. And, even in his private letters Cicero, *Att.* 1.16.7, writes conforming to this ideology that those who wish for gain from the destruction of the republic hope to gain when its defenses fall: *cum religio, cum pudicitia, cum iudiciorum fides, cum senatus auctoritas concidisset ...*

- 87 Cf. also Flory (1984a), 330, on the propaganda-value of dedicating private residences to public use: "Rising up on land where once had stood a house symbolic of a luxurious and self-centered past, which Augustus was determined to eradicate as completely as he had razed Vedius' house to the ground, the porticus and the Aedes Concordiae emphasize the traditional importance of the community and the insignificance of the individual."
- 88 *MRR*, 1, 382, 391–3, 404, 414; cf. 2, 568: Q. Fulvius Q. f. M. n. Flaccus (61) Pr. 182, Cos. 179, Cens. 174, Pont. 180–172.
- 89 On theft from gods (*sacrilegium*), see Mommsen, *Strafrecht*, 760–72. For Roman citizens in general, such theft from the gods of Rome was a capital offense. Fulvius, however, as a magistrate, was more than a mere citizen, and his theft from Juno took place outside the territory governed by Roman law. Nevertheless, in Valerius Juno will exact punishment, providing a perhaps not insignificant parallel of divine and civil procedure. Cf. Scheid (1981), 140–2.
- 90 This goddess was still active in Valerius' day; a vow was made in AD 22 during Livia's sickness to *Fortuna equestris* in Antium (Tacitus *Ann.* 3.71).
- 91 Kempf (1854), 118.
- 92 See especially Kempf (1854), 118, who accuses Valerius of having hallucinated, and Zschech (1865), 11.
- 93 Cf. Marquardt, *Privateleben*, 82–8 (on the religious ceremonies surrounding the births of children), 119–22 (on attitudes towards childrearing after Augustus), and Cicero's definition of *superstitio* in *Nat. D.* 2.72: *ut sui sibi liberi superstites essent*; discussed by Wagenvoort (1980 [1972]), 236–7.
- 94 *Duae sunt praecipuae Romanae uirtutes, militaris uirtus et pietas*; Scholiast to Lucan 1.11 cited by Liegle (1967 [1932]), 229. Saller (1994), 105–14, discusses Valerian *pietas* in particular and Roman *pietas* in general. Cf. Hellegouarc'h (1963), 276–9; Fugier (1963), 371–416; Moore (1989), 56–61.
- 95 As Galinsky (1969), 54 remarks, however, Valerius oddly failed to include Aeneas among his examples illustrating *pietas*.
- 96 Herodotus 1.31. Cicero *Tusc.* 1.113 reports this opinion also but attributes it to the *scholae*. Valerius, on the other hand, focusing on conduct in the Roman context, ignores philosophical possibilities, and simply adapts the story to his own purposes. Significant differences occur also in the narration of the story. Valerius, unlike Herodotus and Cicero, does not have the mother of Cleobis and Biton pray to the goddess, but rather focuses attention on how the sons carried their mother in order that she perform sacred rites: *ad sacra Iunonis peragenda matrem uexerint* (5.4.ext.4). Cicero, on the other hand, never mentions the goddess by name, and does not discuss specifically why the mother needed conveyance to the temple, thus rendering the story more philosophically general.
- 97 Cf. Varro *Ling.* 6.30: *praetor qui tum fa(c)tus est, si imprudens fecit, piaculari hostia facta piatur; si prudens dixit, Quintus Mucius a(b)i(g)ebat eum expiari ut impium non posse.*
- 98 Cf. Levene (1993), 108–9.
- 99 Hase (1822–3), 21 n. 2: *immo sacrilegio motus fuit senatus, ut tegulae reportarentur.*
- 100 Compare Moore (1989), 61: "Impius in Livy can almost always be translated 'in opposition to divine law.'"
- 101 Compare the prescriptions of the *lex Libertinaria* (AE 1971: 88.II.22–3) on the special funeral arrangements required for deaths by hanging. Cf. Loraux (1984) for a discussion of death by strangulation.
- 102 Cf. Levene (1993), 112.

- 103 This is also the version reported by Lactantius *Div. Inst.* 2.7.16. Like Valerius, Lactantius believes that such events reveal the power of divinity to perform miracles (*Div. Inst.* 2.7.7–8).
- 104 Valerius continues to interpret the political history of Fulvius from a religious perspective in 2.8.3, where Fulvius' refusal of a triumph is deemed an offense against religion that is punished, rightly in Valerius' view, with exile: *continuo quaestione publica adflictus exilio multatus est, ut, si quid religionis insolentia commisisset, poena expiaret*. Cf. Kempf (1854), 223–4.
- 105 Valerius 1.1.ext.2: *factum <magis> Masinissae animo quam Punico sanguini conueniens!*
- 106 Masinissa was of course a Numidian.
- 107 Valerius 1.1.ext.2: *... ignorantem eos accepisse, libenter deae reddidisse*.
- 108 On *simulacra*, see Daut (1975), 73–5.
- 109 Cf. Platner-Ashby, 290. We should also note here that Valerius 2.9.1 [*de censoria nota*] relates that Camillus, as censor and in keeping with his connection to Juno, punished men who remained celibate, telling them: *natura uobis quemadmodum nascendi, ita gignendi legem scribit* Is it coincidence that the man who brought Juno from Veii to Rome (and whose scrupulous observance of the gods and *ritual* is emphasized throughout the fifth book of Livy) should have been interested in this sort of *morally* motivated behavior?
- 110 As Bullhart (1936–66), 1055–6, illustrates, the word *miraculum* begins to serve as a popular synonym for *monstrum*, *ostentum*, *portentum*, and *prodigium* only among imperial authors, occurring frequently, for example, in the works of Livy, Tacitus, and especially Pliny the Elder; cf. Köves-Zulauf (1978), 266–72. Valerius himself uses the word nine times (seven of which are in his chapter *de miraculis*). One may, moreover, contrast Valerius' apparently earnest sincerity with Cicero's philosophical investigations. The word *miraculum* occurs only once in Cicero's surviving corpus: the Epicurean Velleius calls the theories of Plato regarding divinity *portenta et miracula non disserentium philosophorum sed somniantium* (*Nat. D.* 1.18), changing, we may note from our Valerian perspective, the context of *miracula* from day to night and from waking to sleeping. Sallust and Caesar never use the word.
- 111 Cf. Pliny *HN* 2.240–1 for another sympathetic account. Livy 24.3.7, however, simply dismisses the story: *miracula aliqua adfinguntur*. Cf. Levene (1993), 18–19.
- 112 Not without reason are great literary artists suspect sources for typical beliefs. Compare qualms of Liebeschuetz (1979), 109, about using Seneca as the basis for ideological analysis of Neronian Rome. On the other hand, compare Jocelyn (1966–7), 103, on the value of Valerius: “Authors with an interest in superstition, such as Valerius Maximus and Plutarch, were able to report plenty in both the beliefs and the behaviour of their Roman subjects.”
- 113 On miracles in general, see Weinreich (1909). Compare also Fustel de Coulanges, *La cité*, 136–42, on the close connection of Roman religion with the forces of nature, and Radke (1987), 74: “Das Licht des Tages und das Dunkel der Nacht, jeder Blitzschlag und jedes Erdbeben, aber auch das Blühen und Wachsen der Frucht, das Gedeihen von Mensch und Vieh, der Sieg über die Feinde oder eine Niederlage sind Äußerungen von Gottheiten, lassen deren Wirken erkennen.”
- 114 Cf. *MRR*, 1, 10–11.
- 115 On snakes, cf. Hopf (1888), 182–94.
- 116 Livy's version exists only in epitome (*Per.*11). Cf. Ovid *Met.* 15.622–745. Lactantius *Div. Inst.* 2.7.22–3 seems to have found Valerius' examples plausible; cf. Bosch (1929), 38–40. Did Valerius believe the *miracula* he relates?

- Obviously belief varies from age to age and from individual to individual (Latin authors included). This was recognized in antiquity by Roman jurists as well. Cf. Ulpian in *Dig.* 28.7.8.*pr.* on the varieties of religious sensibility extant in his day:... *faciles [sunt] nonnulli hominum ad iurandum contemptu religionis, alii perquam timidi metu diuini numinis usque ad superstitionem ...*.
- 117 Cf. Levene (1993), 175–203, especially 182–8.
- 118 See, however, Levene (1993), 184, for a way around this scepticism. Like Livy, Plutarch *Camillus* 6.1 wishes to distance himself from this material, and concludes that one should at least allow the possibility that the event actually took place since amazing things are reported as taking place in his own times as well. Nevertheless, Plutarch does not himself take a stand as to historical authenticity, merely concluding philosophically that moderate religiosity is good, but that too much is bad (*Camillus* 6.5–6). Valerius had no such qualms. The most dispassionate account may be found in Dionysius of Halicarnassus *Ant. Rom.* 13.3.2. Stübler (1964 [1941]), 50–1, discusses Livy's differences from Dionysius, but, having ignored Valerius, incorrectly concludes: "bei [Livy] allein [wird] die Überführung als weihvoller Akt geschildert." Livy is hardly alone.
- 119 Valerius, in light of his religious proclivities, may very well have accepted the procedure on faith. Compare Latte, *Religionsgeschichte*, 125 n. 3, who points out that a rite akin to *euocatio* survived, in private ceremonies, into imperial times as evinced by Ulpian *Dig.* 1.8.9.2: *sacrarium est locus in quo sacra reponuntur, quod etiam in aedificio privato esse potest, et solent qui liberare eum locum religione uolunt, sacra inde euocare*. Moreover, Hall (1972) reports on an inscription demonstrating the use of *euocatio* proper well into the late republic; cf. Macrobius *Sat.* 3.9.7–12; Mommsen, *Staatsrecht*, 3, 579 and 3, 1049–50; Marquardt *Staatsverwaltung*, 3, 21; Wissowa, *Kultus*, 44, 383–4; and Le Gall (1976). The rite was thus for Valerius likely a living one.
- 120 There is some controversy as to who posed the question; cf. Ogilvie (1965), 678 ad 5.22.5; Palmer (1974), 27; Otto (1905), 222–3; Shields (1926); and Piccaluga (1965), 32–6. Cf. Dumézil (1980), 129–39, for an Indo-European perspective. Gagé (1963), 80–6 points out another "problem:" why, in the context of its importation by Roman men, should the cult hold such great significance for Roman women? Here, however, *puclitia* may serve as an illuminating example. Men defend and vindicate the *puclitia* of women with consequences for their own political organization. Women can, however, through *stuprum* endanger men. Juno guards men and *libertas*, but also *puclitia* and women. Juno's involvement with the affairs of men is hardly inconsistent with, and thus can hardly preclude, her involvement with the affairs of women (and vice versa).
- 121 The notion that educated Romans in the age of Tiberius believed such stories will perhaps elicit some resistance. We may compare the rhetorical question posed in Cicero *Div.* 1.101 on another Junonian miracle: *Atque etiam scriptum a multis est, cum terrae motus factus esset, ut suae plena procuratio fieret, vocem ab aede Iunonis ex arce extitisse; quocirca Iunonem illam appellatam Monetam. Haec igitur et a dis significata et a nostris maioribus iudicata contemnimus?* Who were the *multi* by whom such miracles were recorded? Tacitus *Hist.* 1.86 similarly informs us that various writers attested to a miracle associated with Juno's *cella* in the Capitoline temple that occurred after Nero's assassination: *Prodigia insuper terrebant diversis auctoribus vulgata: in vestibulo Capitolii omissas habenas bigae, cui Victoria institerat, erupisse cella Iunonis maiorem humana speciem ...*. We cannot depose Valerius. Nevertheless, contemporary circumstantial evidence may be

- adduced; Augustus made ample use of Roman propensity to belief in the miracles; cf. Flory (1984b).
- 122 Livy 5.22.8: *hic Veiorum occasus fuit, urbis opulentissimae Etrusci nominis . . .* Livy of course has larger narrative goals, and is here pausing dramatically before proceeding to the capture of Rome by Gauls.
- 123 Warde Fowler (1914), 29–30. Compare also Latte, *Religionsgeschichte*, 287–9, on the decline of religion in Cicero’s time, and Liebeschuetz (1979), 29–39, on the “rationalism of the late republic.” Jocelyn (1966–7 and 1976–7), however, as noted above, disagrees. Cf. too DeMartino (1985).
- 124 Valerius may thus help provide evidence for what Momigliano (1987), 163, termed “difficult to know,” namely, “how people lived a faith or, to put it in a less Christian way, how they behaved according to religious tradition.” Cf. Wardman (1982), 60–2.
- 125 Republican augurs, by way of contrast, were very much subject to the “*vinculum temporis*,” only allowed to intervene, for example, in public meetings that were under way (Linderski (1986a), 2196–7, 2211, 2218). On the other hand, such men were free to conduct religiously political lives as opposed only to personally, and, as I argue, religiously, moral ones. Citizens, freed from history and everyday politics, were, in effect, saved for eternal virtue.

2 *Vesta Mater*: Mother Vesta

- 1 Hamid (2000), 193.
- 2 Cf. Woodman (1977), 281–3.
- 3 Warde Fowler (1971 [1911]), 137.
- 4 *Res gestae divi Augusti* 4.24–5.29. Alföldi (1978 [1970]), 26–7, 77, and 123, demonstrates how Vesta’s traditional role as protector of Rome was used by Augustus on coin and in propaganda for his own purposes. Cf. also Fears (1981a), 62–3; Weinstock (1970), 210 and 210 n. 5.
- 5 Cicero *Dom.* 144; Ovid *Fasti* 4.828. On the imperial significance of the invocation *Vesta Mater*, see especially Henzen (1874), 147. Cf. (in general) Koch (1958); Radke (1987), 263–86; J.-A. Hild “Vesta,” *DA*, 5:749; Beard (1980) and (1995); Thurmond (1992), 156–7 (on Vesta’s relation to female fecundity), and 1–26 (on the connection of chastity and fecundity).
- 6 Vesta, a Vestal, or both can be found in Valerius 1.1.6 (Vestal), 1.1.7 (Vesta and Vestal), 1.1.10 (Vestal), 1.4.4 (Vesta), 4.2.5 (Vesta), 4.4.11 (Vesta), 5.4.6 (Vestal), 6.1.*init.* (Vesta), 6.1.*ext.*3 (Vesta), 8.1.*abs.*5 (Vesta).
- 7 [Anonymous], *Webster’s New World Dictionary of the American Language: College Edition* (Cleveland and New York, 1968), 956.
- 8 Valerius correctly identifies the building as an “aedes,” not a properly inaugurated *templum*. It was never inaugurated, according to Servius *Aen.* 7.153. Cf. Richardson (1992), 412; Wissowa, “Vesta,” in Rosch. *Lex.*, 9, 248. The building housed *sacra* as well as the *di publici Penates p. R. Q.* (on which, see Wissowa (1887)).
- 9 According to Fishwick (1993), 51.
- 10 Compare also the *ara numinis Augusti* described by Alföldi (1973), 39–45.
- 11 See discussion in chapter one.
- 12 “Reformulate,” because, although Valerius’ version of these particular events is the first to survive, we certainly should not assume he was the first to record them. Bloomer (1992), 174–5, considers this anecdote the result of “Valerius’ eclectic habit of composition” and its search for “unusual themes.”
- 13 Cf. Havercamp (1846), 954–5 n. 18: *absurda ejusmodi postulantes*.

- 14 On Florus' relation to the politics of the second century AD, see Den Boer (1972), 1–18, who concludes that Florus owes his fame to his unshaken and positive belief in the divinity of Augustus and the eternity of the Roman empire.
- 15 Livy *Per.* 68 does not describe this particular scene. Plutarch's *Marius* records no request for service dedicated to Vesta from the women, although Plutarch does later tell us that subsequent rains and rotting corpses increased the next year's crops (19.9; cf. 27.2). Plutarch conforms in general to Florus' perceptions of the barbarians. On Greek and Roman attitudes towards barbarians, see Momigliano (1975), 48–9, and Gruen (1984), 1, 316–56.
- 16 On Orosius' general treatment of Roman history, see Fabbrini (1979), 242–88.
- 17 For more detailed discussion of Orosius' vivid vignettes, compare Mueller (forthcoming).
- 18 Lewis and Short, 1743; *OLD*, 1805–6. Valerius uses the word *spiritus* in eighty-one anecdotes. Otón Sobrino (1977–91), 4, 2050–3 clearly lays out Valerius' preference for tropical usages.
- 19 Compare discussion in chapter one.
- 20 *MRR*, 1, 282 and 210; cf. 2, 580: P. Licinius P. f. P. n. Crassus Dives (69) Cos. 205 Pont. Max. 212–183.
- 21 On the punishment of the Vestal by the pontifex maximus, compare Münzer (1963 [1920]), 173–4; cf. in general Münzer (1937–8). The Vestals, however, also recognized their own part in making sure other priests lived up to their responsibilities; cf. Servius *Aen.* 10.228. *Sacerdotes* watched each other, and, through such careful observation, guarded the community's safety.
- 22 “Extinct” preserves nuances that would otherwise be lost. Vesta, through the power of chastity, confers fertility on Roman women, which prevents, of course, biological extinction as well as military disaster. The “extinction” of her flame thus threatens manifold terrors. Further discussion of Augustan fears of extinction may be found in Mueller (2002).
- 23 Translation by B.O. Foster in *LCL*.
- 24 For more general discussion of Valerius' anecdotes concerning the Punic war, see Chassignet (1998) and Coudry (1998a); cf. Jaquemin (1998a).
- 25 The empire represents a return to earlier republican usage; in Cicero's day Vestals were acquitted.
- 26 Krieger (1888), 43–4, argues that Valerius and Dionysius of Halicarnassus (*Ant. Rom.* 2.68) both derive this anecdote from Varro's *Antiq.*
- 27 *MRR*, 2, 486.
- 28 Valerius' grammar most logically implies that the *discipula*, the nearest antecedent to the relative pronoun *qua*, and not *Aemilia*, was the one who actually prayed. (Propertius 4.11.43–59 mentions no *discipula*.) Kempf (1854), 109–10 n. 7, however, dismisses the suggestion of Torrenius, Kappius, and Calmbergius to emend *discipulam* to *disciplinam* because all manuscripts and both epitomes preserve *discipulam*. Combès (1995), Briscoe (1998), and Shackleton Bailey (2000) follow Kempf. Valerius, Kempf goes on to argue, misuses the relative *qua* which refers, in spite of the *discipula*, to Aemilia. Kempf backs up this argument with parallel misuses of the relative in other anecdotes. This interpretation also has the advantage of reconciling Valerius' *exemplum* to the version of Dionysius. On the other hand, observation of grammar increases drama. While the *discipula* prays, Aemilia steps in, *carbassus* in hand. Vesta descends. Flames jump up. Both Vestals are saved.
- 29 D.H. *Ant. Rom.* 2.68.1–4 supplies details, including the prayer, that Valerius leaves out.

- 30 On the *carbasus*, see Marquardt, *Privatleben*, 487–9, esp. 488 n. 9, where Marquardt finds it hard to believe that Aemilia should be clothed in mere cotton, the usual material out of which a *carbasus* was manufactured. For the usual technologies employed for rekindling the flame – as well as sexual symbolism deduced from Aristophanes and from *Carm. Priap.* 73 (Fischer and Kytzler (1969)) – see Hommel (1972), 407–13. Hommel (1972), 419, argues that originally the phallic nature of the rekindling was equated with the sex act. Rekindling of a flame that went out was thus in itself a violation of chastity, and it was for this reason that Vestals were punished so severely for flames that were allowed to go out. For a cooler assessment, especially of the *fascinus deus*, compare Wissowa, *Kultus*, 243 n. 6; cf. Guizzi (1968), 113–16.
- 31 Compare the protection Vesta's *numen* offers to their chaste counterpart Tuccia below in 8.1.*abs.* 5.
- 32 Wissowa, "Vesta," in Rosch. *Lex.*, 9, 261, and Fehrle (1910), 54–8 (cf. 210–21). Valerius' simpler testimony may be placed in the context of earlier prayers to Vesta, and Cicero too had professed the power of the prayers of a Vestal (*Font.* 46–9).
- 33 So-called, according to Hubbard (1974), 146, because "male commentators seem to be in love with Cornelia."
- 34 Hubbard (1974), 147–8. Cf. Hallett (1985), who investigates the political context through comparison of the poem with Augustus' *Res gestae*.
- 35 See discussion in chapter one.
- 36 For a succinct presentation of the *crimen incesti*, see Cornell (1981) and Linderski (1984c). Cf. also Guarino (1943) and Guizzi (1968), 141–58. On Vestal virginity, compare also the suggestive readings and re-readings of Beard (1980 and 1995) and Staples (1998), 129–56.
- 37 Cf. Suetonius *Dom.* 8.3; Schumacher (1982), 176–8.
- 38 Wissowa (1923/4). Cf. Sherwin-White (1966), 284 n. 9.
- 39 Fraschetti (1984).
- 40 Koch (1958), 1753, points out that after the flame of Vesta had gone out, and a new flame had been started by rubbing wood against an *arbor felix*, it was customary that a Vestal would carry the new flame back to the temple in a sieve.
- 41 Pliny *HN* 28.12–13 not only attests to the power of Tuccia's prayer, but also compares it to similar contemporary instances, once again demonstrating that Valerius' professed beliefs correspond not to an urbane Cicero's, but rather both to earlier republican and later imperial thinking. Compare D.H. *Ant. Rom.* 2.68.1–2 for a defense of Roman belief in prayer. Christians too believed that Tuccia's miracle actually occurred; cf. Tertullian *Apologeticus* 22 and Aug. *Civ. Dei* 10.16. On the miracle-tradition developing in Roman Palestine during Valerius' lifetime, compare Smith (1978).
- 42 Köves-Zulauf (1972), 46 n. 84, classifies this prayer as an "inuocatio Nemeseos."
- 43 See discussion in chapter one.
- 44 Sometimes prayers could be answered but ignored. Seneca *Contr.* 1.3 discusses one such hypothetical case. Before being hurled from the Tarpeian rock, a Vestal prays that if she is chaste, her life be spared. She survives the fall, but the ultimate consensus of the debate is to keep throwing her down till she dies. Valerius, by way of contrast, relates "actual," as opposed to hypothetical, events.
- 45 Cf. Hickson (1993), 33–43 and 45–89.
- 46 Tuccia's request also fits her past conduct especially well in light of the fact that much of a Vestal priestess' life was spent fetching religiously acceptable water; cf. Preller, *RömMyth*, 2, 164–5.

- 47 We may note again Chomsky (1988), 400, who sees the ideological power of anecdotes in their capacity to present a living scene from life. Because anecdotes shape the way information is presented, they can also determine the way in which the information is viewed and thus interpreted.
- 48 Cassius Dio 55.4.3.3–5; Tacitus *Ann.* 4.16; *Res gestae divi Augusti* 2.29–33 and 2.38–40. After the deification of Livia by Claudius, the Vestals were put in charge of her sacrifices also, and women were enjoined to swear their oaths by her (Cassius Dio 60.5.2; Suetonius *Claud.* 11.2).
- 49 Not only did Livia arrogate much Vestal symbolism to herself, but she was also herself related to Vestals, specifically the Vestal Claudia of Valerius 5.4.6. Cf. Koch (1958), 1759–60.
- 50 Compare discussion in chapter one.
- 51 Female *mimae* could be lascivious too, and male Roman citizens could on moral grounds also prefer to avoid them; compare Valerius 2.10.8 (*De maiestate*) on the circumspect behavior of Cato at the *ludi Florales* – he left before the naked women came on stage. Roman leaders, both male and female, should adhere to *priscus mos*. Daube (1977), 29, points out the close association of “advocacy of propagation” with “advocacy of abstemiousness”: “The resultant ideal was that you should indeed marry and produce children but have no sex for fun.”
- 52 Ovid took care also to present religious matters pertinent to Livia in a positive light. Compare Herbert-Brown (1994), 137, on the treatment of the *Bona Dea* rites by Ovid, who, despite his best efforts, made “tactless errors” (213). Valerius, by way of contrast, must stand as an example of greater tactfulness towards sensitive imperial feelings.
- 53 Alewell (1913), 85, points out that, as opposed to later authors such as Pliny, the rubric of *exempla impudicitiae* is lacking in Valerius. Compare also Schmidt (1909), 1–30, who discusses the connections between Tuccia in 8.1.*abs*.5, the importation of the cult of *Magna Mater*, and the appropriation and conflation of such symbolism by Livia and Augustus.
- 54 See Flory (1995 and 1996).
- 55 Josephus *AJ.* 18.75 παννύχιόν τε αὐτῷ διηκονήσατο ὑπειληφῦα θεὸν εἶναι.
- 56 Josephus *AJ.* 18.65–84; cf. Hennig (1975), 160–79, on Sejanus’ anti-Semitic policies.
- 57 Suetonius *Tib.* 36.
- 58 Cramer (1954), 102–3.
- 59 On Sejanus’ family in general, one may consult Cichorius (1904), who outlines the many interconnections of the family both with aristocracy and with holders of priesthoods.
- 60 Translation by John Jackson in *LCL*.
- 61 Otto (1909); cf. Calderone (1972).
- 62 Linderski (1986a), 2184.
- 63 On the participation of women in triumphs during the imperial period, see Flory (1998).
- 64 Broughton *MRR*, 1, 471.
- 65 Cicero *Cael.* 34. We should note, however, that Cicero holds up Clodia’s male ancestors as examples as well. Her male ancestors show consular glory, females *puicitia* (and *pietas*). This is paralleled in a more positive light in Suetonius *Tib.* 2.4. On Claudians in the historiographical tradition, see Wiseman (1979a), 57–103.
- 66 On androgyne expiations, see MacBain (1982), 127–35.
- 67 Cf. Fears (1981b), *passim*.
- 68 Suetonius *Tib.* 2.1–3.

- 69 *MRR*, 1, 213, 216, 218, 220; cf. 2, 538: L. Caecilius L. f. C. n. Metellus (72) Cos. 251, 247, Pont. Max. 243. The paradigmatic nature of the story of Metellus is observed by Weinstock (1970), 181, who points out that Varro *Antiq.* 1.frg.2a Ag. (= Aug. *Civ. Dei* 6.2) dedicated his book on religion to Caesar as pontifex maximus, and had claimed to be saving Roman religion like Metellus before him. On the possible consequences of Metellus' blindness for his continued service as a priest, see Linderski (1986a), 2251–2 n. 412, who discusses priests and requirements for physical fitness and provides further references.
- 70 The *augurium* is unsolicited, and it is thus an *auspiciu oblativum*, namely, it indicates that the gods are against the action in progress (Linderski (1993a), 58–9). Metellus attempts to ignore the *auspiciu*, but the gods insist.
- 71 Vesta is not, however, the only, nor even necessarily the most likely, candidate. The nocturnal *parra*, not the *corvus*, is sacred to Vesta (Gross, "Vesta," *KP*, 5, 1227; cf. Capponi (1979), 381–2). On *corvi latini* in general, however, see Capponi (1979), 196–202, who cites Pliny on the general predictive abilities of crows. On crows in particular, compare Wissowa, *Kultus*, 189 n. 1: crows were traditionally associated with Juno, because the crow, according to Horace *Carmina* 3.27.10, was *imbrium divina avis imminetum*. So also Preller, *RömMyth*, 1, 101 and 283–4, who adds that crows loved heights in general, and were thus in Athens associated with that city's divine custodian as well (1, 284). If the crow was indeed sent by Juno to warn of an impending fire that was threatening Vesta's temple and thus also Minerva's *Palladium*, we would have an interesting example of interlocking interests among Rome's guardian goddesses.
- 72 Linderski (1993b). Compare Hopf (1888) on the variety of animals the gods could make use of in their communiqués; cf. McDonough (1996). On non-linguistic rhetoric in general, including the rhetoric of birds in particular, see Kennedy (1992).
- 73 Leuze (1905), 96 n. 5, cites the ancient sources who record that Metellus was blinded for viewing Vesta's *sacra*: Seneca *Contr.* 4.2; Seneca *Dial. (de providentia)* 1.5.2; Pliny *HN* 7.141; Juvenal *Sat.* 6.265; Ampelius 20.11; Scholia in *Juv.* 3.138. Leuze (1905), 95–115, however, painstakingly argues that all these sources repeat an imperial fable originating in the rhetorical schools, and that, although Metellus did indeed save the *sacra*, he was not blinded as a result.
- 74 This is disputed. Koch (1958), 1730–2, discusses the various positions. That Valerius uses the term *sacra* rather than *Palladium* is, according to Ziehen (1949), 184, a later development. He argues that there was an original collection of *sacra* with more ancient roots in Roman religion and that the *Palladium* was added later, with the result that one ceased to be distinguished from the other. On the manifest presence of divinity in such cult objects, compare Roloff (1952).
- 75 Marquardt, *Staatsverwaltung*, 3, 250.
- 76 Preller, *RömMyth*, 2, 164.
- 77 Wissowa, *Kultus*, 216–19. Cf. Marquardt, *Staatsverwaltung*, 3, 345–6. Leuze (1905), 111, acknowledges Valerius' attention to the birds, but fails to note Valerius' attention to the time of day.
- 78 Marquardt, *Staatsverwaltung*, 3, 346–7.
- 79 Other sources include Livy *Per.* 19; Cic. *Pro Scauro* 48; D.H. *Ant. Rom.* 2.66.5; and Pliny *HN* 7.43. Christian authors accepted the miracle as fact, but attempted to denigrate the actions. Aug. *Civ. Dei* 3.18 calls the sacred objects *corporalia visibiliaque* and the action of Metellus a temporary lapse into bravery, *quodam modo salutis oblitus*; cf. Orosius *Hist.* 4.11. Compare also Zanker (1988), 201–10; Sieveking, "Palladion," in *Rosch.Lex.*, 3, 13233; Ziehen (1949) 182–5; Leuze (1905), 97 n. 7; and Münzer (1897), 351.

- 80 On the value of Ovid for investigations of Roman religion, see Fauth (1978), 112; cf. Phillips (1992). For a detailed literary discussion of Vesta in Ovid (including detailed comparison both with Greek poets and with contemporaries), see Kötzle (1991), 177–252, and, for Vesta, Augustus, and Livia, 242–6. Kötzle (1991), 245, also argues that Ovid and Valerius represent similar doctrine concerning Vesta and the imperial household; cf. Herbert-Brown (1994), 130–72, on Livia, and 32–108, on Augustus.
- 81 His exact legal relation to the Vestals is unclear. When young girls were selected for service, they were “captured.” When they left the house of their father, they immediately left his *postestas*, and gained the right of making a will. See Düll (1953). Nevertheless, they entered into a new set of constraints, among which was a relation to the pontifex maximus, himself sometimes styled *sacerdos Vestae*. It is the exact status of this relation that is disputed. Rose (1926 and 1928), argues against Wissowa, “Vesta,” in Rosch. *Lex.*, that rather than as *matronae* they stood as *filiae*. Cf. Mommsen, *Strafrecht*, 18–20; and *Staatsrecht*, 2, 54. Koch (1958), 1747, also views Vestals as “married” to the pontifex maximus, and thus explains his role in prosecuting them for unchastity; cf. Guizzi (1968), 99–139; Beard (1980), 12–15; and Staples (1998).
- 82 Translation by James G. Frazer in *LCL*.
- 83 Cf. D.H. *Ant. Rom.* 2.66.5.
- 84 Again, Hickson (1993), 33–43.
- 85 Cf. Orosius 4.11 who refers to the *sacra* as *deos*.
- 86 Leuze (1905) uses Ovid’s silence on the blinding to “demonstrate” that Ovid did not know about it. Ovid, however, often only tells portions of tales, assuming readers can fill in the details. Cf. Bömer (1958), 2, 370.
- 87 Cf. Ovid *Fasti* 6.267. For a discussion of *Tellus*’ use in imperial religious politics, see Gesztelyi (1981), 440–5.
- 88 Translation by James G. Frazer in *LCL*.
- 89 The laurel was of course traditionally used to decorate the *aedes Vestae* (Warde Fowler (1899), 5, 36, and 153), and Augustus put laurel branches at the entry to his house as well, because they “invoked the aura of primordial religion” (Zanker (1988), 93). Cf. Alföldi (1973).
- 90 Cassius Dio 54.24.2–3.
- 91 McDaniel (1995).
- 92 Platner-Ashby, 557. Cf. Richardson (1992), 412–13. Charlesworth (1936), 122–5, points out the close connection which Tiberius as pontifex maximus shared with the chief Vestal and how the renewed confidence in Rome’s *aeternitas*, as reflected in Horace and Ovid, is closely associated both with Vesta and the transfer of the *sacra* to Augustus’ house on the Palatine. Charlesworth (1936), 125, also points out that this is reflected in Valerius 5.3.1, where Valerius writes that Romulus was the first *qui aeternum Romano imperio spiritum ingenerauerat*.
- 93 General references in Platner-Ashby, 557–8, who tells us that the coins were struck well into the reign of Tiberius. Cf. Richardson (1992), 412–13.
- 94 Vesta was traditionally associated with the *di publici penates*, and there had always been, according to Wissowa, *Kultus*, 156–66, esp. 166, a close correspondence between state and family cult; cf. Radke (1981), 343–73; Dubourdieu (1989), 453–519. Preller, *RömMyth*, 2, 156, also tells us that it was customary in the household for the marriage bed to stand opposite the entrance (*lectus genialis adversus*) with the hearth to Vesta in the center. Lambrechts (1946) actually sees Augustus’ establishment of the cult of Vesta as a return to “une tradition ancestrale et authentique romaine” (329). This also

- would confirm Valerius' strict adherence to traditional patterns as adapted to the new political order. This identification of public and private may, however, be a nineteenth-century invention. Joann McDaniel (1995) argues that the state cult of Vesta was purely a public cult with no organic relation to family cult. In this scenario, Valerius should provide valuable testimony to the success of Augustan innovations.
- 95 On the scandal, see Tatum (1990a–c) and (1999), 62–86, with extensive further references. For the *Bona Dea* herself, see Brouwer (1989).
- 96 On Fulvia as Augustan “anti-exemplum,” especially vis-à-vis Octavia, see Delia (1991).
- 97 Cf. Linderski (1990d [1991]).
- 98 On the notion that life was a loan from the gods that had to be paid on demand, see Linderski (1990d [1991]). Valerius certainly provides grounds for the possibility of divine irritation at the *spiritum* being returned by Clodius' and Fulvia's son.
- 99 I depart from previous interpretations of the line. Hoffmann (1829) and Shackleton Bailey (2000), for example, both indicate that, by eating innards greedily (*auide ... abdomine deuorato*), Pulcher abandoned himself to gluttony (*intemperantiae spiritum reddidit*). I take, however, *spiritum reddere* as a technical phrase (see discussion in the previous note), and read *intemperantiae* (together with its adjectives) as genitive of quality dependent on *spiritum*. I conclude that the disgusting manner of Pulcher's death subsequent to his infamous love for a prostitute was not gluttonous eating of innards, but instead an infestation of the belly by vermin, a fate that also befell other historical wantons (e.g., Sulla and Galerius, to name two – that is, if one can believe the sources!).
- 100 Valerius does write after civil war. On the importance of *Concordia* in Augustan ideology, see Fears (1981c), 884–6; Flory (1984a); and Simpson (1991).
- 101 In 54, after having successfully rebuffed Pompey's requests that he undertake Gabinus' defense on charges of *maiestas*, Cicero was compelled to defend Gabinus in his second trial on charges of extortion (Cicero lost the case). Bloomer (1992), 191–3, discusses this passage, its relation to Velleius' presentation of the same, and their relation to Augustus: “In their vision of these years as a simple continuum, Velleius and Valerius may ultimately be following Augustus' lead” (192).
- 102 Cic. *Fam.* 1.9.11–12 where he defends himself against *famam inconstantiae*.
- 103 As Cicero *Pbil.* 7.3.9 himself put it: *quid est inconstantia, mobilitate, leuitate turpius?* Hellegouarc'h (1963), 558, points out that this was a crime associated particularly with “l'attitude des assemblés populaires grecques, célèbres par leur *leuitas*.”
- 104 Domaszewski (1909), 22–4. Cf. also the discussion in chapter three of the *epulum Iouis* that miraculously aided in the reconciliation of Gracchus and Scipio (4.2.3).
- 105 Clodius would have gazed on a round temple that housed the *sacra* on which he was not supposed to look. Coins described by Richardson (1992), 412, illustrate it; compare also a description of the relief pictured in Nash, *PictiDict*, 2, 509. See also Pöschl (1983 [1975]) for a discussion of how Cicero employs far more “visible” objects. Pöschl concludes that this makes Romans less rational, more emotional, and therefore more primitive than Greeks. Vasaly (1993) provides a much more thorough discussion of the topic.
- 106 See in general Zanker (1988), *passim*.
- 107 One may compare Plutarch *Pericles* 13.5 on the public buildings of Athens.
- 108 Cf. Propertius *Eleg.* 3.4.11: *sacrae fatalia lumina Vestae*.

- 109 Ancient thought, both philosophical and rhetorical, saw the eyes as playing a key role in mediating powerful forces. Cf. Plato *Gorgias* 474E, *Phaedrus* 251A–C, *Republic* 511A–E, *Timaeus* 45B–46C; Plutarch *Quaest. conv.* 680F–681C, *De tranq. anim.* 477C; *Aemilius* 1.5; *Rhet. Her.* 4.55.68–9.
- 110 Cf. Preller, *RömMyth*, 2, 164.
- 111 Walter (1924), 402, on the basis of parallels with *fundare imperium*, would like to emend *futura* to *fu<nda>tura*. The active control of destiny implicit in *fundare*, however, would clash sharply with Valerius' concept of Roman enslavement to gods; *futura* better expresses what naturally arises as a result of subservience to divinity.
- 112 We should note that political and military matters yielded before religion at least once a year. The first meeting of the senate, held usually in the temple of *Iuppiter Optimus Maximus*, dealt first with religious matters (usually *prodigia*) before taking up any other business. This was the case even when war raged. If success depends on the gods, then this is logical. No other measures will avail if the gods balk. Cf. Mommsen, *Staatsrecht*:1059–62; and Linderski (1993a).
- 113 Such phrasing presents interesting possibilities; one recalls the *divi Caesares*, the *domus divina*, and the fact that members of ancient patrician families, along with everyone else, in consequence of this their ancestral religion, actually soon enough found themselves *famulati* to the new gods on the Palatine. Valerius was not the first. Compare Ovid *Met.* 15.864: *Vestaque Caesareos inter sacrata penates*. Valerius piously celebrated these developments. See Weinstock (1970), 277–8, on the evolution of Augustus' house into an *aedes publica*.
- 114 It is details such as these (*flamen Quirinalis*) that attest to the ancient origin of Valerius' reworked versions. The flamine itself, however, is even more ancient. Compare Dumézil (1941), 100–28, especially 101–10.
- 115 Compare Weileder (1998), 184–8, who discusses in greater detail the implications of this anecdote regarding the gods' support for the Roman state.
- 116 The phrase “true fact” I borrow from Thomas Jefferson courtesy of Gore Vidal.
- 117 Livy 5.40.6–10 reveals a very different focus. Albinus is merely an accessory to the main narrative, the fate of the *sacra*. Plutarch *Camillus* 21.1–3, on the other hand, like Valerius, stresses subjective religiosity (πρὸς τὸ θεῖον εὐλάβειαν). Florus 1.7 too sees a lesson akin to Valerius'; he concludes that the state religion takes precedence over personal bonds: *adeo tunc quoque in ultimis religio publica privatis adfectibus antecellebat*. Livy is the odd one out. His successors all focus on individual religiosity.
- 118 Events in Waco, Texas, provide a deadly parallel and eloquent testimony to the power of such beliefs to motivate behavior. Approximately seventy-five men, women, and children, after weeks of siege, were on April 19, 1993, finally attacked by tanks and tear gas, and subsequently immolated for the sake of their sincerely held religious beliefs; cf. Cockburn (1994), 620–1, who also points out certain historical ironies: “... fifty years after the Nazis' attack on the Warsaw ghetto, the F.B.I. gassed a religious community on national television with the near total support of the press.” History records many such martyrs; cf. e.g., North (1979) on the Bacchanalia affair in the second century BC and Smith (1982), 102–20, on Jonestown in the twentieth century AD, to name two more. The only point here is to remind ourselves that not only is it not impossible that L. Albinus, or somebody like him, could sacrifice, or risk, his family for the sake of Vesta, but also that it is not implausible that Valerius himself took such “legends” quite seriously, and further that Valerius' audience found such actions fully appropriate and religiously legitimate. On the other hand, self-castration for the sake of a foreign, un-Roman goddess – that would be another matter altogether

- 119 Bosch (1929), 2–3, points out that Paulus p. 38.19–20 (ed. Lindsay) reads: *Caerimoniae causam alii ab oppido Caere dictam existimant*. Bosch then argues that, since Paulus excerpted Festus who excerpted Verrius Flaccus who was a contemporary of Valerius, and since Livy does not contain this etymology, Valerius could not have taken the anecdote from Livy, since Valerius could only have followed one author at a time. This is rather simplistic reasoning. For further complications of Bosch's basic thesis, complete with stemmas, see Fleck (1974).
- 120 Dictionaries provide some illumination of *caerimonia*. Forcellini, *caerimonia*, 1, 486, divides its semantic field into two parts: *a. ... reverentia, sacer ac religiosus timor*, and *b. ... externos actus*, with the added proviso that such uses are usually in *plurali numero*. Lewis and Short, *caerimonia*, subdivide these fields and offer comparative analysis: "IA: sacredness, sanctity;" "IB: a holy dread, reverence, veneration of the Deity (external; while *religio* has regard both to internal and external reverence for God; rare exc. in *sing.*);" "II. a religious usage, a sacred rite, religious ceremony (while *ritus* designates both religious and profane rites; so esp. freq. in the histt. and mostly in *plur.*)." The *TLL*, *caerimonia*, 3, 100–3, is disappointing – it lists by far the most examples, and does divide them, but offers no analysis. The *OLD*, *caerimonia*, 253, offers less interpretation than Lewis and Short, but approximately the same subdivisions; we find: "1. sacredness, sanctity;" and "2. reverence ... shown by acts of worship (*usu. pl.*);" and "3. religious rites."
- 121 Livy does not take the opportunity to etymologize, but instead goes back to other more pressing historical matters: *Romae interim satis iam omnibus ...* (41.1.1). For a full discussion of *caerimonia*'s possible etymologies according to modern linguistics, see Roloff (1952), 126–38. For a listing of other ancient etymologies, see Forcellini, *caerimonia*, 1, 486.
- 122 Roloff (1952), 102.
- 123 Roloff (1952), 108.
- 124 Roloff (1952), 107.
- 125 Roloff (1952), 111.
- 126 Roloff (1952), 111.
- 127 Roloff (1952), 120.
- 128 Roloff (1952), 121.
- 129 Roloff (1952), 121. In light of Roloff's statement that, although *caerimonia* brought living divinity to manifest presence, it did not constitute pantheism, it is interesting to contrast Warde Fowler's (1914), 27, conception that the cult of Vesta and the *penates* represented holdovers from earlier animism, and that as such "the Romans had an antidote of some value against a degraded polytheism" For a more general view of such forces, see Wagenvoort (1980 [1972]), 246–54.
- 130 Roloff (1952), 121.
- 131 Roloff (1952), 123.
- 132 Roloff (1952), 124–5.
- 133 Valerius' focus on inner subjectivity is reflected in the rhetoric of Seneca the Elder as well. Because Metellus was blinded, he was deprived of his priesthood (*sacerdotium illi negatur*; *Contr.* 4.2.pr.). A counter-argument is advanced that the law in question refers to a sound mind or spirit, not necessarily bodily health (*lex integrum ad animum refert, non ad corpus*; *Contr.* 4.2.pr.), reflecting again a more subjective interpretation of religion. These remarks come from rhetoricians, and thus may not represent actual cult practice, but they do demonstrate the interpretations of such practice in the minds of upper-class members of the society on whose behalf the cult was maintained. Compare Fugier (1963), 172–9.
- 134 One may compare the more spectacular self-sacrifices of Roman generals through *devotio* in Valerius 1.7.3. Cf. Versnel (1976).

- 135 For a sense of how lowly a conveyance the *plaustrum* was – a noisy, shrieking (*stridens*) cart – compare Ginzrot (1975 [1817]), 1, 228–33; Rich (1890), 510; and Pisani Sartorio (1988), 61–4.
- 136 Valerius' Apollo too prefers poverty; compare Valerius 7.1.2.
- 137 Helm (1939), 137–41, reviews earlier discussions of Valerius' sources for the *de paupertate* sequence, and holds it theoretically possible that Valerius saw Scaurus' autobiography (141). Maslakov (1984), 472–5, discusses more recent views of Valerius' sources (especially E. Badian's use of the "autobiographical" information on Scaurus provided by Valerius), and also argues that Valerius 4.4.11 ultimately goes back to the first book of Scaurus' autobiography. For a dissection of claims to poverty in the late republic, see Tatum (1992).
- 138 "Culmination of the sequence" is a phrase from Maslakov (1984), 474. For an analysis of the place of this sequence in the imperial literature on this *topos*, see Alewell (1913), 56–60.
- 139 Valerius' sentiments regarding motherhood in no way contradict either Augustus' moral legislation or the *puclitia* appreciated and enjoyed by the other goddesses we have examined.
- 140 MRR, 1, 531; cf. 2, 528; M. Aemilius M. f. L. n. Scaurus (140) Cos. 115 BC.
- 141 On the possibility that Valerius obtained the material for this anecdote from Pomponius Rufus, see Bloomer (1992), 143. Other, rather different, accounts of Scaurus may be found in Sallust *Jug.* 15.4 and Aurelius Victor *Vir. Ill.* 72 (on Victor's attitude to religious elements, see Bird (1984), 81). Valerius' relative preoccupation with Scaurus' religiosity appears also in 8.5.2, an anecdote concerning various criminal prosecutions, which Scaurus, in spite of his great authority and acknowledged religious devotion, did not win: *nec tamen aut auctoritate, qua plurimum pollebat, aut religione, de qua nemo dubitabat, quemquam eorum adfligere potuit*. Asconius *Pro Scauro* pp. 18–19 tells a different story. Cf. MRR, 1, 559; and Schumacher (1982), 38–9.
- 142 Valerius reveals emotional aspects of Augustan ideology backed by religion. Compare the ideological analysis of Wallace-Hadrill (1981) who both admits and discounts irrational factors in Augustus' moral legislation, concluding that property relations lay behind the reform efforts. Given, however, the traditional power of the Roman *pater familias*, one soon sees that such considerations are actually intimately linked.
- 143 Translation by J. C. Rolfe in *LCL*.
- 144 Compare Rantz (1986) on Valerius' dim view of the emancipation of women.

3 *In Iovis sacrario*: in Jupiter's inner sanctuary

- 1 Domaszewski (1975 [1895]), 22–8.
- 2 Fears (1981c), 926.
- 3 **Roman Jupiters** – *General*: Valerius 1.6.12 (Jupiter warns Pompey); 1.7.4 (Jupiter warns Titus Latinus); 1.7.5 (Cicero's dream); 5.5.3 (Tiberius rushes to Drusus); 7.4.3 (Romans throw bread out during siege); 7.4.4 (armies combine for attack on Hasdrubal); *Feretrius (spolia opima)*: 3.2.3 (Romulus); 3.2.4 (Cossus); 3.2.5 (Marcellus); 3.2.6 (Manlius Torquatus and others do not get *spolia opima*); *Optimus Maximus: praef.* (Prayer to Tiberius rather than I.O.M.); 1.1.16 (Varro at Cannae); 1.2.2 (Scipio in temple); 3.7.1 (Scipio's trial and prayer to I.O.M.); 4.1.6 (divine honors for Scipio); 4.7.1 (Blossius remains loyal); 5.10.1 (Horatius Pulvillus dedicates Temple of I.O.M.); 5.10.2 (Aemilius Paullus "sacrifices" sons); 8.15.1 (image of Scipio in Capitoline temple); 9.12.5 (suicide of Merula); *Epulum Iovis*: 2.1.2 (women sit at meals); 2.5.4 (flute players).

- Foreign Jupiters – General:** 1.1.*ext.*3 (Dionysius of Syracuse punished through son); 1.2.*ext.*1 (Jupiter claimed by Minos as source of laws); 1.7.*ext.*1 (Hannibal’s dream); 1.7.*ext.*6 (woman dreams of Dionysius of Syracuse chained at Jupiter’s feet); 8.7.*ext.*3 (Socrates more eloquent than Jupiter); 8.11.*ext.*5 (Euphranor has trouble painting Jupiter); **Sabazius:** 1.3.2 (Chaldaeans and Jews expelled); **Hammon:** 8.15.*ext.*3 (divine honors to Amphiaraus); 9.5.*ext.*1 (Alexander spurned mortal dress and dared to dress like Jupiter); **Olympius:** 3.7.*ext.*4 (eyes of Jupiter’s statue as rendered by Phidias); 5.10.*ext.*1 (Pericles called Olympius); **Offspring with Leda:** 3.7.*ext.*3 (Zeuxis’ painting of Helen).
- 4 MRR, 1, 301, 342–3; cf. 2, 555: P. Cornelius P. f. L. n. Scipio (Africanus) Pat. (336) Cos. 205, 194; Princeps Senatus 199, 194, 189.
 - 5 On this temple, see Richardson (1992), 221–4. Jordan, *Topogr.*, 1, 2, 25 n. 24, describes the various cult images of Jupiter attested by the sources that could at one time or another have been found inside the Capitoline temple. Evidently, the line between *exemplum* and *simulacrum* was a fine one (*ibid.*).
 - 6 Holford-Strevens (1989), 213 n. 102.
 - 7 On Sulla’s political religion, see Keaveney (1983).
 - 8 On Sertorius’ deer, see Konrad (1994), 123–5.
 - 9 Kertzer (1988), 69.
 - 10 On the *epulum Iouis*, see Bouché-Leclercq (1975 [1871]), 282–5; Latte *Religionsgeschichte*, 377; Wissowa, *Kultus*, 128, 423, and 453–5.
 - 11 Broughton, MRR, 1, 397, 440; cf. 2, 615: Ti. Sempronius P. f. Tr. n. Gracchus (53) Cos. 177, 163.
 - 12 Livy has a much expanded version of the story (38.53 and 57). Not only does Livy have the senate request the betrothal itself (in Valerius the reconciliation is the senate’s idea, the betrothal Scipio’s), but he also appears not to know what to believe regarding the story (38.57.8). Moreover, he concludes the dramatic action of the story with the reaction of Scipio’s wife when Scipio returns home (38.57.7–8). This glimpse into the domestic scene is very different from Valerius’ strict focus on the public reconciliation of enemies through *sacra*. Gellius reports the reconciliation, but hedges on the role of the gods: *quasi diis immortalibus arbitris in conuivio Iouis opitimi maximi ... amicissimi facti* (12.8.3). Cicero *Inv.* 1.91.1 simply groans that, had reconciliation not taken place, the two seditious Gracchi would never have been born.
 - 13 Thomas (1937), 3, also points out that gods were often conceived of as an unseen presence at sacred meals. We may couple this divine presence with the analysis of D’Arms (1984), 338–44, who points out the role of communal meals in the promotion of social harmony and control during the empire.
 - 14 Cf. Valerius 6.1.*init.* and the inspirational invocation of the *numen Pudicitiae. tu Palatii columen augustos penates sanctissimumque Iuliae genialem torum adsidua statione celebras* Otón Sobrino (1977–91), 1, 294, lists other occurrences.
 - 15 Lewis and Short, *laetus*, 1030. Otón Sobrino (1977–91), 2, 1147–8, however, ignores the religious implications of *laetus*, classifying one anecdote only under “favorable, de buen augurio.” For example, in Valerius 1.7.*ext.*8 (*De somniis*) Hamilcar dreams of victory, after which: *laetus igitur perinde ac diuinitus promissa victoria exercitum pugnae comparabat*. The word *laetus* in such a context surely signifies more than “contento, satisfeche, alegre” (*ibid.*, 2, 1147). For a pictorial representation of the bounty of the earth and the blessings the gods bestow, one might also compare the *Tellus-Italia* relief on the *Ara Pacis*. Recipients of such blessings might well be termed *laeti*.
 - 16 Cf. v. Kamptz, “*laetus*,” in *TLL* 7, 2, 883–90; and “*laetitia*,” in *TLL* 7, 2, 874–9; Linderski (1993a), 60–1 and 68 n. 24.
 - 17 Alföldi (1970 [1934–5]), 219 n. 2.

- 18 Noted by Alföldi (1970 [1934–5]), 219 n. 2.
- 19 Fustel de Coulanges, *La cité*, 136–42, eloquently describes the close connection of Roman religious conceptions with the forces of nature. The significance of lightning to the *Etrusca disciplina* also shows us that divine forces are close at hand in changes of the weather. Cf. Thulin (1968 [1905–9]).
- 20 Wissowa, *Kultus*, 128, and Syme (1986), 3–4. Cf. Thomas (1937), 24–30, on the sacred meals of the *fratres aruales*.
- 21 Cf. Servius *Aen.* 2.319: *in Capitolio ... deorum omnium simulacra colebantur.*”
- 22 Warde Fowler (1899), 217–18. On the combination of ritual and spectacle, see Piccaluga (1965). Fears (1981a), 40, provides an example of the feast’s historical background and ideological significance.
- 23 Leonhard Schmitz, “Jupiter,” *DGRBM*, 2, 660, plausibly suggests that *Viriplaca* is an epithet of Juno corresponding to the *Conciliatrix* of Paulus p. 54.26–7 (ed. Lindsay). Wissowa, *Kultus*, 243, however, contemptuously dismisses the story as fantasy inspired by the name, and, if true, originating most likely in Valerius’ own day. Latte, *Religionsgeschichte*, ignores this “goddess.” Radke (1965), 340, however, includes it among the ancient gods of Italy. Whatever one concludes about *Viriplaca*, the story substantiates the view that Valerius believed reconciliation could be abetted by divine powers. Cf. Flory (1984a) on the importance of *concordia*, both societal and domestic, in Augustan propaganda.
- 24 On the *pax deorum*, cf. Wissowa, *Kultus*, 389–92; Latte, *Religionsgeschichte*, 40; Rosenstein (1990), 54–91; Linderski (1993a), 66 n. 9; Fiori (1996), 101–178.
- 25 Cf. Thome (1992), who investigates the legal and religious foundations connected with shame, guilt, and expiation.
- 26 Scott (1968), 126.
- 27 Saller (1982), 55.
- 28 Cf. Leeman (1963), 254, who remarks that Valerius will pass “the limit of what even a rhetorical *locus communis* can allow.”
- 29 Compare discussion in chapter two.
- 30 On Valerius’ enthusiasm for (victorious) war, compare Weileder (1998), 237–41.
- 31 The date is based on Mommsen’s (1962 [1879]) analysis of the confused source tradition. We seek here, however, not history, but its religious meaning to an adherent of Tiberius. For the trial’s political meaning to Valerius, namely, as supporting evidence to Valerius’ belief that Rome is destined to rule the world, cf. Weileder (1998), 191–2.
- 32 Cf. Ryberg (1955) 20–1, and Künzl (1988), 85–101, on the *triumphator* and Jupiter; and Alföldi (1970 [1934–5]), 128–30, on the *corona ciuica*. On imperial developments, compare Peine (1975 [1885]).
- 33 Translation by Evan T. Sage in *LCL*.
- 34 The ritual itself (*supplicatio*) of course retained significance from the beginning of the republic to the end of the empire. Cf. Halkin (1953).
- 35 According to Stegmann de Pritzwald (1933), 127, the manuscripts read *militibus* or *magistratibus*, Dahlmann emends to *comitiis*, and Bolaffi defends *magistratibus*. Stegmann de Pritzwald accepts Dahlmann’s reading; Woodman (1977) reads with Bolaffi. Given the irrelevance of the popular assemblies under Tiberius, Woodman and Bolaffi have logic on their side. *Militibus*, however, is tempting.
- 36 Woodman (1977), 236, relates the return of *fides* to the forum to the financial crisis of AD 33. Because elections had been transferred from the people to the senate, the forum was also quieter; cf. Woodman (1977), 237.
- 37 Van Nerom (1966) argues that Livy fabricates material in order to direct veiled criticism towards Augustus.
- 38 According to Weissenborn and Mueller (1883–1910), 8, 237–8 n. 12, Livy and Valerius are the only sources that mention an offer of *perpetuum imperatorem*.

- 39 On Suetonius' testimony regarding Tiberius' professed reluctance to receive divine honors from fellow citizens in Rome, see Claus (1999), 76–89.
- 40 For coins illustrating Tiberius' *moderatio*, see Cohen (1955 [1880]), 1, 190 no. 6; Mattingly (1923) cxxxvi–cxxxvii and 132 coin no. 90; Robertson (1962), lxiii and 71 coin no. 32; Levick (1975); Sutherland (1987), 59–61.
- 41 Rogers (1943), 60–88. A more judicious appraisal of Tiberian *moderatio* may be found in Classen (1993 [1988]), 229–31. On imperial virtues, compare Fears (1981c); Classen (1998b); Kienast (1982), 171–202.
- 42 Koestermann (1955) concludes that Tacitus only presented a selection of the material unfavorable to Tiberius; and Storoni Mazzolani (1981). Cf. also Fears (1981c), 890–3 (with further references) and Baar (1990).
- 43 Yavetz (1988 [1969]), 112.
- 44 See Béranger (1973 [1948]). Cf. Alföldi (1970 [1934–5]), 26: “[D]as Bremsen d[er] *sueta adulatio* hieß: *moderatio* (Suet. *Tib.* 2.4).”
- 45 For detailed analysis, see Kornhardt (1936), 24–6, and Alewell (1913), 66–7.
- 46 Treason trials are a large topic subject to divergent interpretation. Ulpian *Dig.* 48.4.1 provides the best summary: *proximum sacrilegio est, quod maiestatis dicitur*. Useful overviews may be had from Ciaceri (1918), 249–308; Rogers (1935); Koestermann (1955).
- 47 Hellegouarc’h (1963), 265.
- 48 This agrees with Appian *Hisp.* 23. Scipio may very well have refused the honors while alive, only to have them granted in spite of his wishes after his death. Weinstock (1970), 185 n. 6 and n. 10, uses the evidence of Valerius 4.1.6 on Scipio to reconstruct the deification of Caesar.
- 49 See Fishwick (1991a), 423–35, on the *domus divina*. Cf. Richardson (1992), 114–17; and Alföldi (1970 [1934–5]), 31–3; Carettoni (1983); Wallace-Hadrill (1988).
- 50 Alföldi (1970 [1934–5]), 117; cf. 252–7.
- 51 Compare Hase (1822–3), 2, 124 n. 2: “*Nibil magnificentius contingere Augusto potuisset, quam ut uiuo et praesenti templum et ara constitueretur, illique redderentur honores diuini; de quo Horatius, lib. II, epist. 1, 16: Praesenti tibi diuinos largimur honores, / iurandasque tuum per nomen ponimus aras.*”
- 52 Compare Valerian reverence for the Scipios also especially in 3.7.1 and 3.7.3.
- 53 *MRR*, 1, 479; cf. 2, 578: C. Laelius C. f. C. n. (Sapiens) (3) Cos. 140.
- 54 *MRR*, 1, 356; cf. 2, 578: C. Laelius C. f. C. n. (2) Cos. 190.
- 55 *MRR*, 1, 463, 490; cf. 2, 555: P. Cornelius P. f. P. n. Scipio Africanus Aemilianus Pat. (335) Cos. 147, 134.
- 56 *MRR*, 1, 493–5; cf. 2, 615: Ti. Sempronius Gracchus (54) Tr. Pl. 133. Tiberius Gracchus the reformer was of course brother-in-law and first cousin by adoption to Scipio Africanus Minor, both of whom were grandsons to Scipio Africanus Major.
- 57 Hence called the “wise one” according to Plutarch *Ti. et C. Gracchus* 8.5: ἐπεχείρησε μὲν οὖν τῇ διορθώσει Γάιος Λαίλιος ὁ Σκιπίωνος ἑταῖρος, ἀντικρουσάντων δὲ τῶν δυνατῶν φοβηθεὶς τὸν θόρυβον καὶ παυσάμενος, ἐπεκλήθη σοφὸς ἢ φρόνιμος ... (This *cognomen* appears only in literature, according to Kajanto (1965), 250.)
- 58 *MRR*, 1, 483; cf. 2, 556: P. Cornelius P. f. P. n. Scipio Nasica Serapio Pat. (354) Cos. 138. Valerius 9.14.3 (*De similitudine formae*) explains the cognomen. Cf. Appian *BCiv.* 1.16 and Plutarch *Ti. et C. Gracchus* 19.
- 59 *Amicus* of course means political ally and supporter. This topic results in webs more complex than even the bloodlines one can trace in *MRR*. Cf. Gelzer (1983 [1912]); Münzer (1963 [1920]); Brunt (1988), 351–81. For the social webs of

- Valerius' day, see Syme (1986). On the vocabulary of friendship, see Hellegouarc'h (1963), esp. 63–90, 141–70, and 202–21.
- 60 Seager (1972), 162, provides a corrective to Tacitus' views.
- 61 Translation by John Jackson in *LCL*.
- 62 Rawson (1991 [1973]) argues that Scipio Minor, like his grandfather, had a special relationship to Jupiter. Nevertheless, Rawson does not address Laelius' interrogation of Blossius. The testimony of Valerius, Cicero, and Plutarch suggests that these reasonable men, dedicated to the study of higher Greek culture, may have employed traditional Roman religion as an aid to a political witch-hunt.
- 63 Plutarch *Ti. et C. Gracchus* 20.5 shows interesting affinities: τί οὖν εἶ σε Τιβέριος ἐκέλευσεν ἐμπρῆσαι τὸ Καπετώλιον. À la Valerius, Plutarch's Blossius receives a theoretical command to revolutionary incendiarism. On the other hand, as in Cicero, the object is not the temple of Jupiter Optimus Maximus, but the Capitol. Plutarch differs from both in what follows. He goes on to relate Blossius' answer and his exile in Asia Minor. This, however, in accordance with generic exigencies he simply narrates.
- 64 Cf. Koch (1968 [1937]), 124–6.
- 65 Translation by William A. Falconer in *LCL*.
- 66 Exile (considered capital punishment) was devastating from the religious point of view. Compare Crifò (1984), and Fustel de Coulanges, *La cité*, 233–6.
- 67 Cf. Suetonius *Tib.* 61.2: *Singillatim crudeliter facta eius exequi longum est; genera, uelut exemplaria saeuitiae, enumerare sat erit. nullus a poena hominum cessauit dies, ne religiosus quidem ac sacer*
- 68 Cf. Levick (1976), 193–4.
- 69 Konstan (1993), 3, on the other hand, finds the lesson of this anecdote opaque. Cf. Fleck (1974), 61–6; Bloomer (1992), 44–8; and Leach (1993) for further discussion of these anecdotes and the rhetoric of friendship.
- 70 Cf. discussion in chapter one and Bloomer (1992), 65–8.
- 71 On the importance of this cult, see Fustel de Coulanges, *La cité*, 49–57. Cf. Mueller (2002) on early imperial fears of extinction.
- 72 Zieske (1972), 253–9, discusses Valerius' use of the word *felicitas*, and remarks on Valerius' tendency to highlight religious aspects: “häufig mit religiöser Nuance” (258).
- 73 This is consistent with Valerius' emphasis on the language of contracts: *de conditione eius* [= cultus deorum] *summatim disseram* (*praef.*).
- 74 Valerius' version of Paullus' speech differs markedly from Livy's (45.41.1–12). Valerius omits almost all historical detail from the speech itself (e.g., Paullus' professed fear of transporting booty and army by sea). By omission of diffuse detail Valerius concentrates emotions on the personal tragedy of the moment, and, moreover, heightens the religious elements. In Livy, for example, the general tells us what he desired (*illud optauit, ut ...*). In Valerius, the general prays to Rome's greatest gods (*Iouem optimum maximum Iunonemque reginam et Mineruam*). In Livy there are no *uota*. Livy's general finds consolation in the republic's *fortuna*. Valerius leaves us with religiously pious grief and groaning. Comparison with Diodorus Siculus 31.11.2–3, Plutarch *Aemilius* 36.6–8, Appian *Mac.* 19.1–5, and Velleius Paterculus 1.10.4–5 similarly reveal that Valerius, despite compression, provides the most emotionally intense and religiously descriptive version of the events. It remains possible that Valerius invented these elements. For Valerius to increase intensity by recourse to invocation of the greatest god would be consistent with his practice elsewhere. Religion matters to Valerian rhetoric.

- 75 *MRR*, 1, 2–5, 6; cf. 2, 572: M. Horatius Pulvillus Pat. (15) Cos. 509, 507. On Horatius Pulvillus' place in the *exempla* tradition of grieving parents, see Münzer (1963 [1920]), 382–5. On the source for Valerius 5.10.1, compare Krieger (1888), 26–7 (Cicero's lost work on his consulship), and Bloomer (1992), 65–77 (Livy).
- 76 Cf. Fustel de Coulanges, *La cité*, 213: “[L]e sort n'était pas le hasard; le sort était la révélation de la volonté divine. ... On était persuadé que les dieux désignaient le plus digne en faisant sortir son nom de l'urne.” This view is confirmed by Fears (1977), 12–13, who refers to further literature. Cf. also Levene (1993), 151.
- 77 Plutarch *Publicola* 14.6, writing for an audience to whom the procedures would generally be unfamiliar, spells things out even more clearly: ὁ μὲν Ὅρατιος σιωπῆς γενομένης τὰ τ' ἄλλα δράσας καὶ τῶν θυρῶν ἀψάμενος, ὡσπερ ἔθος ἐστίν, ἐπεφθέγγετο τὰς νενομισμένας ἐπὶ τῇ καθιερώσει φωνάς. Plutarch's care in explanation provides an opportunity for insight into why Valerius often eliminates technical details. Valerius can assume a knowledge of such things in his audience. When Valerius does include details, they are generally correct. Compare, for example, Valerius 5.10.1 (*in<ter>que nuncupationem sollemnum uerborum postem tenens*) with Cicero *Dom.* 121: *postem teneri in dedicatione oportere uideor audisse templi*. Why then, if Livy is writing for the same audience, would he include more details? Livy writes history, Valerius writes *exempla*. Livy has more room.
- 78 When and whether grief for dead children would occur, and to what extent, is disputed. Cf. Golden (1988) and Harris (1994).
- 79 Cf. Levene (1993), 151. Other important variants include Cicero, *Dom.* 139; Seneca *Dial. (Cons. Marc.)* 6.13.2; Plutarch *Publicola* 14.6; and Symmachus 3.3.6 (on whom, cf. Rike (1987), 114–17).
- 80 See Jaquemin and Freyburger (1998), 169–80, for a comparative look at Greeks in Plutarch and Valerius Maximus.
- 81 Cf. Mueller (1995).
- 82 Compare Weber (1936), 240, on the word “princeps” and its most famous exemplar, Augustus (Valerius would have been in sympathy with this presentation): “Universal von der Mitte Rom aus schauend und denkend, fühlend und handelnd, hat er von Caesar, dem Vater, vom julischen Blut und von Rom die statische Weltanschauung ererbt und erhalten. Er ist ihre Mitte und Achse, Träger des Göttlichen selbst. Und alles, was er als Aufruf der Massen, als Ehrung durch den Senat, als Selbstbescheidung vor den souveränen Gewalten, als Verhüllung liebt und zur Schau trägt, ist wie der Wille zur klassischen Form nur eine schöne Maske, hinter der die heilige Wut, der Wille zur Macht, der Glaube an das beste Blut, die Sicherheit gegenüber den irrationalen Mächten, die Heiterkeit, die Hoffnung auf Verewigung seines Werks und seines Namens wild wogen und wirken, wie sein frommes, gerechtes, mildes und männliches Rom Recht und Frieden und Sicherheit und Wohlfahrt verkündet und zugleich die Freiheit der Völker zerbricht.”
- 83 Translation by John W. Basore in *LCL*.
- 84 Valerius himself explains why he does not include members of the imperial family in his *exempla*. He modestly refrains from loading heavenly spirits with earthly dross (8.5.*init.*). Sometimes, though, he breaks his own rules, e.g. in 5.5.3 (Tiberius rushes to his dying brother Drusus).
- 85 Marsh (1931), 98.
- 86 Marsh (1931), 165. Cf. Tacitus *Ann.* 4.8.
- 87 The text is taken from Eck, Caballos, and Fernández (1996).

- 88 Schoonhoven (1992), 17. Cf. Cassius Dio 55.27.4; Suetonius *Tib.* 20.3. The *Dioscuri* had also already been employed by Augustus in service of his grandsons. Cf. also Schrömbges (1986), 44–50, on the *aedes Castoris*, and Tiberius' relations with it; and Poulsen (1991) for a discussion of the role of the *Dioscuri* in imperial ideology. On the earlier tradition, compare Wiseman (1995), especially 25–30.
- 89 Woodman (1977), 276.
- 90 Fears (1981a), 63.
- 91 Cf. Hellegouarc'h (1963), 276–9; Liegle (1967 [1932]); Moore (1989), 56–61.
- 92 See Weinstock (1970), 248–59, on the development of *pietas* from Caesar to Tiberius.
- 93 Cf. Cicero *Verr.* 2.5.118 (mothers and fathers waited in vain to catch the last breaths of condemned sons) and Vergil *Aen.* 4.681–5 (Anna complains of being robbed of Dido's last breath).
- 94 Of all the information Valerius provides in this anecdote, Stahr (1885 [1873]), 13 n. 14, uses only the information provided by this particular phrase in his reconstruction of Drusus' death and Tiberius' ministrations. Such treatment has generally been standard procedure when it comes to Valerius' evidence. Alföldi (1970 [1934–5]), 222, by way of contrast, uses Valerius' evidence to demonstrate the close association of Jupiter and Tiberius.
- 95 Cf. Hellegouarc'h (1963), 149, on political aspects of *benevolentia*.
- 96 Compare Cassius Dio 55.2.2 (Augustus sends Tiberius to Drusus because Drusus is not that far away (οὐ γὰρ ἦν πόρρω)!). Cassius goes on to relate briefly that Tiberius accompanied the dead Drusus back to Rome, and delivered one of the two funeral orations (the other was delivered by Augustus).
- 97 Cf. Wardle (2000), 490.
- 98 Ovid *Fasti* 6.375–95 has Jupiter provide exact instructions, but, as a poet, Ovid makes Roman gods speak like Greeks. Livy 5.48.1–9, on the other hand, makes no mention of Jupiter. Livy's religiosity may be found instead in the thanks offered in Jupiter's temple during the subsequent *ludi Capitolini* (5.50.1–4). Like Livy, the military writer Frontinus makes no mention of Jupiter (*Str.* 3.15.1). He is concerned only with the idea and its effectiveness. The Christian apologist Lactantius concedes that the idea was admirable, but discounts it because the alleged god, Jupiter, allowed lesser, more ridiculous gods to exist (*Div. Inst.* 1.20.33). This deconstruction attests to the anecdote's continued rhetorical potency. Similar tricks constituted a commonplace in Greek literature as well (cf. e.g. Herodotus 1.22 and Thucydides 6.46.1–4). Overturning tradition was no easy task.
- 99 Fears (1981c), 837, points out that virtues are useful, *utilitates* (according to Cicero), as well as divine in origin. Cf. Latte (1965 [1948]), 58, on the “essence” of Roman religion: “In Rom bleibt die Göttervorstellung durchaus unplastisch Nicht die Gestalt, sondern die Funktion ist das Wesentliche. Die Vorstellung der von dem Gotte ausgehenden Macht drängt sich in den Vordergrund; der Gott selbst bleibt hinter seinem Wirken verborgen.” (On the other hand, for an analysis of *uirtus* that sees only a rationalistic abstraction with no connection to divinity, see Sarsila (1982).) Mattingly (1928), 164–9, discusses the use of such virtues on coins in the imperial period, and points out their connection to ancient Roman religion's concepts of *numen*. On the general contributions made by gods to Roman military victories, compare Weileder (1998), 160–7. One may consult Classen (1993 [1986]) and (1998a) for the earlier republican tradition.
- 100 *MRR*, 1, 294 ; cf. 2, 546: C. Claudius Ti. f. Ti. n. Nero Pat. (246) Cos. 207.

- 101 *MRR*, 1, 236, 294–95; cf. 2, 582: M. Livius M. f. M. n. Salinator (33) Cos. 219, 207.
- 102 These two men were bitter personal enemies who, like Scipio and Gracchus, were reconciled at the insistence of the senate (analogously but less enthusiastically celebrated in Valerius 4.2.2 (*qui ex inimicitiiis iuncti sunt amicitia aut necessitudine*)). Their mutual animosities broke out once more in the censorship they shared in 204 BC. Valerius 2.9.6 (*De censoria nota*) tells the story (each man depriving the other of his *equus publicus*, demotion of whole tribes to the rank of *aerarii*).
- 103 Valerius 3.7.4 (*De fiducia sui*): records Salinator's stated reason for sparing some of the enemy: *ne hostibus tantae cladis domestici nuntii deessent*. He had spoken before the battle as well, explaining his desire to engage in battle quickly. Valerius 9.3.1: *ut quam celerrime ... aut gloriam ex hostibus uictis aut ex ciuibus prostratis gaudium capiam*. Salinator was bitter over his previous trial and conviction before the people. His co-defendant (Aemilius Paullus) had been acquitted.
- 104 Polybius 11.1–3, Frontinus *Str.* 1.1.9, Florus 1.22, Silius Italicus 15.525–823, Aurelius Victor *Vir. Ill.* 48, and Zonaras 9.9 likewise make no mention of Jupiter. Not everyone, however, reads these sources looking for Jupiter. For a review of the Latin sources that looks for “irgend ein kriegerisches Faktum,” see Cichorius (1964 [1908]), 165–7.
- 105 For the standard language of invective against non-Roman peoples and their leaders, see Opelt (1965), 180–6.
- 106 Cf. Polybius 11.3.5–6 who likewise records religious activity, but in less detail.
- 107 On Roman divination by dreams, see especially Cicero in Pease (1977 [1920–3]), 161–206 [= 319–68] on *Div.* 1.39–63, and 543–71 [= 361–89] on *De div.* 2.119–42. (Cf. also Artemidorus *Onir.* 2.33–9 on the appearance of gods in dreams.)
- 108 Latinius' dream in particular received a great deal of attention in antiquity. Many surviving sources relate the story. Cicero *Div.* 1.55 informs us that many others related this story as well: *Ommes hoc historici, Fabii, Gellii, sed proxume Coelius*. Pease (1977 [1920–3]), 191–2 [= 353–4] n. 1 on *Div.* 1.55 provides a representative selection of versions with ample quotes from Livy 2.36, D.H. *Ant. Rom.* 7.68, and Macrobius *Sat.* 1.11. They all agree that Jupiter sent the dream. Wiseman (1976), 44, however, points out in reference to Valerius 1.7.4 that “Valerius' version is simply an anachronism.” We must keep in mind that when Valerius writes the present impinges always on the past and vice versa.
- 109 Cf. Marquardt, *Staatsverwaltung*, 3, 504–28 and Bernstein (1998), 84–96, for details regarding these games.
- 110 Cf. Cohee (1994b) on the meaning and tradition of sacred inaugurations.
- 111 Cf. Habel (1931), 612, who cites Valerius 1.7.4 as providing “einen treffenden Beweis für das strengste Ritual und die ängstliche religiosität der Römer.”
- 112 D.H. *Ant. Rom.* 7.68.4: *δι αἰσχύνης [ἔχειν] τὸ πρόγμα λαβεῖν, ἀνήρ αὐτουργὸς καὶ γέρων ὄνειρατα πρὸς τὴν βουλήν ἐκφέρειν ὄττειας καὶ δειμάτων μεστὰ, μὴ καὶ γέλωτα ὄφλη*. Livy 2.36.3: *quamquam haud sane liber erat religione animus, uerecundia tamen maiestatis magistratuum timorque uicit, ne in ora hominum pro ludibrio abiret*. Valerius 1.7.4: *ueritus ne cum aliquo incommodo suo religione summum implicaret imperium*. Plutarch *Coriolanus* 24.3, offers even more rationalizing, and says that the man at first did not wish to be too superstitious [μη πάνυ φροντίσαι].
- 113 Macrobius *Sat.* 1.11.3 and Lactantius *Div. Inst.* 2.7.20 identify him as Autronius Maximus. Many consider this name a later fabrication (Gundel, “Autronius [3],” *KP*, 1, 783).

- 114 Cf. Mommsen, *Strafrecht*, 66: "Es unterliegt das Hausthier, gleich dem unfreien Menschen, der häuslichen Ordnung und Zucht" For a quick survey including illustrations of the various methods of public punishment, see Vismara (1990), 19–33, who in short order reviews the following terms: *culleus*, *supplicium more maiorum*, *carnifex*, *damnatio ad ludum gladiatorium*, *patibulum*, *crux*, *furca*, *crurifragium*, *damnatio ad bestias*, *quaestio per tormenta*, *flagellum*, *ferula*, *anguilla*, *catomum*, *scutica*, *scorpio*, *plumbeum* or *plumbata*, *summa supplicia*. We may also note that Vismara makes ample use of evidence from Valerius. For recent scholarly discussions of many of these gruesomely interesting topics, see in general Cantarella (1991); but also Briquel (1984) on the *culleus* in primitive Rome; Callu (1984) on *summa supplicia* and the legal codes of the late empire; Grodzynski (1984) on *culleus* and *sumum supplicium* also in the late empire; and Patlegean (1984) on physical torture in the late empire. Valerius' rhetorical anecdotes reflect real practice with a long history.
- 115 Ill-omened sound was of course very serious, and often had serious repercussions. Cf. Valerius 1.1.5 (*De religione*): *ocentusque soricis auditus Fabio Maximo dictaturam*, C. *Flaminiu magisterium equitum deponendi causam praebuit*.
- 116 Pease (1977 [1920–3]), 191–2 [= 353–4] n. 1 on *Div.* 1.55 points out that the older sources talk of the slave's punishment, not his death.
- 117 Pease (1977 [1920–3]), 199 [= 361] n. 8 on *Div.* 1.59, points out that of all ancient references to the *Mariana monumenta*, only Valerius ever refers to an *aedes Iouis Mariana*. The building cannot be an *aedes Iouis*, and is usually referred to either simply as *monumentum* or as an *aedes Honoris et Virtutis*, dedicated in honor of his victory over the *Teutones* and *Cimbri*. See Pease *ad loc.* for further discussion and references. Significant for us is Valerius' emphasis on Jupiter.
- 118 Pease (1977 [1920–1923]), 37 [= 195].
- 119 For a discussion of Pompey's general role in Valerius, see Wolverton (1954), 68–72.
- 120 Lucan 7.152–213 elaborates on the omens visible in nature in great detail (i.e. thunder, lightning, darkness, shadow, etc.), but here ignores the miraculous. Like Valerius, he mentions Jupiter, but unlike Valerius, Lucan 7.196–200 questions the ultimate origin of the adverse omens. Greek historians provide omens without reference to Jupiter. Appian *BCiv.* 2.10.68 describes many of the omens that occur while both armies are encamped, but fails to attribute these omens directly to Jupiter. Cf. also Cassius Dio 41.61.1–5.
- 121 Obsequens 65–65a [125] provides a fuller list than Valerius. Compare also the condensed list of Florus 2.13.
- 122 On Jupiter as numinous sky-god, cf. Horace *Carmina* 3.10.5–8; contra: Kajanto (1957), 18. Cf. also Preller, *RömMyth*, 1, 184–94; Muth (1978), 315–20; and Pötscher (1978a), 357–74.
- 123 Jupiter grants Caesar's glory *fauor*; Valerius prayed for the same from Tiberius in his preface.
- 124 Minerva visited Octavian's sleeping doctor Artorius at Philippi (1.7.1). Moderns doubt the veracity of the sources; cf. Wissowa, in Rosch. *Lex.*, 4, 2989–90; Syme (1939), 204 n. 2; Woodman (1983), 168–9; Bloomer (1992), 224; Lorsch (1993), 48–93. The sources themselves differ in emphasis and interpretation of Artorius' dream, but do not deny that gods can appear in dreams. Cf. Florus 2.17; Plutarch *Brutus* 41.7–8 and *Antonius* 22.1–2; Suetonius *Aug.* 13.1 and 91.1; Tertullian *De anima* 46.3–8; Appian *BCiv.* 4.14.11; Cassius Dio 47.40.1–4; Lactantius *Div. Inst.* 2.7.22; and Zonaras 10.19 p. 2:395 (ed. Dindorf) [= PI 506 C, = WII 144]. Lactantius' relation to Valerius' version is disputed; see Bosch (1929), 39; Fleck (1974), 33–7; and

- Ogilvie (1978), 43–9. Valerius had much company in his interpretation of the divine events that transpired early in Augustus' career. Valerius, his contemporaries, and his successors appear to believe that gods intervene.
- 125 Of the eight anecdotes surviving in epitome from the series *De simulata religione*, the only state leader who could be charged with outright fraud is the Athenian leader Pisistratus (1.2.ext.2), who employed a tall woman as a fake Minerva. Pisistratus' purpose, however, was illegitimate. He employed her in order to win back the tyranny he had lost: *in recipienda tyrannide, quam amiserat*. Moreover, Pisistratus was an Athenian, and Valerius demonstrates no fondness for Athenians (or their forms of government).
- 126 Pliny *HN* 34.77 tells us that some of Euphranor's work was on display in Rome. On the various artworks in the temple of *Concordia*, see Isager (1991), 159–60. Compare also the glowing report of Euphranor's talents and his depictions of the twelve gods found in Pliny *HN* 35.128–9. For discussion, see Long (1987).
- 127 Homer *Iliad* 3.156–7: οὐ νέμεσις Τρώας καὶ εὐκνήμιδας Ἀχαιοὺς / τοιῆδ' ἄμφι γυναικὶ πολὺν χρόνον ἄλγεα πάσχειν.
- 128 According to Pliny *HN* 35.66, Valerius could have viewed Zeuxis' Helen in the *porticus Philippi* (rebuilt by the stepfather of Augustus c. 29 BC). Cf. also Pliny *HN* 35.64–5 on the famous contest of Zeuxis and Parrhasius to discover who was the better *artifex* (Zeuxis' realistic grapes fool birds, but Parrhasius' realistic curtain fools Zeuxis). Again, Pliny shows much greater appreciation of Greek art than does Valerius.
- 129 Homer *Iliad* 1.527–9: ἦ, καὶ κυανέησιν ἐπ' ὄφρῦσι νεῦσε Κρονίων· / ἄμβρόσια δ' ἄρα χαίται ἐπερρώσαντο ἄνακτος / κρατὸς ἀπ' ἀθανάτοιο· μέγαν δ' ἐλέλιξεν Ὀλυμπον.
- 130 Valerius' negative view of Phidias contradicts the more refined Roman view. Compare Quintilian *Inst.* 12.10.9. Quintilian seems to see Phidias as a religious man. Compare Boeckh (1886), 464, on art as an expression of religious devotion. Pliny *HN* 34.49 is likewise laudatory without moral lesson. Cf., on the other hand, Isager (1991), 229.
- 131 Valerius 8.7.ext.3 similarly praises the astrological knowledge that Pythagoras imbibed among the Magi of Persia. Of course, to Valerius, stars were gods.
- 132 Cicero *Fin.* 5.87 sees Plato's travels as part of a philosophical investigation of various modes of living in order to obtain data for deciding the best method of living the good life. Such Greek philosophical investigation is rather different from the proven results of Roman practice. Valerius already has the sure results of the *mos maiorum* and cultivation of the immortal gods. Plato is thus a worthy exemplar only insofar as he possessed profound Greek learning regarding divinity. Cf. Quintilian *Inst.* 1.12.15; Diogenes Laertius 3.6 and 3.18.
- 133 According to Cicero *Div.* 1.88 the *umbræ mortuorum* are said by some to have the ability to predict the future. Valerius certainly credits Jupiter with this power, and is thus consistent in associating Amphiarus with Jupiter. Prophets were also considered favorites of Zeus; cf. Pease (1977 [1920–3]), 249–52 [= 411–14] on *Div.* 1.88. Compare Strabo 9.1.22 and Pausanias 1.34.2 for an idea of just how much Greek lore Valerius discards.
- 134 Leeman (1963), 254, points out the literary function of foreign *exempla*. They often relieve the reader with lighter fare and diversion between the more serious Roman *exempla*.
- 135 Curtius *Hist. Alex.* 6.6.1–4 similarly outlines the odious behavior of Alexander, spelling out in Roman terms the virtues Alexander violates (*continentia* and *moderatio*), and detailing Alexander's descent into Eastern practices. On Persian kings as a paradigm for tyranny in Greek and Latin literature, see Alföldi (1970 [1934–5]), 9–25. For a more judicious and detailed account of

- Alexander's divinity without the condemnation, see Plutarch *Alexander* 27.1–11, 28.1, and 45.1–6. Arrian too, e.g., *Anabasis* 3.3.2, is less negative than Valerius, and adduces Greek *exempla* for Alexander's behavior; cf. Stadter (1980), 89–114. On the general role of Alexander in Valerius as exemplary comparandum, see Weileder (1998), 122–9.
- 136 Cf. Alföldi (1970 [1934–5]), 6–9 and 25–118.
- 137 Alföldi (1970 [1934–5]), 27: “Da herrschte also schon ein ganz anderer Geist als die republikanische Gesinnung!”
- 138 Alexander receives some positive treatment in Valerius, but more negative, especially where gods are concerned. Compare the condemnation of Valerius 8.14.*ext.*2 (*De cupiditate gloriae*). Alexander also ignores omens the gods send warning him of his impending fate (Valerius 1.7.*ext.*2 (*De somniis*)). Alexander is unable to buy the friendship of Xenocrates (4.3.*ext.*3) and Diogenes (4.3.*ext.*4), and actually provokes the gods' wrath through his violation of friendship (9.3.*ext.*1).
- 139 Cf. Mommsen, *Strafrecht*, 760–72, on the crime of sacrilege (temple-robbery). For numerous examples, see Pease (1977 [1920–3]), 179–80 [= 341–2] nn. 1 on *Div.* 1.48.
- 140 Other gods against whom Dionysius committed sacrilege, according to Valerius 1.1.*ext.*3, include Proserpina at Locri and Aesculapius at Epidaurus (which includes insult to Apollo). There are other outrages as well.
- 141 Translation by H. Rackham in *LCL*.
- 142 A wasting disease would have been especially appropriate in light of Dionysius' moral corruption; cf. Funari (1997).
- 143 Aelian *VH* 1.20 relates Dionysius' sacrileges without any expressed thought regarding punishment. Using Cicero as his source, Lactantius *Div. Inst.* 2.4.35 belittles the gods for their failure to avenge wrong-doing.
- 144 Goar (1972), 91, points out Cicero's thinking on the general nature of divine punishment in his *Leg.*: “mental torture in this life, and ignominy after death.” Even this less philosophical approach focuses on the individual, and thus also differs from Valerius.
- 145 Hellegouarc'h (1963), 26, points out the traditional importance of *fides* to Jupiter and quotes a verse of Ennius preserved by Cicero: *O Fides alma, apta pinnis et ius iurandum Iouis*. Hellegouarc'h (1963), 27, also discusses the importance of such *fides* not only to other divine virtues (*Concordia*, *Pietas*, *Pudor*, and *Iustitia*), but also its importance for the patron–client relationship (cf. 28–35). Piccaluga (1981) sees *fides* as a religious concept with deep roots in archaic Roman religion, thus testifying not only to the concept's deeply religious nature, but also to its political value – bonds cemented by *fides* must be strong indeed. Cf. also Fraenkel (1912–26) and Heinze (1929).
- 146 To be fair, Valerius also makes use of cliché. Cf. Caesar *BGall.* 1.15: *consuesse enim deos immortalis, quo gravius homines ex commutatione rerum doleant, quos pro scelere eorum ulcisci velint, eis secundores interdum res et diuturniorem impunitatem concedere*.
- 147 Cf. Woodman (1977), 97, who writes that the “appearance or look of a ruler was particularly important. ... In Rome Sulla was remarkable for his blond hair.”
- 148 The dream Valerius relates stays remarkably close to the version attributed to Timaeus in the *Scholia in Aeschinem (uetera)* Oration 2, scholion 10.
- 149 Jupiter is of course traditionally associated with fate. Valerius' image is somewhat more graphic, however, than the stoic versions of the *fata Iouis* that Pötscher (1978b) finds in Vergil, Silius Italicus, Lucan, Statius, Seneca, Pliny, and Tacitus. On *dirae*, omens, and fate in Roman epic, see Hübner (1970). On

- the older tradition of Jupiter, lightning, and fate, see Thulin (1968 [1905–9]), I; cf. III, 57–61. On *dirae* in augury, see Linderski (1986a), 2195–208.
- 150 On the prophetic roles of snakes in antiquity, cf. Hopf (1888), 182–94.
- 151 Pighi (1965), 313–14.
- 152 Cited by Tabeling (1932), 1997.
- 153 Valerius' silence becomes even more ominous through comparison. Compare Cicero *Div.* 1.49 and Livy 21.22.9. Because the phrasing of Livy and Cicero is more neutral, Hannibal's fate does not loom as obviously. (On Livy's version in particular, see Stübler (1964 [1941]), 95–6.)
- 154 We may compare the versions of other authors. Cicero *Div.* 1.49 has Jupiter call Hannibal to a *deorum concilium*: *Hannibalem, cum cepisset Saguntum, visum esse in somnis a Iove in deorum concilium vocari; quo cum venisset, Iovem imperavisse, ut Italiae bellum inferret, ducemque ei unum e concilio datum.*
- 155 On Cicero's very different attitude towards *uoluntas*, see the exhaustive examination of Begley (1988).
- 156 Thome (1993), 437.
- 157 *MRR*, 1, 482; cf. 2, 556 (naming him somewhat differently): Cn. Cornelius Scipio Hispanus Pat. (347) Pr. Peregrinus 139.
- 158 The story only exists in epitome. Paris (Valerius 1.3.2): *Idem Iudaeos, qui Sabazii Iouis cultu Romanos inficere mores conati erant, repetere domos suas coegit. Nepotianus: Iudaeos quoque, qui Romanis tradere sacra sua conati erant, idem Hispalus urbe exterminavit, arasque priuatas e publicis locis abiecit.* Cf. Livy *Oxy. Per.* 54: *Chaldaei urbe <e>t It[alia] abire iussi sunt*. *MRR*, 1, 483 n. 1, records that there was a slave revolt in Sicily around this time also (the exact year, however, is impossible to determine). Lane (1979) is troubled by the association of Sabazius with the Jews in the days of Hispalus, thinking that such a notion reflects the contemporary scene under Tiberius more than it does historical facts; cf. Williams (1989). On connections of *Iuppiter Sabazius* to Dionysius, see Turcan (1989), 289–324.
- 159 Compare Stahr (1885 [1873]), 347–8: “Er hat alle Theile des Kult- und Ritualwesens sehr gründlich studiert. Man konnte ihn fast einen gelehrten Theologen nennen Sorgsames Festhalten an alten religiösen Bräuchen und Normen ... erscheint als ein Grundzug in dem Wesen des Kaisers.”
- 160 Rogers (1943), 29–32, provides a succinct and sympathetic summary of the crisis with references to the ancient evidence. Cf. Hennig (1975), 33–40, who exonerates Sejanus from crime, but provides references to other discussions.
- 161 Translation by H. Rackham in *LCL*.
- 162 No trace, according to Richardson (1992), 219, has ever been found of the temple of *Iuppiter Feretrius* (Rome's first temple). It was, however, small, located somewhere within the *Area Capitolina*, and housed the ritual implements of the college of *fetiales*. Cf. Levene (1993), 131–2, on Livy's version of Numa's establishment of the Temple of *Iuppiter Feretrius*.
- 163 Romulus became a god in his own right, and Valerius even prays to him to ask his permission to speak about another example first. Valerius 3.2.*init.*: *sed patere, obsecro, uno te praecurri exemplo* Valerius actually recites two examples before getting back to Romulus (Horatius on the bridge and Cloelia in the Tiber, who of course offer religious lessons of their own; cf. Gagé (1988)).
- 164 *MRR*, 1, 59, 65–6; cf. 2, 551: A. Cornelius M. f. L. n. Cossus Pat. (112) Cos. 428, Mil. Tr. c. p. 426. Cossus, we should note, obtained the *spolia opima* by imitating the *mos maiorum*. Valerius 4.2.4: *Cosso quoque multum adquisitum est, quod imitari Romulum ualuit.* For religious considerations in Livy's presentation of Cossus, see Levene (1993), 170–3.

- 165 *MRR*, 1, 232–3; cf. 2, 546: M. Claudius M. f. M. n. Marcellus (220) *Cos.* 222, 215, 214, 210, 208.
- 166 Stübler (1964 [1941]), 32–3, concludes that Livy accepted Augustus' statement as the "Zeugnis eines Gottes." Syme (1959), however, provides the most detailed discussion of the historical, literary, and political issues involving Cossus, Livy, and Augustus. Badian (1993) has taken up some of these issues again, and concludes (contra Syme (1959) but in agreement with Dessau (1906), who thought that Livy had to be made "hoffähig") that Livy's chapters on the civil war perhaps disappeared *pietatis causa*, that is, out of the reverence for the memory of Caesar, Augustus, *et al.* that prevailed during the long ages of European absolutism, monarchy, and aristocratic culture. (Cf. also Mazza (1966), 165–206.) Valerius, on the other hand, was, we may note, "hoffähig" from the start. Compare Bloomer (1992), 259: "To a degree never appreciated, Valerius' is a courtly style." More recently, Flower (2000) has examined the tradition of *spolia opima*, concluding that they were initially "invented" by Marcellus, and subsequently "reinvented" in accordance with the exigencies of various historical moments. On Valerius, cf. also Weileder (1998), 302–5.
- 167 Valerius points out that *fortitudo*, although ostensibly present in Porcia, is a masculine virtue. Valerius 3.2.15: *Cuius* [i.e. Cato's] *filia minime muliebris animi* Virtues Valerius considers more appropriate to women occur more frequently in conjunction with the female deities we have examined in chapters one and two.
- 168 Bliss (1952), 13–18, discusses the rhetorical organization of the chapter in general. Suicide, however, is an interesting religious problem in itself. We have discussed the suicides of Merula in Valerius 9.12.5 and Germanic tribeswomen in Valerius 6.1.*ext.* 3. For a general discussion of the phenomenon, see Bayet (1971 [1951]).
- 169 This *fons et origo* has many names. The Old Testament, for example, often locates similar emotions in the kidneys. "Subconscious" is another term. "Subconscious," however, already begins to move away from the body and towards the soul. And, since Valerius' forces and virtues seem to animate living flesh, "subconscious" seems inappropriately alien, abstract, and ethereal.
- 170 Cf., on the role of Caesar in general in Valerius' work, Wardle (1997) and Weileder (1998), 93–101.
- 171 According to Valerius' own logic, Augustus, like Caesar, is a star. Compare Valerius *praef.*: *tua* [i.e. *divinitas* = Tiberius] *praesenti fide paterno auitoque sideri par uidetur*. On these divine stars, see Weinstock (1970), 370–84. On the role of stars in Roman religion in general, see Gundel (1907), who also discusses the stars of the Caesars (148–9).
- 172 Jupiter, no matter how crucial to military success, is but one god among many. For Roman religious thinking regarding military victory in general, see Fears (1981b).
- 173 Cf. e.g. Kertzer (1988), 97–8, on the psychological effectiveness of obligatory public rituals in Nazi Germany.
- 174 Watson (1992), 44–50, discusses early religious and legal aspects of oaths. Weinstock (1970), 217–27, outlines their development under Caesar.
- 175 Syme (1939), 293.
- 176 Compare Classen (1993 [1963]) on human divinity in the Roman republic.
- 177 Shackleton Bailey (2000), *ad loc.*, following Torrenius, emends to "ships (*naves*)."
- 178 Cf. again 9.11.*ext.* 4: *sed uigilarunt oculi deorum, sidera suum uigorem obtinuerunt, arae, puluinaria, templa praesenti numine uallata sunt*. Compare also Martin (1982), 131–2, on the connection of *providentia* and astrology. Valerius' enthusiasm for stars may be contrasted with the dearth of astrological interest

- Köves-Zulauf (1978), 254–5, finds evinced by Pliny. Valerius' belief in stars would, however, put him in the mainstream of imperial thought. Compare Cumont (1956 [1911]), 162–95, on astrology under the empire. Nevertheless, all star systems (as all gods) are not equal. Foreign interpretations, as Valerius 1.3.2 (regarding the expulsion of Chaldaeans and Jews) points out, must sometimes be expelled.
- 179 Valerius corroborates Fears (1981c), 831, who argues that virtue “was a concrete condition brought about by the concrete manifestation of divine power.”
- 180 Rostovtzeff (1927), 107.
- 181 Cf. Sussman (1978), 26–33, on Seneca the elder's politics: “Seneca ... exemplified the conservative ideals of Roman manhood” (26).
- 182 Morawski (1892), 1.
- 183 Cf. Rostovtzeff (1926), 1, 75–100, on the formation of a substantial urban bourgeoisie under the early Julio-Claudians, fostered in part by the crucial development of imperial bureaucracy under Tiberius (thus securing, for the moment at least, relative peace and prosperity): “On this bourgeoisie, along with the army, rested in the last resort the power of the emperors” (99).
- 184 De Ste. Croix (1983), 572 n. 65.
- 185 Weileder (1998), 320.
- 186 Compare Yavetz (1988 [1969]), 88–91, on Augustus' arrogation of *tribunicia potestas* (bringing of course *sacrosanctitas* with it), which, he argues, “helped the *princeps* to consolidate his position among the common people” (91), especially vis-à-vis the senatorial class.

4 Ritual vocabulary and moral imperatives

- 1 The contribution of Valerius Maximus to an understanding of republican religious institutions is best explored in the commentary of Wardle (1998) on Valerius' first book. The present essay constitutes an investigation of the rhetorical uses of traditional Roman religion in the age of Tiberius.
- 2 On Valerius' enthusiasm for (victorious) war, compare Weileder (1998), 237–41.
- 3 My representation of technical aspects relies on Linderski (1986a), 2207 and 2214 n. 256, as well as (1993a), 60–1.
- 4 Cf. Walde (1965), s.v. “auspex,” and Ernout and Meillet (1967 [1959]), s.v. “avis.”
- 5 Cf. Linderski (1986a), 2226–9, and for further literature especially, 2227 n. 316; cf. also Linderski (1990b).
- 6 On *auspicia ex tripudiis*, see Linderski (1986a), 2155–6, 2213–14, 2229, 2232 n. 337, 2240 n. 374, 2286, 2292, 2294.
- 7 For details and sources, cf. *MRR sub anno* 393 where the anecdote from Valerius (7.2.5) is incorrectly listed as 7.5.5.
- 8 On *ementita auspicia*, see Linderski (1986a), 2207 and 2214 n. 256.
- 9 “Natural morality” implies that “truth” is “by nature” superior to “falsehood” (the *pullarius* lied), a doctrine not to be imputed hastily or lightly in our own postmodern times without risk of occasioning charges of arrogance, but a doctrine that, if not pursued to extremes, might allow a legitimate basis of comparison between religious systems and their relation to ethical conduct. And modern religions do indeed sometimes stress ethical or moral conduct. Does the ritual logic of Papirius Cursor also reveal ethical considerations or, as has been maintained, at worst cynical manipulation of ritual processes and at best simply its own logic whose considerations were pragmatic and not at all ethical?

- 10 The gods, moreover, punish those whose faith fails. Alexander, another king, loved his wife but did not trust her, sending guards to search her bed before himself entering. She, angry, not about his lack of trust, but about his extramarital affairs, kills him. His death, in Valerius' professed view, derives from the anger of gods: *supplicium irato deorum numine conpositum, neque libidini neque timori posse imperare* (9.13.ext.3). Failure of self-control is coupled with lack of trust. The faith that resides in the human heart could at least have reigned in fear, which, in turn, could presumably have transformed lust into something more noble and less likely to anger the divine force of the gods. On Valerius' language of love-sickness (in comparison with Seneca the Elder), see Falcone (1960).
- 11 Compare the ancient Christian definitions of *fides* listed by Fraenkel (1912–26), 689.47–689.49, in order to illustrate specifically Christian usage: “ISID. diff. 1,486 *fides est credulitas, qua deum confitemur. orig. 8,2,4 fides est qua veraciter credimus id quod nequaquam videre valemus.*” Reading through the Christian citations, one discovers that, aside from belief in specifically Christian dogma, there is not much to choose between Christian *fides* and ancient, especially inasmuch as classical *fides* was always informed by religion. Compare Fraenkel (1912–26) on the “*deorum vel hominum tutela atque praesidium*” of *fides*, both in respect to the rites of hospitality (663.83–664.17) and oaths (669.67–672.12).
- 12 Translation by B.O. Foster in *LCL*.
- 13 Translation by B.O. Foster in *LCL*.
- 14 Translation by B.O. Foster in *LCL*.
- 15 Cf. *OLD*, s.v. *tripudium*, p. 1976 with cross-references; cf. Maltby (1991), p. 622. The phrase *tripudium solistimum* appears in Cicero, various historians, and encyclopedists.
- 16 Translation by B.O. Foster in *LCL*.
- 17 On Livy's attention to the technical details of Roman religion, cf. Linderski (1993a).
- 18 Translation by B.O. Foster in *LCL*.
- 19 *OLD*, s.v. “*fido*.” Cf. on *Fides*, Heinze (1929); Hellegouarc'h (1963), 1–62; Piccaluga (1981); Fiori (1996), 148–67. On the earlier traditions of the god *Fides*, see Hölkeskamp (2000) with further literature.
- 20 On Attius Navius, cf. Linderski (1986a), 2207–8.
- 21 Cf. Tatum (1993).
- 22 On Roman priesthoods, see Bouché-Leclercq (1975 [1871]); Marquardt, *Staatsverwaltung*, 1, 171–83; 3, 235–481; Szemler (1986); Beard and North (1990); and Cohee (1994a). Cf. also Moller (1684), who argues that Valerius was himself a priest.
- 23 On Cicero's narrative strategies in general in *Div.*, see Beard (1986).
- 24 This Romanizes Hannibal as well.
- 25 We survey Valerius' anecdotes on republican military triumphs with an eye only for their religious meaning in the political context of early imperial Rome. For a more detailed historical survey in the context of Rome's *exempla* tradition, compare the excellent study of Engels (2001).
- 26 Compare the detailed discussion of Weileder (1998), 279–302, who explores the theme of triumph in Valerius' work in relation to the ideology of Roman imperialism.
- 27 Valerius devotes an entire chapter to auspices (1.4), on which see Wardle (1998), 153–66.
- 28 *MRR*, 1, 218–20; cf. 2, 583; C. Lutatius C. f. C. n. Catulus (4) Cos. 242, Procos. 241.

- 29 *MRR*, 1, 218–20; cf. 2, 628 : Q. Valerius Q. f. P. n. Falto Pat. (157) Pr. Urbanus 242, Propr. 241, Cos. 239.
- 30 We summarize here only Valerius' simplified version. In 241 Lutatius celebrated a triumph *De Poenis ex Sicilia* while Valerius celebrated one *pro praetore ex Sicilia* (*MRR*, 1, 219–20).
- 31 *MRR*, 1, 301, 342–3; cf. 2, 555: P. Cornelius P. f. L. n. Scipio (Africanus) Pat. (336) Cos. 205, 194; Princeps Senatus 199, 194, 189.
- 32 *MRR*, 1, 232–3; cf. 2, 546: M. Claudius M. f. M. n. Marcellus (220) Cos. 222, 215, 214, 210, 208.
- 33 On the role of the senate as a “character” in Valerius, see the survey of (Coudry 1998b).
- 34 The peace may have been more tenuous than Valerius suggests; cf. Pekary (1987) and Dettenhofer (2000).
- 35 On requirements of ritual purity, compare Pighi (1965), 312.
- 36 On augural meanings of *sanctus*, compare Linderski (1986a), 2249 n. 407.
- 37 An admirable collection of documentary evidence for animal sacrifice in antiquity is provided by Kadletz (1976). On ritual, cf. Bouché-Leclercq (1975 [1871]), 58–78, and Eitrem (1977 [1915]). For images from reliefs, see Fless (1995), 70–86, with accompanying plates. The central importance of sacrifice to classical religious belief is certainly reflected also by the great difficulty faced by later emperors in their efforts to suppress it; cf. Harl (1990). On the importance of sacrifice in Roman imperial cult, see Price (1980), Scheid (1990), 384–676.
- 38 Cf. Livy 2.12; D.H. *Ant. Rom.* 5.27; Plutarch *Publicola* 17; Florus 1.10; *Auct. de vir. ill.* 12 (ed. Pichelmayr).
- 39 Livy's Mucius is not without religion, and indicates that success or failure depends on the will of the gods (2.12.5).
- 40 On such luxuries, traditional fodder for moralists, compare Higginbotham (1997) on *piscinae*. On the representations of the rich in the literature of imperial Rome, see Mratschek-Halfmann (1993), especially 14–40.
- 41 Compare Tromp (1921).
- 42 On Greece, see Plescia (1970); on Rome, Boyancé (1972), 92–103; Fiori (1996), 148–67.
- 43 Valerius' account makes numerous historical errors. For an enumeration as well as the source traditions, see Kempf (1854).
- 44 Meretricious sexual services attracted moral censure; on the tradition, see Linderski (1997) and, more generally, Flemming (1999).
- 45 For republican *amicitia*, see Hellegouarc'h (1963), especially 41–90, 142–70, and 202–21; Brunt (1988), 351–81. Cf. also more generally Konstan (1997).
- 46 Logicians will fault Valerius. His introduction to friendship claims that the friendship binds more strongly than blood, a point Valerius' own words so often deny (cf. for instance, *artissimum inter homines procreationis uinculum*; 7.7.2), but rhetoric is not logic.
- 47 On the source tradition, cf. Fleck (1974), 61–78.
- 48 The importance of *felicitas* to imperial ideology in general may be pursued in Erckell (1952); Zieske (1972); Mannsperger (1974); Wistrand (1987); Flory (1992); and Thurmond (1992).
- 49 Cf. Sinclair (1980), 72–89.
- 50 Compare discussion in chapter one.
- 51 Linderski (1990d [1991]). On Roman birth rituals, compare Köves-Zulau (1990).
- 52 Compare also the suppression of the Bacchanalian conspiracy (Pailler (1988)) and the expulsion of the Jews from Tiberius' Rome (Williams (1989)).
- 53 See discussion of Scipio in chapter three above, and Bömer (1943), 89–98.

- 54 The text is taken from Eck, Caballos and Fernández (1996).
- 55 Valerius leaves out the detail that the report was false; cf. for example, Livy 2.8; Plutarch *Publicola* 14.
- 56 Jupiter Optimus Maximus (5.10.1); Jupiter Optimus Maximus, Juno, and Minerva (5.10.2); Jupiter Olympius (5.10.ext.1); and the gods and their *numina* 5.10.ext.2).
- 57 Briscoe (1998), *ad loc.*
- 58 Shackleton Bailey (2000), on the other hand, reads *religione* without *crux*.
- 59 Compare the excellent discussion of Weileder (1998), 209–17, who discusses Mars in the context of Augustan religious politics (Mars was crucial to his descendant Julius, and hence to Julius' adopted son), and who also reviews Valerius' conception of Mars more generally: “Mars steht bei Valerius als mythisches Synonym für militärische Macht Disziplin und Tapferkeit” (213). One reluctantly notes, however, that Weileder's excellent scholarship is marred by the view that when one reads the name Mars, one reads myth, metonymy, and metaphor. If, on the other hand, one views Mars as a living god, he becomes as much an actor in the historical drama as Scipio Africanus, Julius Caesar, Augustus Caesar, or Tiberius. In other words, Mars is not merely a symbol; Mars is a force to be reckoned with by human actors, both in representations of the past, and, by implication, by readers in the present. Cf. also Croon (1981).

5 *Sanctitas morum*, or the general intersections of religion and morality

- 1 Vidal (1978), 10.
- 2 On the general contributions made by gods to Roman military victories, compare Weileder (1998), 160–7.
- 3 Valerius looks on the bright side of life. His older and younger contemporaries, Livy and the younger Seneca, saw great potential for cruelty in such godlike powers. For further discussion, compare Mueller (1999a).
- 4 I realize that “desire for glory” is better English, but it is interesting that “glory” can stand alone as an emotion.
- 5 Cf. Fugier (1963), 142–52.
- 6 Epstein (1982), 69–72.
- 7 Pöschl (1983 [1961]), 11; cf. Weische (1966), 92–111.
- 8 Domaszewski (1909), 22–4. Compare Linderski (1986a), 2170, on augural implications. Compare also the temple of *Tempestates extra Portam Capenam* described by Ziolkowski (1992), 162–4; Platner-Ashby, 511–12.
- 9 Examining the word's connection to the evil eye, Wagenvoort (1980 [1972]), 253–4, argues that powerful forces can be radiated at a distance. Lewis and Short, 995, tell us, however, that the evil eye is an association strictly ante-classical for *invideo* (995) and lists no such associations for *invidia* (995–6). The *OLD* is less superstitious – it lists no fascinating powers for either *invideo* (959) or *invidia* (959–60), nor does it gloss *invideo*, as Lewis and Short do, with the more magical Greek βλασφάμειν. Otón Sobrino (1977–91), 2, 1075–6, likewise sees nothing beyond “ordinary” human emotions in *invidia*. Stoll, “Invidia,” in Rosch. *Lex.*, 3, 263, does, however, classify *Invidia* as a god, albeit a somewhat literary one: “Missgunst, Eifer, blinde Leidenschaft, Personifikation.” Only Stiewe, *invidia*, *TLL* 7, 2, 199 §I.A, sees any, if not divine, at least supernatural, power inherent in the word *invidia* itself – *manifestus vigente superstitione invidia est vis quaedam infesta felicitate* – adducing examples from Lucretius, Livy, Quintilian, Statius, Cicero, inscriptions, *et al.* We must thus decide whether or not Valerius could be classified among the “superstitious.” One might judge in

- accordance with the many supernatural interventions that play a role in several of the outcomes of the anecdotes Valerius relates in this chapter.
- 10 Translation by H. Rackham in *LCL*.
 - 11 Cf. Vergil *Ecl.* 3.103: *nescio quis teneros oculis mihi fascinat agnos*.
 - 12 Marquardt, *Privatleben*, 81–4; cf. Palmer (1989 [1998]).
 - 13 See also Kuhnert (1909).
 - 14 Nock (1925).
 - 15 Michels (1953), 54. For many more examples, ancient and modern, but uncritically compiled, see Elworthy (1895); and, for a metaphysical reflection on the meaning of Roman “fascination” and “envy,” see Barton (1993), 85–175.
 - 16 As Grodzynski (1974), 44, points out, superstition is often merely “la religion des autres.”
 - 17 See discussion above in chapter two.
 - 18 The *triumviri nocturni* were condemned for responding too slowly. *MRR*, 1, 220 dates this fire to 241 BC, and relates it to the fire during which Caecilius Metellus rescued the Palladium from the temple of Vesta, on which see discussion of Valerius 1.4.4.
 - 19 Linderski (1986a), 2170.
 - 20 See discussion in chapter two.
 - 21 *Instauratio* is of course a term with rich ritual associations. Cf. Cohee (1994b), and, on the intervention of the gods in the trial of Claudius, Linderski (1986a), 2176–7; cf. 2204.
 - 22 Linderski (1986a), 2177.
 - 23 See discussion especially in chapter one.
 - 24 See discussion especially in chapter four.
 - 25 On the fascinating legal history of parricide, see Cloud (1971).
 - 26 Cf. Linderski (1986a), 2158.
 - 27 On the development of the meaning of the word *religio*, cf. Kobbert (1910), 34–61. On ritual *religiones*, see Linderski (1986a), 2184–90.
 - 28 On Valerius’ self-contradicting portrayals of Marius, compare Carney (1962), whose detailed study concludes that Valerius is not interested in Marius, but morality.
 - 29 Translation by B. Perrin in *LCL*.
 - 30 Combès (1997), 242; cf. Wissowa, *Kultus*, 333.
 - 31 *CIL* VI 2250; cf. Wissowa, *Kultus*, 333.
 - 32 On the important political role of justice in Tiberian ideology, compare Weileder (1998), 55–6.
 - 33 Such surrender to faith, or *editio in fidem*, is complex; we investigate moral lessons for those not involved and long after the fact. For historical, legal, and historiographical details, one may consult Flurl (1969); cf. Boyancé (1972), 105–19. On just war in Valerius, compare Weileder (1998), 139–57.
 - 34 Wissowa, *Kultus*, 333. On the role *fides* played in the cultural and religious life of Rome, compare Boyancé (1972), 91–152.
 - 35 Cf. the comparison of Augustine’s and Valerius’ use of *exempla* in Honstetter (1977), 195–8.
 - 36 On snakes, cf. Hopf (1888), 182–94. On the augural implications of such an oblativ sign, see Linderski (1986a), 2200, who discusses the snakes that appeared to another Tiberius Sempronius Gracchus, the consul of 215 and 213.
 - 37 For attempts to expand the line to specify what great judge, see Shackleton Bailey (2000) and Briscoe (1998) *ad loc.*
 - 38 On the limitations of “freedom” even during the republic, see Wirszubski (1950); Hellegouarc’h (1963), 542–65; Syme (1977); Brunt (1988), 281–350.
 - 39 For historical details, see Combès (1997), 234, and Walker (1988).

- 40 Kempf (1854, 1888), Briscoe (1998), and Shackleton Bailey (2000) accept the inferior manuscript reading of *eodem*, but the contrast, a common one in Valerius, between his own times and the past is common and here more effective. The consensus of the best manuscripts should stand; accepted by Halm (1865) and Combès (1997).
- 41 Compare the discussion above in chapter one.
- 42 See discussion above in chapter four. On Marius in general, cf. Carney (1962) and David (1998b).
- 43 Cf. *Auct. bell. Hisp.* 22 (ed. Klotz).
- 44 See Orr (1978) for an overview of the evidence.
- 45 On the crucial cultural role played by *imagines*, see Flower (1995).
- 46 On the role of the emperor in guarding the populace against luxurious indulgence, compare Weileder (1998), 241–7.
- 47 On the rhetorical role of the censorship in Valerius' work, see Humm (1998).
- 48 Humm (1998), 80–2, discusses the source tradition (Valerius Antias and Livy), with remarks on Valerius' decision to follow Antias, which made Flamininus' prostitute a woman, rather than a man.
- 49 Cf. Lucius Albinus, citizen of Rome above in chapter two.
- 50 On the source tradition, cf. Fleck (1974), 106–18. See also Edwards (1993), 112–14, for a discussion of the political issues.
- 51 Caesar's soothsayer may be found in Val. Max. 1.6.13 and 8.11.2.
- 52 On the social prospects of those without *imagines*, see Weaver (1974).
- 53 On this oral tradition, see Wiseman (1989). Cf. Cicero *Tusc.* 1.2.3, 4.2.3; *Brut.* 19.75; *Hort.* 4.15.25; Varro ap. Non. p. 76. Roman youths heard inspiring stories during funeral eulogies as well; Flower (1995), 131. Of course, one could also turn to the stage for historical and moral education; cf. Wiseman (1993), 134–5, and (1994), 1–22.
- 54 Compare the numerous facilities available for the practice of such veneration by citizens in Hänlein-Schäfer (1985).
- 55 One may compare the Tiberian senate's decree on a man who forgot what love and reverence (*tantum venerationis caritatisq(ue)*) he owed to the son of the princeps (*s.c. de Cn. Pisone patre* 59–60).

Conclusion

- 1 These temples desired by Tiberius found an echo in the faithful piety of soldiers, as described by the *s.c. de Cn. Pisone patre* 159–65: *item senatum probare eorum militum fidem, quorum animi frustra sollicitati essent scelere Cn. Pisonis patris, omnesq(ue), qui sub auspiciis et imperio principis nostri milites essent, quam fidem pietatemq(ue) domui Aug(ustae) p-raesta-vent, eam sperare perpetuo praestatueros, cum scirent salutem imperi nostri in eius dom-u-<s> custodia posita<m> esse{t}: senatum arbitrari eorum curae atq(ue) officii esse, ut apud eos ii, qui quandoq(ue) e-i-<s> praessent, plurimum auctoritatis <haberent>, qui fidelissima pietate salutare huic urbi imperioq(ue) p(opuli) R(omani) nomen Caesarum coluissent.* The text is taken from Eck, Caballos, and Fernández (1996).
- 2 Cf. Hölscher (1993), 74: "In dem die Mythen zu Leitbildern der Gegenwart funktionalisiert werden, gibt sich die Gegenwart den Anschein mythischer Größe." On sacred time, compare Fugier (1963), 321–9, and Beard (1987).
- 3 Balsdon (1962), 246.
- 4 Compare Tatum (1993); MacMullen (1981), 57–9; and Cipriano (1978), 67–91.
- 5 Cf. e.g. Nock (1933), 156–63.
- 6 Since this is the general thesis of Bloomer (1992), we observe that we have discovered no evidence to contradict it.

- 7 Cf. Linderski (1982 [1983]), 17–18, on *theologia tripertita*.
- 8 One may compare the description of Valerius' near contemporary Manilius *Astron.* 5.504–19, esp. *hinc Augusta nitent sacratis munera templis, / aurea Phoebeis certantia lumina flammis / gemmarumque umbra radiantibus ignes* (5.510–12).
- 9 Friedländer (1979 [1921–3]) 6.513.
- 10 Cf. Bayet (1957), 193: “l'action d'Auguste marque un tournant décisif, à un moment crucial, dans l'histoire de la religion romaine.”
- 11 For an historical analysis of Sejanus' fall, see Hennig (1975), 139–59, who confirms Valerius' conformance to the official view: “Ganz deutlich wird [die] offizielle Version ... bei dem Zeitgenossen Valerius Maximus faßbar” (146). We will confine ourselves here to religious aspects.
- 12 Compare Thomas (1984).
- 13 The roots of Valerius' astral theology are deep. In addition to works cited above in the introduction, we may add Gagé (1955), 583–637, who connects the Julian stars with Augustus' Apollo and traditional Roman religion in detail. Valerius' deep-seated astral devotions once again help demonstrate the effectiveness of Augustus' religious restorations a generation earlier.
- 14 Compare also the prologue of Arcturus in Plautus *Rudens* 1–30. Tiberius' abilities are remarkably similar to those ascribed to Jupiter.
- 15 On the divinity of *Amicitia*, compare the discussion above in chapter four. Syme (1986), 311, reverses the Valerian picture: “The long slow plot devised by Caesar against his minister and dear friend matured in sharp and savage action in October of the year 31.”
- 16 This power was legal. Cf. Bleicken (1991), 21: “Der Prinzipat ist eine neue Ordnung, wir dürfen ruhig sagen: Rechtsordnung;” and 22: “im Prinzipat vermochten [die] Zeitgenossen die Herrschaft des Einen als eine verfaßte Ordnung zu erkennen und anzuerkennen.” We know that those who refused to worship this legally consecrated power would on many occasions come to experience the wrath of this legally established god in his manifold incarnations over the ensuing centuries.
- 17 The phrase is Joseph Conrad's.
- 18 We may note in passing Syme (1991), 464–5, who adduces evidence that Valerius was himself of Spanish origin.
- 19 Warde Fowler (1914), 87–8.
- 20 Compare Syme (1958), 420–34, on the general accuracy of Tacitus on Tiberius.
- 21 Valerius Maximus was not the only author to recognize the rewards of piety. Compare Marcus Valerius Martialis 1.112.8–12 celebrating the saving devotion of the pious citizen M. Aquilius Regulus: *Tantae, Regule, post metum querellae / Quis curam neget esse te deorum, / Propter quem fuit innocens ruina?*

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