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University
of Glasgow

*Cassius Dio's Speeches and
the Collapse of the Roman
Republic*

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Submitted in fulfilment of the
requirements for the degree of

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Abstract: Dio's Speeches & the Collapse of the Roman Republic

This thesis argues that Cassius Dio used his speeches of his Late Republican and Augustan narratives as a means of historical explanation. I suggest that the interpretative framework which the historian applied to the causes and success of constitutional change can be most clearly identified in the speeches.

The discussion is divided into eight chapters over two sections. Chapter 1 (Introduction) sets out the historical, paideutic, and compositional issues which have traditionally served as a basis for rejecting the explanatory and interpretative value of the speeches in Dio's work and for criticising his *Roman History* more generally.

Section 1 consists of three methodological chapters which respond to these issues. In Chapter 2 (Speeches and Sources) I argue that Dio's *prosopopoeiai* approximate more closely with the political oratory of that period than has traditionally been recognised. Chapter 3 (Dio and the Sophistic) argues that Cassius Dio viewed the artifice of rhetoric as a particular danger in his own time. I demonstrate that this preoccupation informed, credibly, his presentation of political oratory in the Late Republic and of its destructive consequences. Chapter 4 (Dio and the *Progymnasmata*) argues that although the texts of the *progymnasmata* in which Dio will have been educated clearly encouraged invention with a strongly moralising focus, it is precisely his reliance on these aspects of rhetorical education which would have rendered his interpretations persuasive to a contemporary audience.

Section 2 is formed of three case-studies. In Chapter 5 (The Defence of the Republic) I explore how Dio placed speeches-in-character at three Republican constitutional crises to set out an imagined case for the preservation of that system. This case, I argue, is deliberately unconvincing: the historian uses these to elaborate the problems of the distribution of power and the noxious influence of φθόνος and φιλοτιμία. Chapter 6 (The Enemies of the Republic) examines the explanatory role of Dio's speeches from the opposite perspective. It investigates Dio's placement of dishonest speech into the mouths of military figures to make his own distinctive argument about the role of imperialism in the fragmentation of the *res publica*. Chapter 7 (Speech after the Settlement) argues that Cassius Dio used his three speeches of the Augustan age to demonstrate how a distinctive combination of Augustan virtues directly counteracted the negative aspects of Republican political and rhetorical culture which the previous two case-studies had explored. Indeed, in Dio's account of Augustus the failures of the *res publica* are reinvented as positive forces which work in concert with Augustan ἀρετή to secure beneficial constitutional change.

Acknowledgements

'This was not, like the fabled Goddess of Wisdom, the offspring of a single brain. It ought to be regarded as the work of many heads and many hands.'

James Madison, March 10th 1834

I would not dream of comparing this thesis to an undertaking as momentous as the United States Constitution must have been, even if the process of writing it has at times felt comparably exhausting. However, this thesis would never even have been started without the support and contribution of many other heads and hands. The thanks I extend here do not match up to their input, but I will try my best.

I cannot begin to express my gratitude to my supervisors, Catherine Steel and Henriette van der Blom. I would not have wanted to supervise me as I first arrived, a rather shambolic 22-year-old graduate. I owe to them the inspiration for the methodological chapters of this thesis: it was they who underlined the importance of Dio's education and his relationship with his time and sources. For the case-studies, their expertise in the Late Republic has been invaluable. But this is not comparable to the debt I owe them for their patience and support in the herculean (but happily not sisyphian) task of turning me into an efficient and organised human being.

I would have been unable to put this thesis together without the support of my colleagues. Within Glasgow, I am grateful above all to Lisa Hau. She has been an endless source of encouragement and friendship in research and teaching. Outwith Glasgow, I am particularly grateful to Adam Kemezis, Christopher Mallan, Brandon Jones, and William Rees, whose research in recent years on Cassius Dio has been of enormous help. The stimulating discussion and kind encouragement of John Rich, Christa Grey, Jen Hilder, Saskia Roselaar, Roman Frolov, Jesper Madsen, Carsten Lange, Zara Chadha, and Elena Giusti has furthermore been invaluable. Particular thanks are also due to Luke Pitcher for his meticulous and invaluable corrections to this thesis above and beyond the call of duty.

Above all, I thank my family for persevering in the unenviable Burden of supporting me in the classics. It is only thanks to the huge sacrifices made by my father that I was able to enter my degree and my doctorate. He is the intellectual model of my life; I would be lost without him. I am blessed for my mother and her limitless understanding when faced with my cancellations of our weekly catch-ups. And for my grandmother, Valerie, I cannot write the words. Finally, thank you, Duncan, for putting up with me.

Note on Texts and Translations

For my primary source of Cassius Dio I have used Cary's 1914-1927 *LCL* edition of the text, and have preferred his book-numberings over those of Boissevain's 1898 edition and those of earlier scholars. However, for books 72-80 of the history, I have placed the book-number of Boissevain's edition after Carey's numbering in square brackets (e.g. Cass. Dio. 73[72].1.1). All Cassius Dio fragments are taken from the first two of the nine *LCL* volumes and are denoted by 'F' followed by Carey's fragment and section number (e.g. Cass. Dio. F 2.4). All translations of Dio are my own unless otherwise indicated.

For the *progymnasmata* of Aelius Theon, pseudo-Hermogenes, Aphthonius, and Nicolaus, I have used G. A. Kennedy's *Progymnasmata: Greek Textbooks of Prose Composition and Rhetoric*, Society of Biblical Literature, Atlanta, 2003. In all cases I have preferred to use his translation. Chapter- and section-numbers for Aelius Theon's *progymnasmata* are those contained within Kennedy's 2003 edition, and not those of Spengel's *Rhetores Graeci*. For the treatise of pseudo-Hermogenes I have followed Kennedy's practice and used the page-numbers of Rabe's *Hermogenis Opera*. For that of Aphthonius I have used the page-numbers of Rabe's *Aphthonii Progymnasmata* and of Spengel's *Rhetores Graeci* interchangeably, as does Kennedy. For Nicolaus' text I have used the page-numbers of Felten's *Nicolai Progymnasmata*, again as followed in Kennedy's 2003 edition.

For Philostratus' *Vitae Sophistarum* I have used Wright's 1921 *LCL* edition, but translations of this text are my own unless otherwise indicated. For his *Vita Apollonii* I have used the first two of three volumes of C. P. Jones' new 2005-2006 *LCL* edition, again preferring my own translations.

Translations into English of French, German, and Italian scholarship are my own, usually with important points of translation preserved in italics in the body of the translation or in the corresponding footnote.

All other book, section, and chapter numbers are taken from the *LCL* edition of each author and quotations of these are my own translation unless otherwise specified.

List of Abbreviations

| | | | |
|------------|------------------|---|---|
| Aphth. | Aphthonius | <i>Prog.</i> | <i>Progymnasmata</i> |
| App. | Appian | <i>BC</i> <i>Gall.</i> <i>Mith.</i> | <i>Bellum Civile</i> <i>Gallica</i> <i>Mithridatica</i> |
| Apul. | Apuleius | <i>Ap.</i> <i>As.</i> <i>Flor.</i> | <i>Apologia</i> <i>Asinius Aureus</i> <i>Florida</i> |
| Arist. | Aristotle | <i>NE</i> <i>Pol.</i> <i>Rhet.</i> | <i>Ethica Nicomachea</i> <i>Politica</i> <i>Rhetorica</i> |
| [Arist.] | pseudo-Aristotle | <i>Rh. Al.</i> | <i>Rhetorica ad Alexandrum</i> |
| Aristid. | Aristides | <i>Or.</i> | <i>Orationes</i> |
| Aug. | Augustus | <i>RG</i> | <i>Res Gestae Divi Augusti</i> |
| Caes. | Julius Caesar | <i>BC</i> <i>BG</i> | <i>De Bello Civile</i> <i>De Bello Gallico</i> |
| Cass. Dio. | Cassius Dio | | <i>Historia Romana</i> |
| Cic. | Cicero | <i>Att.</i> <i>Brut.</i> <i>Cael.</i> <i>Cat.</i> <i>Deiot.</i> <i>Dom.</i> <i>Fam.</i> <i>Fin.</i> <i>Har. Resp.</i> <i>Inv.</i> <i>Man.</i> <i>Or.</i> | <i>Epistulae ad Atticum</i> <i>Brutus</i> <i>Pro Caelio</i> <i>In Catilinam</i> <i>Pro Rege Deiotaro</i> <i>De Domo Sua</i> <i>Epistulae ad Familiares</i> <i>De Finibus</i> <i>De Harispicum Responso</i> <i>De Inventione</i> <i>De Imperio Gnaei Pompei</i> <i>De Oratore</i> |

| | <i>Part. Or.</i> <i>Phil.</i> <i>Red. Sen.</i> <i>Rep.</i> <i>Tusc.</i> <i>Verr.</i> | <i>Partitiones Oratoriae</i> <i>Philippicae</i> <i>Post Reditum in Senatu</i> <i>De Republica</i> <i>Tusculanae Disputationes</i> <i>In Verrem</i> |
|--------------|---|---|
| [Cic.] | Auctor ad Herennium | |
| | <i>Rhet. Her.</i> | <i>Rhetorica ad Herennium</i> |
| Dem. | Demosthenes | |
| | <i>FL</i> | <i>De Falsa Legatione</i> |
| D.H. | Dionysius of Halicarnassus | |
| | <i>AR</i> | <i>Antiquitates Romanae</i> |
| Dio. | Dio of Prusa | |
| | <i>Or.</i> | <i>Orationes</i> |
| Diod. | Diodorus of Sicily | |
| | | <i>Bibliotheca Historica</i> |
| Diog. Laert. | Diogenes Laertius | |
| | | <i>Vitae Philosophorum</i> |
| Eph. | Ephorus | |
| Eunap. | Eunapius | |
| | <i>VS</i> | <i>Vitae Sophistarum</i> |
| Gell. | Aulus Gellius | |
| | <i>NA</i> | <i>Noctes Atticae</i> |
| HA | Historia Augusta | |
| | <i>Did. Jul.</i> | <i>Didius Julianus</i> |
| Hdt. | Herodotus | |
| [Hermog.] | pseudo-Hermogenes | |
| | <i>Prog.</i> | <i>Progymnasmata</i> |
| Herod. | Herodian | |
| | | <i>Historia Romana</i> |

| | | | |
|------------|-----------------|---|---|
| Hor. | Horace | <i>Od.</i> | <i>Carmina</i> |
| Liv. | Livy | | <i>Ab Urbe Condita</i> |
| Luc. | Lucian | <i>Bacch.</i> <i>De Merc.</i> <i>Hist. Consc.</i> <i>Rhet. Praec.</i> | <i>Bacchus</i> <i>De Mercede Conductis</i> <i>De Historia Conscribenda</i> <i>Rhetorum Praeceptor</i> |
| Lys. | Lysias | | |
| Max. | Maximus of Tyre | <i>Dial.</i> | <i>Dialexeis</i> |
| Men. Rhet. | Menander Rhetor | | <i>De Epideicticis</i> |
| Nicol. | Nicolaus | <i>Prog.</i> | <i>Progymnasmata</i> |
| Ov. | Ovid | <i>Pont.</i> | <i>Tristia ex Ponto</i> |
| Phaed. | Phaedrus | <i>Fab.</i> | <i>Fabulae</i> |
| Phil. | Philistus | | |
| Philost. | Philostratus | VA VS | <i>Vita Apollonii</i> <i>Vitae Sophistarum</i> |
| Plat. | Plato | <i>Gorg.</i> <i>Phaed.</i> <i>Phd.</i> <i>Prot.</i> <i>Rep.</i> | <i>Gorgias</i> <i>Phaedrus</i> <i>Phaedo</i> <i>Protagoras</i> <i>Respublica</i> |
| Plu. | Plutarch | <i>Caes.</i> <i>Cic.</i> <i>Crass.</i> <i>Dem.</i> <i>Mar.</i> <i>Pol. Prag.</i> <i>Pomp.</i> | <i>Caesar</i> <i>Cicero</i> <i>Crassus</i> <i>Demosthenes</i> <i>Marius</i> <i>De Republica Gerenda</i> <i>Pompeius</i> |

| | | | |
|------------|---------------------|--|---|
| | | <i>Sull.</i> <i>TG</i> | <i>Sulla</i> <i>Tiberius Gracchus</i> |
| Polyb. | Polybius | | |
| Quint. | Quintilian | <i>Inst. Or.</i> | <i>Institutio Oratoria</i> |
| Sall. | Sallust | <i>Cat.</i> <i>Hist.</i> | <i>De Coniuratione Catilinaria</i> <i>Historiae</i> |
| Sen. | Seneca | <i>Ben.</i> <i>Clem.</i> <i>Contr.</i> <i>Suas.</i> | <i>De Beneficiis</i> <i>De Clementia</i> <i>Controversiae</i> <i>Suasoriae</i> |
| Soph. | Sophocles | <i>Aj.</i> | <i>Ajax</i> |
| Suet. | Suetonius | <i>Aug.</i> <i>Jul.</i> | <i>Divus Augustus</i> <i>Divus Julius</i> |
| Tac. | Tacitus | <i>Ann.</i> <i>Hist.</i> | <i>Annales</i> <i>Historiae</i> |
| Theon. | Aelius Theon | <i>Prog.</i> | <i>Progymnasmata</i> |
| Theopomp. | Theopompus | | |
| Thuc. | Thucydides | | |
| Val. Max. | Valerius Maximus | | <i>Facta et Dicta Mermorabilia</i> |
| Vell. Pat. | Velleius Paterculus | | |
| Xen. | Xenophon | <i>Ages.</i> <i>Mem.</i> | <i>Agesilaus</i> <i>Memorabilia</i> |

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Chapter 1: Introduction

Cassius Dio and his Speeches

Scholarly interest in the eighty-book *Roman History* of Lucius Cassius Dio, researched and written in Greek over a period of twenty-two years around the turn of the third century CE, has traditionally been confined to two debates.¹ The first of these, conventional source-criticism, represents the vast majority of scholarship prior to Millar's *Study of Cassius Dio*. In particular, the literature from this period aimed to quantify or criticise the historian's intellectual debt to his predecessors and to identify the material in his work which could be usefully employed to reconstruct the lost sections of others.² The second debate, that of the composition and role of the speeches in his work, has equally provoked frequent discussion. Like the study of his narrative, the study of Dio's speeches was at one time confined to source-criticism and determining from which texts the historian drew.³ But in recent decades – and again especially after Millar's *Study* – these compositions have enjoyed renewed interest as compositions in their own right.

These discussions have unearthed important aspects of the historian's use of speeches within his work. Several have investigated the way in which Cassius Dio deployed these compositions, and especially the speech of Maecenas in Book 52, to articulate his own views on the ideal constitution and the relationships between emperor and senate.⁴ Others have explored how Dio used his speeches to advocate a philosophy of ideal kingship and to set out his own paradigm of the ideal ruler as a corrective to Commodus, Caracalla, and Elagabalus.⁵ A number of studies have identified how Cassius Dio capitalised on the opportunity offered by speeches to assert his παιδεία and enhance his self-presentation as a πεπαιδευμένος: an educated member of the Greek elite versed in Classical literature and

¹ For Dio's *cognomen* cf. Roxan (1985) no. 133, 1.18; Gowing (1990) 49-54; Rich (1990) 1 n.1; and Rees (2011) 1. On the beginning and end date of the twenty-two-year composition of the history, anywhere between the 190s and 220s, cf. Schwartz (1899) 1686; Gabba (1955) 289-301; Millar (1964) 28-32; Letta (1979): 117-189; Barnes (1984) 240-255; Rich (1989) 89-92, (1990) 3-4; Swan (2004): 28-34; Kemezis (2014) 282-293.

² For summaries of the older source-criticism, cf. Haupt (1882); Boissevain (1898) Vol. 1, ci-ciii; Schwartz (1899) 1685.

³ Cf. for example Fischer (1870); Straumer (1872); Meyer (1891); Litsch (1893); Kyhnitzsch (1894); Vlachos (1905). Further in Chapter 2.

⁴ E.g. Hammond (1932) 88-102; Beicken (1962) 444-467; Millar (1964) 102-118; Usher (1969) 252; Dalheim (1984) 216; Dorandi (1985) 56-60; Fechner (1986) 71-86; Reinhold (1988) 179; Rich (1989) 99; and Kuhlmann (2010). Adler (2012) 477-520 has recently applied operational code analysis to both the speeches of Agrippa and Maecenas to determine their concordance with Dio's views on government throughout the history, and argues that Agrippa's 'democracy' speech is by no means the weaker party, as suggested by Gabba (1955) 316, (1984) 72; Strasburger (1977) 48; McKechnie (1981) 151-153; and Fechner (1986) 71-86. For a balanced view, cf. Kemezis (2014) 130-131.

⁵ E.g. Millar (1964) 79-82; Giua (1983) 324-325; Gowing (1997); Swan (2004) 147-149 Gowing (1997); Davenport & Mallan (2014); Madsen (forthcoming, 2016). Further in Chapter 7.

rhetoric, equipped with a liberal education in the arts and sciences.⁶ More canonically, Dio used his orations to set forth the words that a reader could reasonably expect from the speaker and the situation, in accordance with Quintilian's tenet of speeches in historiography: that everything said be *cum rebus tum personis accommodata*.⁷ As Millar has argued, the historian appears to have used his speeches 'not to focus a particular political situation or a particular character, but to set forth the moral sentiments appropriate to the situation'.⁸ This view has been influential.⁹

These are important aspects of the orations that Cassius Dio composed for his work, and represent the overwhelming majority of the scholarship in this area in recent decades. But these are details: they are individual aspects of the character of the historian's speeches. They do not give a broader picture of how Dio conceived of the role of speech in narrating and explaining history for his readers. In other words, there has been no research into how the historian used his speeches to elucidate the causes of historical events, to explain the problems inherent in the military, political, and constitutional organisation of the Late Republican state,¹⁰ and to set out his own overarching interpretation of the failure of that state and the causes of constitutional change. The explanatory and interpretative role of the speeches within Cassius Dio's narrative of the late Roman *res publica* is crucial to our understanding both of the historian and of speeches in historiography as a whole, yet remains, to my knowledge, completely uncharted.

Cassius Dio's importance as a source for our understanding of the Late Republic has never been matched by scholars' enthusiasm for him. Set alongside our other most complete narrative of the first century BCE, Appian's Greek *Bellum Civile*, Dio's history has traditionally failed to inspire confidence, even where our contemporary Latin sources – Cremutius Cordus, Livy, Asinius Pollio, Sallust's *Histories*, Aelius Tubero – have failed to survive. In particular his skill as an historical interpreter, able to form a credible analysis of the nexus of events which led to the downfall of the Republic and emergence of the

⁶ Cf. Fomin (forthcoming, 2016); Jones (forthcoming, 2016). Further in Chapter 3. Rees (2011) 5 n.18 has already remarked that the historian espouses the value of *παίδεια* on numerous occasions (Cass. Dio. F. 40.3; 54.3; 57.23; 57.51; 38.18.1; 38.23.2; 46.35.1). This tendency naturally manifests itself in the speeches, for critiques of which cf. Millar (1964) 177; Reardon (1971) 209; Aalders (1986) 282-304; and Gowing (1992) 290.

⁷ Quint. *Inst. Or.* 10.1.101.

⁸ Millar (1964) 79. Also Millar (1961) 14-15.

⁹ Stekelenburg (1971) 50; Gowing (1992) 244; Saylor Rodgers (2008) 297.

¹⁰ One exception is the recent article of Coudry (forthcoming, 2016), which argues that Dio deployed the lengthy speech of Q. Lutatius Catulus on the *lex Gabinia* in Book 36 to explore the constitutional ramifications of this law. I will turn to this in more detail in Chapter 5.

Principate, has met scant recognition. Millar, whose 1964 monograph remains the definitive study of the historian, wrote that

the long years of working through the whole of Roman history brought Dio to formulate no general historical views whatsoever. The sheer effort of note-taking and composition absorbed his energies and left no time for analysis or interpretation, and what he produced was a history whose justification lay simply in being itself, a continuous literary record which began at the beginning and went on as far as its author could take it. The opinions he expresses are therefore incidental, and largely called into existence by the demands of literary form.¹¹

In other words, to Millar the immensity of Cassius Dio's project caused him to apply no overarching theoretical or conceptual framework to his narrative of constitutional changes. Millar expresses this view more candidly elsewhere: the historian conceived of 'no explicit framework in terms of which he interprets the events he narrates, and there is nothing to show that he had any specific aim in view save that of composing the work itself'.¹² It is testament to the permanence of this view that Kemezis, whose magisterial 2014 study examines Cassius Dio's narrative of the Late Republic with great sympathy, vindicates the work with a caveat:

Dio seldom if ever applies to any one incident the analytical acumen of a Polybius or a Thucydides, and he does not show the talent those historians do for condensing complex stretches of history into a compelling framework of causal explanation. At the detail level, Dio can indeed be conventional and sometimes downright banal, though he is not always so, and modern scholars have often unfairly censured him for failing in tasks he never attempted or contemplated.¹³

To some extent, then, the *Roman History* continues to be evaluated in the terms that Millar determined for it. If Cassius Dio did develop a causal framework for the decline of the Late Republic and inception of the Principate as this thesis will discuss, or for the course of Roman history more broadly, it is opaque. However, the fact that Dio does not appear to have explicitly delineated such an interpretative skeleton does not mean that it did not exist.

¹¹ Millar (1964) 115.

¹² Millar (1964) 73.

¹³ Kemezis (2014) 93.

To determine how Dio conceived of the downfall of the Roman *res publica* and where this process belonged within the broad sweep of his history, from the foundation of Lavinium to his own second consulship with Severus Alexander in 229 CE,¹⁴ it would be attractive to look to the historian's preface. In both the Greek and Latin historiographical traditions, the preface served as the programmatic locus *par excellence*: here the historian set out his view of history and the magnitude of his subject, inveighed against the inaccuracies of his predecessors, and asserted the distinctiveness of his own contribution to the reader's understanding. The importance of the preface cannot be exaggerated. The study of Thucydides, for example, would be far less advanced had his preface not survived. The proper interpretation of Thucydides' programmatic statement on speeches at 1.22, in which he promises to 'make each speaker say what I thought the circumstances required of them, adhering as closely as possible to the general sense of what truly was said',¹⁵ has been a subject of fierce debate precisely because this section of the preface determines our interpretation of the speeches in general.¹⁶ Thucydides' assertion that the reader will find little pleasant to hear in the absence of mythical or fabulous content, but should instead draw lessons from his sound investigation of the truth, has framed the positivist reception of the work as a whole.¹⁷ Moreover, the Archaeology within the preface locates the Athenian and Spartan πολιτεῖαι within the history of Greece and delineates how they arrived at their fifth-century condition. In the preface, Thucydides establishes a clear place for his subject within the course of Greek history and establishes principles by which his work should be read. The same is the case for Appian, Dionysius, Polybius, Sallust, and Tacitus.¹⁸

Cassius Dio's preface, on the other hand, is lost. All that remains of this important section of the work is four discrete fragments of the first book. Like Thucydides, whose language and thought Dio visibly imitated even in the preface,¹⁹ the historian appears to have embedded programmatic statements on his methodology within the Archaeology. But the

¹⁴ For Dio's life and career, cf. Millar (1964) 5-27: Dio's father was governor of Dalmatia (Cass. Dio. 69.1.3) as well as *legatus* of Cilicia (69.1.3, 73[72].7.2); he may also have obtained the consulship (*IGRR* 3.654). Cassius Dio himself was probably praetor in 194 CE (74[73].12.2) and held his second consulship in 229 CE (80[79].5.1). For a prosopography of both, cf. *PIR*² C 413 and *PIR*² C 492. The dates of Dio's first consulship and other provincial commands are unclear: for this debate cf. Schwartz (1899) 1684-1686; Vrind (1923) 163-8; Gabba (1955) 289-301; Eisman (1977) 657-673; Reinhold (1988) 1-4; Swan (2004) 1-3.

¹⁵ Thuc. 1.22.1.

¹⁶ Bicknell (1990); Swain (1993); Garrity (1998); Wiater (2014).

¹⁷ Thuc. 1.22.4. My own translation here is close to Crawley's 2004 version, which I have selected simply for the sake of clarity.

¹⁸ App. *Praef.*; D.H. *AR* 1.1-8; Polyb. 1.1-15, 3.1-32; Sall. *Cat.* 1-4; Tac. *Ann.* 1.1-4.

¹⁹ Historically, this aspect of the historian's writing has been treated with marked criticism: cf. Melber (1891) 290-7; Litsch (1893); Kyhntzsch (1894); Schwartz (1899) 1690-1; Millar (1964) 42; Manuwald (1979) 280-284; Aalders (1986) 294; Lintott (1997) 2499-2500; Parker (2008) 77.

factors which in Dio's view governed Roman history are noticeably absent.²⁰ In the fragmentary preface, then, we have little to go by. If Cassius Dio did outline a conceptual framework which governed the development of the work as a whole, delineated key philosophical, moral, economic, and political factors of history, or explained his views on the role of speeches, it does not survive. It is reasonable to assume that like Tacitus and Appian, Dio's preface will have contained a periodisation of Roman history into four major eras of βασιλεία, δημοκρατία, δυναστεία, and μοναρχία.²¹ Dio explicitly sets out this periodisation at major points of political change. But more than this cannot be said. The loss of the preface means that we are absolutely without an overarching interpretation of the character of the longest and most detailed of these periods – the Late Republic – and an explicit introduction to the causal factors which in Dio's view led to its collapse.²²

In this thesis I propose that the interpretative skeleton which Cassius Dio applied to the decline of the Roman Republic and its transition to the Augustan Principate can be found in the speeches, and that this was a deliberate choice on Dio's part. I argue that Dio did develop a causation of this change, partly from the works of his predecessors and partly from his own interpretation; but scholars are not at all on firm ground in searching for this causal framework in the narrative alone. I suggest that Dio most clearly articulates what he saw as the major political and constitutional problems of the Roman Republic within the speeches, not in the narrative. Dio's speeches have been too often discussed as standalone set-pieces, and misunderstood as a result. A discussion of speeches in historiography must consider not only their immediate narrative context, but their relationship with narrative material or other speeches located long after or beforehand.

The question of how Cassius Dio used his speeches to emphasise and elaborate the ramifications of the major political, constitutional, military, and ethical factors of his historical causation has received far less scholarly attention than its importance demands. The only major study to develop an extended analysis of the relationship between the speeches in the *Roman History* and Dio's own historical views is that of Fechner. Fechner's 1986 thesis is that Cassius Dio embedded within his speeches his own conception of the fundamental characteristics of the Republican constitution. Fechner analyses the content of the speeches in concert with the diegetic material and

²⁰ Cass. Dio. F 1.1.1, F 1.1.2-3, F 2.4.

²¹ As Fromentin (2013) 23-38 has recently argued.

²² Swan (1997) has shown that the pace of the work noticeably accelerates after Book 53 with the advent of the Principate; the Late Republic was Dio's especial interest.

programmatic statements which surround them; and concludes that the orations served to set out Dio's own view of the *res publica*.²³ Fechner's analysis is the first extended attempt to unearth the theoretical framework contained within Dio's speeches by considering them in relation to the narrative that surrounds them. However, while Fechner examined these compositions innovatively to find that framework, he did not set out how Dio used his speeches to demonstrate that framework exerting a causal effect upon historical events. That is the gap this thesis proposes to fill.

This analysis of the place of the speeches within the causal skeleton that Cassius Dio applied to the end of the Roman Republic and of their role as a means of historical explanation contributes to our knowledge in three ways. Firstly, it will give a clear indication of precisely what that framework was. I will use the speeches to determine what historical factors Dio saw as innate to the Late Republic in particular and how these precipitated the failure of that constitution. Secondly, by setting out this framework we will be able to analyse what is distinctive in Dio's interpretation. By understanding what is original in the *Roman History* in comparison to other sources, we will be able to determine what Dio brings that other historians do not, and what his work contributes to our knowledge of the Late Republic and the Augustan era. Thirdly, this discussion can further our understanding of the role of speeches in historiography. The formal orations of Greek and Latin history-writing are very rarely read in the light that I propose.²⁴

Dio's Causation of Constitutional Change

My intention, then, is to demonstrate what Cassius Dio contributes to our historical knowledge of the Late Republic; the role of speeches in convincingly setting out that contribution for the contemporary reader; and the way in which we today can use speeches to identify an ancient historian's causal framework, even in 'sophistic' historiography.²⁵ In Chapters 2, 3, and 4 I will deal with the methodological problems which seem to me to have prevented the historical-explanatory reading of Dio's speeches I propose to make. However, before moving on to discuss these it will be beneficial to give a brief conspectus of what the historian's causal framework *was* and where this belongs within the tradition of writing the Late Republic. This preliminary summary of Dio's will make his causal framework easier to recognise when we come to read the speeches in Chapters 5, 6, and 7.

²³ For these conclusions, cf. Fechner (1986) 247-251.

²⁴ Although see recently Wiater (2010).

²⁵ See Chapter 3 here for a more detailed discussion and in the next section of this Introduction.

Dio is not usually credited with forming an original and distinctive interpretation of the factors which led to the failure of the Republic and the comparatively peaceful ratification of the Augustan Principate. There may have been little room to manoeuvre in this regard: all accounts of the decline of the *res publica* were remarkably conventional, and do not appear to have attempted a radical reinterpretation.²⁶ Rees, whose thorough discussion of Dio's use of classical ideas of φύσις treats the historian with great sympathy, suggests that the historian differs from his predecessors, 'if he differs at all, only in the intensity of his account; as a comparatively late writer, he might have struggled to make his mark on a well-worn period'.²⁷ Although his tone is more forgiving, Rees here echoes a thought expressed in Millar's *Study*:

To write a connected narrative of late Republican political history is a task that might daunt anyone. For Dio, who came to it only as part of the whole sweep of Roman history, the chances of dealing with it in a way that was profound or original were small indeed.²⁸

The originality of Cassius Dio's interpretation, then, is not fully recognised even today; least of all in the Late Republican narrative. Kemezis has recently investigated the distinctiveness of Dio's account of this period in terms of its role as a commentary on the Severan age. In his view, the historian mapped his own lived experience onto the first century BCE and in so doing delivered a critique of his contemporary situation quite distinct from the most recent major Greek history of Appian. However, despite recognising the significant formal originality of his undertaking,²⁹ Kemezis' valuable study does not investigate those individual aspects of Dio's historical interpretation which relate specifically to the Late Republic, rather than to the contemporary situation. 'Readers', Kemezis writes, 'would naturally have asked what was new or original, what Dio was adding to the existing record. Dio might have given many answers, but the most interesting from our point of view relates to the Severan context.'³⁰

The case-studies of this thesis will explore those many other untouched answers. I suggest that the skeleton of historical causation which Dio applied to the collapse of the Republic and the success of the Augustan Principate can be divided into six historical factors.

²⁶ Sion-Jenkis (2000) 65-121.

²⁷ Rees (2011) 4. My emphasis.

²⁸ Millar (1964) 46, 77.

²⁹ Kemezis (2014) 92.

³⁰ Kemezis (2014) 103.

These factors relate principally to their period, divorced from the Severan context. I argue that taken together, these represent Cassius Dio's contribution to our knowledge of the process of constitutional change. Chapters 5, 6, and 7 of this study will demonstrate that the historian used his speeches and their interaction with the surrounding material to elaborate these six factors, which I outline below. In what follows I state Dio's argument, the theoretical framework in which it functions, and an example from a speech.

1) The supreme executive power of the *res publica*, the dictatorship, grew to be an unviable and unattractive exercise of powers. In consequence, in Dio's view this generated the imperative for a new position of absolute authority in the form of monarchy as such.

As a fervent advocate of autocracy, Cassius Dio recognised the imperative for sole rule.³¹ He writes on the appointment of the first dictator that the Romans 'desired the benefit of monarchy, which seemed to them to exert a powerful influence in times of war and revolution'.³² Similarly, on the assassination of Caesar the historian opines that 'the name of monarchy is not pretty to hear, but it is the most practical government to live under; for it is easier to find one excellent man than many of them'.³³ However, in Cassius Dio's interpretation, during the Late Republic the *dictatura* came under strain on both constitutional and reputational grounds and in consequence could no longer respond to foreign and domestic crisis. New extraordinary powers were required.

Constitutionally, the historian brings the problem of the dictatorship to its fullest expression in the speech of Q. Lutatius Catulus, in his narrative of the *lex Gabinia* in Book 36. At 36.34, Dio's Catulus argues that, rather than entrusting unprecedented powers to Cn. Pompeius Magnus to combat Mediterranean piracy,³⁴ the *Quirites* should instead follow established precedent and nominate a dictator: 'on the condition that he hold office no longer than the established time and remain in Italy...for no example can be found of a dictator sent abroad, except one who was sent to Sicily and who accomplished nothing to boot'.³⁵ This argument is deliberately illogical: it was clear to the historian that the dictatorship was unable to respond to the piracy crisis of 67 BCE and that

³¹ Cass. Dio. 44.2.1 describes monarchy as the best form of government. For a nuanced view see Kemezis (2014), 129: 'in Dio's own world, monarchy had long ceased to be something one was for or against'. On Dio's view of the role of elites such as himself within the monarchy, cf. Davenport & Mallan (2014); Madsen (forthcoming, 2016).

³² Cass. Dio. 4 F 13.1.

³³ Cass. Dio. 44.2.1.

³⁴ However, as Jameson (1970) points out, Pompeius was not in fact exceptional in his pirate command: both M. Antonius Creticus and his father M. Antonius were awarded similarly extraordinary commands.

³⁵ Cass. Dio. 36.34.2.

the *lex Gabinia* would naturally be ratified in this context. In this way, Dio uses this speech to demonstrate the unsuitability of the dictatorship for the new challenges of a Republican empire.

On reputational grounds, Dio argues through M. Tullius Cicero's amnesty-speech in Book 44 that the dictatorship had grown unattractive as well as unviable. In this oration, the historian suggests that within the mind-set of the Late Republican political class, the *dictatura* had grown synonymous with tyranny and the violent usurpation of power. This is achieved through the interaction between content and context. Set in the immediate aftermath of the assassination of the last dictator, Dio's speech of Cicero performs a long excursus on the Athenian Amnesty of 403 BCE in order to advocate an amnesty for Caesar's assassins. Within this excursus, reference is frequently made to tyranny: the Athenians were 'subject to a tyranny of the more powerful citizens' and only recovered from 'being tyrannised and factious' through reconciliation.³⁶ In the context of the recent assassination of a dictator, the comments of Dio's Cicero on tyranny are significant: they point to what the historian interpreted as a conflation in Republican thinking between dictatorship and tyranny, again precipitating the abolition of that office and its replacement by monarchy in truth.

2) The continued prorogation of military power abroad and away from senatorial oversight led to autocratic ambitions among all major military actors of the political class. Dio argues that a series of dynasts of the late *res publica* became habituated to control through the experience of ruling almost absolutely in the provinces. They were thus reluctant to set aside their addiction to power.

Dio states this argument explicitly at three points. First, in his account of the battle of the Colline Gate, in which he puts L. Cornelius Sulla's transformation into a tyrant down to his experience of absolute conquest.³⁷ Second, in his interpretation of Caesar's decision to limit the terms of provincial governors: 'because he himself had ruled the Gauls for many years in succession and *as a result* had been led to desire absolute power'.³⁸ And third, in his explanation of the abolition of the dictatorship, stating that men's misdeeds emerge from their protracted possession of military forces.³⁹ As Eckstein has shown, Dio was doing nothing new in holding that the root of Caesar's megalomania was an addiction to

³⁶ Cass. Dio. 44.26.1-4

³⁷ Cass. Dio. 30-35 F 108.1. I will discuss this and the following excerpts in more detail in Chapters 5 and 6.

³⁸ Cass. Dio. 43.25.3.

³⁹ Cass. Dio. 44.51.3.

power caused by long periods of military authority.⁴⁰ Suetonius wrote that Caesar had been ‘seized by an habituation to his own authority’ (*captum imperii consuetudine*) and in consequence inevitably desired monarchy.⁴¹ This argument is now obvious to modern historians. Dio, however, broadens the application of this factor, and makes *imperii consuetudo* a central issue in all major generals, from C. Marius to Q. Metellus Creticus and Pompeius.

Although stated briefly in the narrative, the historical problem of *imperii consuetudo* meets its most extended elaboration in the speeches. For one of many examples we may consider the Agrippa-Maecenas debate, which discusses the ills of *imperii consuetudo* in a call-and-response. Setting up the problem, Dio’s Agrippa dissuades Octavian from assuming autocratic power on the grounds that a monarch could never allow naturally proud men to assume control of military forces; such men are dangerous to monarchies. But an empire would need commanders, all the same: ‘and so, if you entrust armies and offices to such men as these, both you and your government will be in danger of overthrow’.⁴² Within the context of the Late Republican narrative this admonishment is as much a comment on the organisation of power under the *res publica* as under a monarchy. In this context, the recommendations of Maecenas on how to combat the problem of *imperii consuetudo* are equally significant. Crucially, Maecenas responds by insisting on a long hiatus between a magistrate’s tenure in the city and his position of command abroad: ‘for after being private citizens for a time, they will be milder; and they will not rebel, since they have not been placed in command of legions alongside the prestige of their titles.’⁴³ I will discuss the many other examples of Dio’s use of speeches to elaborate the problem of Republican *imperii consuetudo* in Chapter 5.

3) Envy and ambition entered a destructive cycle. Dio presents φιλοτιμία as the natural motivation of most major political figures in the Late Republic; but in his view this inevitably caused mutual φθόνος, leading to an absence of harmony, aristocratic fragmentation, and political violence.

Φθόνος is of fundamental importance to Cassius Dio’s presentation of Late Republican moral decline and of the far-reaching political ramifications which it triggered. As Kaster demonstrates, the word φθόνος carries connotations of the spiteful resentment of the

⁴⁰ Cf. Eckstein (2004), esp. 285.

⁴¹ Suet. *Jul.* 30.5.

⁴² Cass. Dio. 52.8.1-4.

⁴³ Cass. Dio. 52.20.4.

successes of another,⁴⁴ and thus approximates with the Latin *invidia* and with *odium*.⁴⁵ In Dio's account, it is particularly acutely felt among former equals, who regard another's advancement with hostility if that advancement leads them out of their former state of equality.⁴⁶ The historian underlines this principle even in the preface.⁴⁷ It is therefore not at all surprising that these emotive conditions should prevail under a competitive Republican oligarchy in which even a prominent *nobilis* could expect to spend only a few years in power throughout his career.⁴⁸ Fechner has shown from his analysis of Dio's Republican speeches that the historian conceived of equality of opportunity (ἰσομοιρία) as a fundamental ideal of the Republican πολιτεία.⁴⁹ When that principle is transgressed because of the φιλοτιμία of another, this generates φθόνος. Cassius Dio was of course not the first historian to present φθόνος as a motivating factor in the hostile actions of individuals.⁵⁰ But he is exceptional among our sources for the Late Republic in the intensity of this emotive aspect that he applies, and in his presentation of envy as political as well as moral problem which underlay several major political crises.⁵¹

Accordingly it is a recurring focus in many of the Late Republican speeches, especially those in a deliberative context. In the orations of Pompeius and Catulus on the *lex Gabinia*, both object to the extraordinary honour of the command on the basis that the law would bring only φθόνος to its beneficiary. Here Dio foreshadows his own historical interpretation of the consequences of the *lex*. Later, Pompeius' inability to have his eastern geopolitical settlements and land for his veterans ratified by the Senate was caused, in Dio's view, by Metellus' envy of his success; 'and he then realised that he had no real power, but only the name and the φθόνος resulting from the positions he had once held'.⁵² As this interpretation forms the backdrop for Pompeius' entry into the so-called first triumvirate, the political ramifications of φθόνος could be far-reaching indeed.

4) Arguments for the preservation of the Republican system became empty and unconvincing as moral and constitutional decline grew so far advanced that the

⁴⁴ Kaster (2003).

⁴⁵ Rees (2011) 30.

⁴⁶ Kuhn-Chen (2002) 179.

⁴⁷ Cass. Dio. F 5.12: οὕτω που φύσει πᾶν τὸ ἀνθρώπινον οὐ φέρει πρὸς τε τοῦ ὁμοίου καὶ τοῦ συνήθους, τὰ μὲν φθόνῳ τὰ δὲ καταφρονήσει αὐτοῦ, ἀρχόμενον.

⁴⁸ Cf. Steel (2013) 5.

⁴⁹ Fechner (1986) 37-39. Fechner brings the question of *Chancengleichheit* to the fore in several of his individual speech analyses.

⁵⁰ As both Harrison (2003) and Rees (2011) 30-35 have shown respectively of Herodotus and Thucydides.

⁵¹ Cf. Kemezis (2014) 110-111 and Coudry (forthcoming, 2016) for further very brief comments on Dio's presentation of φθόνος in the Late Republic.

⁵² Cass. Dio. 37.50.6.

ideal and the reality of δημοκρατία no longer corresponded. In tandem, self-interested and dishonest public oratory proliferated. As rhetoric became a failed means of defending the traditional status quo, it inversely became a successful means of furthering vested interests. Therefore, all public oratory was either corrupt or ineffective.

The conceptual basis for Dio's presentation of public oratory in the Late Republic appears to overlap with a statement of Demosthenes.⁵³ Charging Aeschines with wilfully deceiving the Athenian assembly on Philip II of Maecdon's instructions, the orator states that 'there is no greater wrong a man can do you than to lie; for as our political system is based upon speeches, how can it be safely administered if the speeches are false?'⁵⁴ It is speculation to suggest that the historian read this passage or deliberately modelled his presentation of Late Republican oratory on it; but that is not the point. Dio's argument and Demosthenes' are the same. As Kemezis has pointed out from his brief synopsis of the fragments of Dio's earlier speeches, the historian presented the period from the expulsion of the Tarquins to the razing of Carthage as a golden age of genuine deliberative oratory. Speeches appear to have been more numerous and arranged in complex clusters of call-and-reply, with the good of the state as the primary focus.⁵⁵ In the Late Republican narrative, however, Dio's representation of political rhetoric is markedly different. All public political oratory in this account can be divided into either the genuinely patriotic, which always fails to persuade the depicted audience, or the self-serving, which always prevails over them.

To Dio, this failure of genuine deliberative oratory had profound political consequences in each case. One may consider the speeches of Catulus, Cicero on the Amnesty, or Agrippa, which Dio situates within the narrative at points of major political crisis to construct an imagined case for the preservation of the *res publica*. Although Dio's own comments direct the reader to trust the moral probity of their words, these idealised 'defences' of δημοκρατία grow in each instance less and less representative of the reality of the Republic presented in the narrative. Their failure to persuade leads to political upheaval in the immediate term on each occasion. Conversely, the success of the self-interested speeches which are paired with these – those of Pompeius, A. Gabinius, and M. Antonius – lead to equal political upheaval; but in a manner presented as absolutely to the benefit of those orators.

⁵³ A writer Dio held in great regard: cf. Vlachos (1905); Saylor Rogers (2008).

⁵⁴ Dem. *FL* 184: οὐδὲν γὰρ ἔσθ' ὃ τι μείζον ἂν ὑμᾶς ἀδικήσειέ τις ἢ ψευδῆ λέγων. οἷς γὰρ ἔστ' ἐν λόγοις ἡ πολιτεία, πῶς, ἂν οὗτοι μὴ ἀληθεῖς ὦσιν, ἀσφαλῶς ἔστι πολιτεύεσθαι;

⁵⁵ Kemezis (2014) 107.

5) The corruption inherent in human nature had been given a space to flourish in the newly-enlarged empire, and especially in Gaul and Asia Minor. In Dio's interpretation, this corruption led to a degeneration of political rhetoric at home as Roman generals' self-interested behaviour abroad needed to be obfuscated within discussions on foreign policy. In consequence, the fora of Republican decision-making on imperial policy could no longer function effectively.

By writing the state of the empire abroad into his history of the decline of the Republic, Dio places himself in a Latin tradition which goes back to Sallust. In the lengthy preface to his *Bellum Catilinae*, Sallust makes the fall of Carthage and the disappearance of the *metus hostilis* a turning-point in Roman history.⁵⁶ Moral decline in the city began with expansion abroad. Tacitus' idea is similar: the desire for power which was innate to men increased and then erupted *cum imperii magnitudine*.⁵⁷ As Fechner has shown, Dio too accepted this commonplace of Latin historiography – which we find also in Livy and Velleius Paterculus – and embedded it into his own presentation of expansion abroad and the consequent moral decline at home.⁵⁸

The strength of this tradition may have left Dio little room to be distinctive in his interpretation of the relationship between imperialism and constitutional collapse. However, I suggest that the historian brings a new element to our understanding of the end of the Republic in his view of the effect of inherent moral corruption, exercised within the empire abroad, upon political rhetoric at home. Rees has recently argued that although Cassius Dio, like Thucydides, believed in negative aspects of human φύσις which were constant and inherent, these aspects could be triggered or could increase or decrease in intensity in consequence of circumstances – rapid imperial augmentation being the most obvious.⁵⁹ Sion-Jenkins and Kuhn-Chen divide Dio's conception of φύσις into seven negative aspects, three of which I argue pertain to his illustration of Late Republican imperialism: ἐπιθυμία, πλεονεξία, and φιλοτιμία.⁶⁰

Cassius Dio's presentation of Late Republican imperialism is of course conventional in that within the narrative he presents these vices as rife in the newly-enlarged empire: individual dynasts use their commands to satisfy their greed and ambition. But where Dio

⁵⁶ Sall. *Cat.* 10.1-6:.

⁵⁷ Tac. *Hist.* 2.38.

⁵⁸ Fechner (1986) 136-154.

⁵⁹ Rees (2011) 40-55, esp. 53.

⁶⁰ ἐπιθυμία: Sion-Jenkins (2000) 80; πλεονεξία: Kuhn-Chen (2002) 165-167, but cf. Rees (2011) 18 n.39; φιλοτιμία: Sion-Jenkins (2000) 79-80; Kuhn-Chen (2002) 168-9.

differs from his predecessors lies in his interpretation of the effect of this imperial corruption on political rhetoric. I argue that those speeches which discuss foreign policy – especially those of major dynasts such as Pompeius, Caesar, and Antonius – present a false idealisation of the imperialism pursued by these generals which absolutely contrasts with the immoral reality depicted in the narrative. In each instance, this deceitful rhetoric successfully persuades the audience and ensures the desired policy-outcome of the speaking dynast. Dio thereby illustrates through these speeches that the corruption of Late Republican imperialism, precipitated by the baseness of φύσις and triggered by the opportunity for vice that came with an enlarged empire, caused a degeneration of rhetoric on foreign policy in the *urbs*. Genuinely deliberative decision-making on imperial matters was made impossible, as individual dynasts shut down proper debate by obfuscating the true nature of an imperialism which served only them. This had far-reaching consequences, such as Pompeius' acquisition of further power through 'rejecting' the *lex Gabinia* and Caesar's ability to use a corrupted rhetoric of imperial glory to incite his soldiers to acts of civil war in his exhortation at Placentia.

For an example one may consider the speech of Caesar to his mutinying troops at Vesontio, encouraging them to attack the Germanic king of the Suebi, Ariovistus. Here the orator begins, I think significantly, with a fallacious exhortation to sound debate on foreign policy, insisting that one's personal interests and those of the state be kept separate in such matters.⁶¹ In the previous narrative Dio has already indicated that this is a posture: Caesar unfairly provoked Ariovistus, who he himself had made an ally of Rome, into war to secure his own personal power.⁶² What follows is a lengthy advocacy of the importance of defensive imperialism as Dio's Caesar falsely presents his attack on Ariovistus as a crusade to 'correctly manage the affairs of our subjects, keep safe the possessions of our allies, and ward off any who try to do them wrong'.⁶³ To underline this intention, the orator cites as *exempla* the major defensive wars of the Mid-Republic, including Philip V of Macedon, Antiochus III of Syracuse, and the Punic Wars. Here, as so often in Dio's Late Republican speeches, the ability of a commander to use rhetoric to misrepresent the immorality of their foreign policy leads directly to the further entrenchment of their own *δυναστεία*.

⁶¹ Cass. Dio. 38.36.1.

⁶² Cass. Dio. 38.34.3.

⁶³ Cass. Dio. 38.36.5.

6) The Augustan Principate replaced the *res publica* successfully because it combatted both the moral and administrative defects of the Late Republic. In moral terms, a distinctive combination of Augustan virtues acted as a corrective to φθόνος and φιλοτιμία and thus prevented further fragmentation. In institutional terms, Augustus' reforms to the distribution of governing power neutralised *imperii consuetudo* as a real risk within the provinces. Augustus' engineering of his own δημοτικός persona additionally prevented the backlash experienced by Caesar.

Dio presents Augustus' reign as a moral revolution. The *laudatio funebris* of Tiberius following the *princeps*' death praises his μεγαλοψυχία (magnanimity), φιλανθρωπία (liberality), ἐπιείκεια (clemency), and παρρησία (free speech), and the narrative of his reign is consistent with this throughout. In assessing the Augustan Principate in moral terms, the historian was not striking out on a new path. As Wallace-Hadrill has shown, there had been previous explorations of Augustan ἀρετή.⁶⁴ But Dio's distinctive contribution lies in his interpretation of the corrective relationship between his own specific combination of Augustan virtues and Late Republican moral decline. Within this epoch in his history (Books 52-56), political events which would have triggered φθόνος in Dio's *res publica* not only do not incur envy, but even secure honour for those involved because of the culture of μεγαλοψυχία and φιλανθρωπία which Augustus' rule encouraged. Moreover, free speech (παρρησία), which Dio considered a defining feature of the Late Republic as Nawijn and Mallan argue and which in Greek thought was considered characteristic of δημοκρατία,⁶⁵ is paradoxically re-enabled with the advent of μοναρχία. 'Genuine' free speech (ἀκριβής παρρησία), which Dio states disappeared forever at Philippi,⁶⁶ does not re-emerge, but is reinvented. Negative examples of the excessive Republican παρρησία such as the 'Philippic' and 'anti-Philippic' invectives of Cicero and Q. Fufius Calenus (Books 45-46), disappear. It is replaced instead by the παρρησία of honest advisors, such as Livia, Agrippa, and Maecenas, who successfully advocate ἐπιείκεια, μεγαλοψυχία, and φιλανθρωπία in their speeches and thus enable these to exist in political life.

Dio furthermore builds upon his theoretical framework of *imperii consuetudo* (Factor 2) to explain, through the speeches, how the Augustan regime overcame this Republican institutional problem. To Dio, a key element in Augustus' neutralisation of *imperii*

⁶⁴ Wallace-Hadrill (1982) 300-307.

⁶⁵ Nawijn (1931) 606; Mallan (forthcoming, 2016). For the relationship between παρρησία and δημοκρατία, consider Polyb. 2.38.6, 6.9.4-5.

⁶⁶ Cass. Dio. 47.39.2.

consuetudo lay in his reforms to the imperial administration. In his analysis of these reforms, Dio writes that wishing to appear ‘Republican’ (δημοτικός),⁶⁷ the new *princeps* divided the provinces between himself and the Senate, assigning the more heavily-manned, frontier provinces to his own charge. Moreover, governors of the imperial provinces were to be hand-picked by Augustus himself, but those of the weaker, senatorial provinces to be chosen at random and by lot – thereby imposing imperial control and removing senatorial competition at a stroke.⁶⁸ Dio’s analysis here is incisive: Augustus’ stated motive was to free the Senate from the trouble of administering the frontier, but this was a mere πρόφασις to ensure that he could secure his power with greater might vis-à-vis the Senate.⁶⁹

This interpretation, in fact, is merely the later realisation of Dio’s earlier prediction of how Augustus would counter *imperii consuetudo*, articulated for the first time in the speeches of Agrippa and Maecenas. Setting up the problem, Agrippa dissuades Octavian from μοναρχία on the grounds that the ruler of a great empire must have commanders overseas: ‘and so, if you entrust armies and offices to such men as these, both you and your government will be in danger of overthrow’.⁷⁰ This of course has everything to do with Dio’s account of the Late Republic. It is a weak argument in favour of the *res publica*, and deliberately so: Dio uses his Agrippa to argue that *imperii consuetudo* would always be a problem, regardless of the constitution. In the response of Maecenas, however, Dio outlines his solutions: the *princeps* should ensure loyalty within the provinces by hand-picking governors himself and so prevent ‘the same things happening all over again’ (ἵνα μὴ τὰ αὐτὰ αὖθις γένηται); and, crucially, pro-magistrates should not go out immediately after their urban office, but should wait: “for after being private citizens for a time, they will be milder, and, not having been placed in command of legions...they will not rebel”.⁷¹ Several books later, Dio’s Augustus implements precisely these recommendations in the narrative. In this way, both speech and narrative interact to enable Dio to set out a distinctive argument about the proliferation of *imperii consuetudo* under the Late Republic, and his interpretation of its resolution under the Augustan Principate and thus the success of that regime.

⁶⁷ As Aalders (1986) 296-299 and Freyburger-Galland (1997) 116-123 show, δημοκρατία in Cassius Dio denotes *res publica* rather than democracy as such, and this applies also with Appian. Wallace-Hadrill (1982) 44 points out that δημοτικός/δημοκρατικός is Dio’s rendering of the Latin *civilis princeps*. Further in Chapter 7.

⁶⁸ Cass. Dio. 53.12.1-3.

⁶⁹ Cass. Dio. 53.12.1-3.

⁷⁰ Cass. Dio. 52.8.3-4.

⁷¹ Cass. Dio. 52.19.3-20.4.

These six factors, which I will treat in more detail in the case-studies in Chapters 5-7, constitute Dio's interpretation of the failure of the late *res publica* and the success of the new regime.

It is clear from this glance at these factors that Dio's contribution to our knowledge lies not in his ability to concoct an entirely new causation of Roman constitutional change, but to reinterpret previous ideas, and thus create a narrative distinctive to him. For example, his predecessors Dionysius and Appian had already formed the connection between tyranny and the dictatorship which I outlined in 1).⁷² But Cassius Dio, Chapter 5 will show, forms a far more sophisticated analysis of the problem with his speeches: the office was not only infamous, and for different reasons at different periods. It was additionally powerless in the face of exigencies abroad. By connecting the reputational problem of the dictatorship with the needs of the enlarged empire – especially in the speech of Catulus – Dio re-problematizes the dictatorship and underpins his argument for the necessity of monarchy in a way which is entirely new. Similarly, his argument about *imperii consuetudo* which I detailed in 2) had already been long made by Suetonius with reference to Caesar.⁷³ There are obvious source-questions to be dealt with here. But there are other, I think more interesting questions about how Dio reworked this analysis. Cassius Dio not only deployed his speeches of this period to broaden the scope of *imperii consuetudo* and to make the new argument that it was a general problem shared by all the major dynasts. He goes further, using Agrippa and Maecenas to set out how the Augustan Principate could – and in his interpretation, did – overcome it. Moreover, the historian's analysis of the pervasion of φθόνος within political life clearly builds on an established tradition of Late Republican moral decline emerging from Sallust, Livy, and Tacitus. However, Dio elaborates the problem of envy more fully than any other writer, Greek or Latin. Φθόνος is not only embedded within almost all of the Late Republican orations, indicating its importance within the causal framework. It is additionally reinvented under the Augustan regime as a positive force, as elites envy not the power or possessions of another, but their ἀρετή. In fact, in the Augustan narrative φθόνος occurs *only* in connection with ἀρετή, as I will show in Chapter 7. Surely generated by the historian's view of the Augustan Principate as a moral revolution, this novel reinvention of φθόνος is just about peculiar enough to be entirely Dio's. Yet it again demonstrates his propensity to take established interpretations of the failure of the Republic and then reinvent them to deliver an entirely new narrative.

⁷² Both with reference to Sulla: cf. D.H. *AR* 5.70.3, 5.73.3 and App. *BC* 1.98-99, 1.101. Further in Chapter 5.

⁷³ Suet. *Jul.* 30.5.

I suggest that all of this can be found within the speeches. Cassius Dio made a conscious and deliberate choice to give his audience, through oratory, an insight into the constitutional and moral problems of the Roman Republic as he believed contemporary Romans themselves would have perceived and discussed them. If this can be reasonably proven, then there can be no doubt that the speeches were designed to serve an historically explanatory purpose for the ancient reader. Furthermore, for the modern reader of ancient historiography this will confirm the importance of taking speeches into account when evaluating the causal or theoretical framework an historian applied to his subject.

Methodology of the Speech in ‘Sophistic’ Historiography

Finally, there are three key methodological problems which must be addressed before my explanatory reading of Dio’s speeches can be credible. These have prevented the reception of his orations which I propose, and indeed any such reception of speeches in ‘sophistic’ historiography. First, the belief that Dio composed without making ample use of contemporary rhetorical material, and therefore that his speeches do not approximate with the historical oratory of the Late Republic. Second, that Dio was a devotee of the epideictic rhetorical culture of his time who put *παιδεία* above all, and therefore that his speeches ought not to be taken seriously. And third, that the historian’s advanced rhetorical training inculcated an unimaginative, even banal, approach to rhetoric which rarely ventured beyond tried-and-tested commonplaces to use the speech as a means of serious historical explanation. Although I deal with these problems in much greater detail in Chapters 2-4, a brief overview here will be helpful.

To turn to the first of these methodological problems. In Chapter 2, I will challenge the view that Dio’s presentation of Late Republican oratory is ahistorical and unreliable, in the sense that it did not make ample use of contemporary source-material to deliver a credible representation of public speech in the late *res publica* and to explore the role of oratory in its decline.

In modern scholarship, only three of Dio’s orations of this period have been examined from the viewpoint of contemporary source-criticism: Catulus’ *dissuasio* of the Gabinian law in Book 36 and the two invectives of Cicero in the aftermath of Caesar’s assassination in Book 45. There are understandable reasons for this: both are Dionean depictions of an historical occasion of speech for which we have a surviving contemporary record for

comparison – in these cases the *De Imperio Gnaei Pompei* and *Philippicae* of Cicero. Given the richness of the surviving source-material, I will return to these in Chapter 2 for my own analysis. The historian modelled his own versions on rhetorical and argumentative strategies found in the original texts, and I think deliberately. If credible, this suggests that Cassius Dio made ample use of contemporary source-material for his illustration of public speech in the Late Republic; and therefore that the historian did attempt to make his orations represent the nature of the rhetoric of this period, rendering them a credible medium for historical explanation.

It strikes me as unsatisfactory that modern examinations of Dio's use of synchronous material for his Late Republican orations have arrived at precisely the opposite conclusion. Millar concedes in his discussion of the Cicero-Catulus polemics that 'the use of contemporary material does bring these speeches perceptibly closer to their [historical] context than is the case with the majority'.⁷⁴ Nevertheless, he concludes that the historian's handling of Cicero in these orations is 'a failure, perhaps the most complete failure in his History'.⁷⁵ Haupt and Zielinski's earlier studies of the 'anti-Philippic' of Calenus in Book 46 omit the possibility of contemporary Latin source-material at all,⁷⁶ arguing instead that Dio drew from the invectives of an Imperial Greek rhetorician.⁷⁷ This theory, I will show in Chapter 2, bears a considerable burden of proof, and the debate over whether Dio could read Latin, or only Greek, is implicit in this.⁷⁸ But even in view of the fact that, in his own analysis, the Cicero-Catulus invectives do clearly bear a close relation to contemporary Latin material, Millar's closing summary on the speeches shelves their historical-explanatory and –interpretative use: they 'carry further the tendency towards generality and lack of apposite detail which characterises the History as a whole....their interest must lie not in what they can contribute to historical knowledge, but in the insight they can give into the mind of a senator writing under the Severi'.⁷⁹

Even recent analyses of Dio's use of *bona fide* Latin oratory from the first century BCE sidestep the question of what this adherence to the contemporary material tells us about the

⁷⁴ Millar (1964) 55. Consider also Millar (1961) 15 n.46, in which he accepts that Catulus' speech on the *lex Gabinia* appears to elucidate the historical situation more effectively than Dio's other rhetorical flourishes. Millar does not, however, connect this thought to his use of the *De Imperio*, which I will demonstrate in Chapter 2 is the principal reason for the effectiveness of Catulus' speech as a means of historical explanation.

⁷⁵ Millar (1964) 55.

⁷⁶ Such as, for example, the anti-Ciceronian invectives of Asinius Pollio. Cf. Gabba (1957).

⁷⁷ Haupt (1884) 689-693; Zielinski (1912) 280-288.

⁷⁸ I will return to this debate in more detail in Chapter 2.

⁷⁹ Millar (1964) 83.

historical character of the speeches. Building upon a brief list of concordances tabulated by Van Ooteghem,⁸⁰ Saylor Rodgers has recently touched upon Dio's use of Cicero's *De Imperio* as a source for his speech of Catulus. She recognises the historical arguments made in opposition to Pompeius' power in 67-66 BCE which Dio found in the *De Imperio* and then placed within the mouth of his orator.⁸¹ And yet, from a discrepancy over whether Catulus actually spoke in the year Dio depicted, as all surviving ancient historians attest, or the year later,⁸² Saylor Rodgers concludes that 'Dio's choices of speakers and occasions often serve his philosophical or moralising agenda better than they serve history'.⁸³ She argues that there is no justification for attributing Catulus' arguments to anything but Dio's imagination,⁸⁴ and uses it as a further example of what she describes as 'a consensus that Dio wrote up his orations himself without translating or accurately representing even famous speeches that were and are extant'.⁸⁵

Chapter 2 will challenge this consensus. It will make a first step in our scholarship by considering the implications of the historian's use of contemporary Latin rhetorical material, in a re-evaluation of Dio's speeches which recognises their explanatory purpose for the ancient reader and their use for us today in understanding the historian's framework of causation. I do not of course suggest that we should look for historicity in the speeches. There were obvious questions of intellectual ownership which fed into the historian's own self-presentation as a *πεπαιδευμένος*. We must take the speeches as Dio's own creative output and his own assertion of his skill. We should not, however, sidestep the implications of a deliberate choice on the historian's part to replicate the arguments of a genuine historical moment in the Late Republic in his own representation – however jarringly this may resonate with the modern consensus on speeches in historiography.

A second methodological problem to consider for the way in which we read Dio's speeches is the intellectual and literary climate in which the historian wrote. This will be my focus in Chapter 3. Cassius Dio's relationship with the renaissance of Greek *παιδεία* and epideictic rhetoric known to us from Philostratus as the 'Second Sophistic' necessarily has an effect upon the way rhetoric in his work is received.⁸⁶

⁸⁰ Van Ooteghem (1954) 1970 n.1.

⁸¹ Saylor Rodgers (2008) 306-312.

⁸² This suggestion has recently been challenged in Coudry (forthcoming, 2016). There is insufficient evidence, Coudry argues, for Saylor Rodger's view.

⁸³ Saylor Rodgers (2008) 297.

⁸⁴ Saylor Rodgers (2008) 318.

⁸⁵ Saylor Rodgers (2008) 296.

⁸⁶ Philost. *VS* 481.

As a Greek historian writing around the turn of the third century CE, Dio made transparently belletristic choices about the style and content of his work which were common also to the sophists and other extravagantly intellectual authors of his time. Dio wrote in the defunct prestige dialect of Attic, which he confesses he deliberately cultivated.⁸⁷ He frequently recycled phrases from Classical authors, especially Demosthenes and Thucydides, as well as liberally quoting the Greek poets either in the narrative or in the mouths of his Roman characters. Furthermore, he wrote excursus – and occasionally quite elaborate ones – on abstruse topics to demonstrate his ἐγκύκλιος παιδεία. These facets of the *Roman History* certainly locate Dio within an intellectualised culture; whether we need to think this necessarily ‘sophistic’ is a point I will return to in Chapter 3. However, this apparent identification with the values of the Second Sophistic seems to me to have created a general distrust of the rhetoric within his work. Our awareness of the sophists’ fixation with epideictic or display rhetoric above all, and their frequently-attested proclivity for intellectual posturing and self-aggrandisement through the medium of rhetoric and the settings in which it was staged, may make us suspect that Dio, too, had similar objectives in mind when he wrote his speeches.

This, certainly, is the impression to be gained from the scholarship. Reardon described Cassius Dio’s as ‘the sophistic way of writing: everywhere there is drama, commonplace, antitheses, and of course rhetorical displays: the battle of Pharsalus, a earthquake at Antioch, the Sullan proscriptions’.⁸⁸ Anderson, whose 1993 monograph imposes sensible limitations on the snowball of ‘sophistic historiography’,⁸⁹ exhibits a similar tendency. He suggests that, where the sophistic does appear to seep into Dio’s speeches, this can appear unattractive:

There is a sense in which at least some of the fault can be traced back to mannerisms of Thucydides, of which Dio was undeniably an imitator; and at least some of the fault lies with rhetoric as such rather than with its more flagrant overindulgence. Hence for example the telescoping of Ciceronian speeches from different occasions and circumstances into a different discussion with an unknown Philiscus, intended to encapsulate an ethos rather than act as a

⁸⁷ Cass. Dio. 55.12.4-5.

⁸⁸ Reardon (1971) 206. I will provide a fuller survey of the considerable literature on the Second Sophistic in Chapter 3 and aim to give here only a few examples.

⁸⁹ Anderson (1993) 105-114, 106; for the ‘snowball’ effect, cf. Kemezis (2014) 151.

historical chronicle; or the use of the infamous speech of Maecenas to embody Dio's reflections on the problems of the empire.⁹⁰

Although Anderson's is a sceptical and measured treatment of the problem of 'sophistic historiography', the language of fault and infamy in his analysis of Dio's speeches is indicative of an attitude (which I do not criticise). Elsewhere he writes of 'the worst excesses of sophistic taste' with regard to Dexippus, and of Lucian's *de Conscribenda Historia* that 'we can most clearly see...the potential abuse that threatens to emerge from epideictic tastes'.⁹¹ The sophistic, in short, is not an attractive quality for historiography, and we may feel justified in questioning the explanatory purpose, or interpretative or historical value, of a speech which betrays some of its more overindulgent characteristics. This tendency toward the sophistic is often identified in Dio.⁹² Most recently, Brandon Jones has taken this further, and suggests that Dio ought to be considered a sophist as such.⁹³

In Chapter 3 I will address some of these problems and re-evaluate the historian's relationship with the Second Sophistic. Thus far modern scholars seems to have identified a fundamentally epideictic, Classicising, and paideutic bent in Dio's rhetoric which has prevented the kind of reading of the speeches which we find in occasional modern studies of other historians, as for example Polybius.⁹⁴ Therefore, in Chapter 3 I will unpick Cassius Dio from the display-oriented proclivities of the Second Sophistic. I will demonstrate that he in fact regarded sophists and sophistry with some hostility. In consequence, we should not be too eager to overstate the sophistic function of Dio's speeches – to advertise his own *παιδεία*, provide 'a great deal of declamation...the most fertile soil for a crop of Thucydidean imitations',⁹⁵ and to show off his knowledge of Classical literature and the *topoi* of years of rhetorical training. This was surely one aspect; but it was not the only aspect, and it (along with *Quellenforschung*) has crowded out the kind of examination of Dio's speeches that I propose to make.

I will furthermore suggest that the historian's hostility to sophistry and the sophists in his own time exerts an effect not only upon the way we read the speeches today, but on the way the historian conceived of and presented public oratory in the Late Republic. Cassius

⁹⁰ Anderson (1993) 106-107.

⁹¹ Anderson (1993) 108-109.

⁹² Millar (1964) 174; Bowie (1970) 10ff.; Gowing (1992) 290; Sidebottom (2007) 77.

⁹³ Jones (forthcoming, 2016) *passim*.

⁹⁴ For example, Wiater (2010).

⁹⁵ Lintott (1997) 2500-2502, on Caesar's exhortation to his troops at Placentia in Book 41.

Dio appears to have accepted traditional Classical ideas about the moral probity of rhetoric and its incompatibility with sophistry – a concern amply represented in the dialogues of Plato. In what I will suggest are his critiques of the sophists of his own time, two recurring criticisms are falsehood and the ability to mislead others with a persuasive tongue; to make the morally weaker case appear the stronger. This, I argue, informed his representation of the use and abuse of public speech in the *res publica*, which as I have detailed in Factor 4 above Dio believed to be a significant historical problem and a cause of the collapse of the Republic.

A third and final methodological problem to consider is the historian's rhetorical education. In Chapter 4, I explore Cassius Dio's relationship with the *progymnasmata*, the loose curriculum of rhetorical exercises preliminary to the advanced arts of declamation and the writing of persuasive speech. The historian's advanced instruction in rhetoric has long been recognised,⁹⁶ and this is unsurprising for the son of a Roman consul in this period. In the context of the mid-second century CE, during which time Dio himself will have been schooled, the majority of this education from possibly the ages of around seven to fifteen will have been rooted in the *progymnasmata*.⁹⁷ Yet in spite of the obvious influence of the schools upon Dio's writing and the important role of these exercises in this regard, there has been to my knowledge no investigation whatsoever of the way in which the historian's training informed his speeches or his work as a whole. In fact, although a number of studies have explored the influence of rhetorical education on ancient historians,⁹⁸ such studies have generally ignored the *progymnasmata*.⁹⁹

This is especially important for understanding Cassius Dio's speeches. Certain of their characteristics, which scholars have identified (and criticised) as typical of the rhetoric in the *Roman History*, are traceable back to the *progymnasmata*. One aspect, which I will discuss in more detail in Chapter 4, is Dio's reliance on the τόπος or *locus communis*. Several scholars have listed the historian's commonplaces unenthusiastically:¹⁰⁰ a speech of Fabius Rullus can be 'no more than a series of generalities about human nature', or an exhortation of Caesar 'an extrapolation in commonplace philosophical terms...of a speech

⁹⁶ Millar (1964) 13, 42-43; Lintott (1997) 2501.

⁹⁷ The age-range is the suggestion of Fisher (1987) 45-51. Practice will have varied considerably, for which cf. Dionisotti (1982) 121 and Webb (2001) 297.

⁹⁸ Cf. for example Wiseman (1979); Woodman (1988); Nicolai (1992); Moles (1993). Although Nicolai (1992) does discuss the *progymnasmata*, he investigates the use of historiographical texts in the rhetorical classroom, not the influence of the classroom upon historiographical texts.

⁹⁹ As Gibson (2004) 105 observes.

¹⁰⁰ Millar (1964) 78-83; Stekelenburg (1971) 50; Gowing (1992) 231-232; Lintott (1997) 2500-2502.

which in general urged his soldiers to fight'. One view suggests that Dio's speeches suffered from a 'poverty of invention' in this respect.¹⁰¹ One may also consider his frequent recourse to the moralising γνώμη or *sententia*, which has also provoked criticism.¹⁰² I suggest that this critical focus on the commonplace and moralising content of Dio's orations has contributed, alongside the other factors I have delineated in this section, to preventing the explanatory and interpretative reading of the speeches which I propose to undertake.

However, Chapter 4 will demonstrate that these aspects of the historian's logography, and their argumentative function within the speeches, can be more fruitfully understood when we accept that they were deliberately inculcated by the *progymnasmata*. Just as ancient rhetorical handbooks use the language of 'moulding' or 'imprinting' the student in praise of these exercises, so too do modern scholars talk about how they trained 'reflexes'.¹⁰³ The *progymnasmata*, as a system of preliminary exercises, were designed to inculcate in the ancient student an instant recall of rhetorical forms and constructions and indoctrinate him into a set of received elite moral values. This, as Craig Gibson has recently written, had a tremendous tactical value. The commonplace and the moralising, far from making one's rhetoric unsatisfying, could render it all the more persuasive:

The moral focus of compositional instruction made students more successful as adult speakers when they addressed audiences which shared those values: 'the tendency to deal with general considerations of the possible, the true, the just, the fitting, or the expedient had its value. The exercises equipped the boys with a ready command of the arguments and other amplifying material that could be adduced in support of the commoner major premises, and might easily persuade audiences of their truth'.¹⁰⁴

In view of this, the more interesting question seems to me not what the modern scholar thinks of the quality of Dio's τόποι and γνώμαι, but what the ancient reader would have thought of them. I will argue that the received ideas and sentiments which the historian frequently embedded within his speeches – and, in parallel, within his narrative – rendered his causation of the collapse of the Roman Republic more persuasive and convincing. Rather than finding Dio's reasoning banal and unoriginal, I suggest that the elite reader of

¹⁰¹ Millar (1964) 79, 83; Id. (1961) 12.

¹⁰² Vlachos (1905) 105; Millar (1964) 79-82; Gowing (1992) 232-233, esp. n.20; Saylor Rodgers (2008) 297, 311.

¹⁰³ Theon *Prog.* 60, 61; [Hermog]. *Prog.* 1.1; Quint. *Inst. Or.* 1.1.36, 1.3.1, 1.3.12; Anderson (1993) 49; Morgan (1998) 259-260; Webb (2001) 290, 309; Gibson (2014) 6.

¹⁰⁴ Gibson (2014) 5-6, quoting Clark (1957) 210.

the late second or third century CE, who like the historian had been educated in the *progymnasmata*, would not only have found Dio's speeches rhetorically attractive. They would furthermore be inclined, by virtue of undertaking the same curriculum as the historian, to identify with the moral reasoning that he applied to the fall of the Republic and the success of the new regime in his speeches. Somewhat perversely, then, it is precisely those moralising and commonplace criteria, so weak from the modern perspective, which would have been strong to the ancient one.

My discussion of these methodological issues in the three chapters of Section One to follow will not attempt to be conclusive. The kind of traditional source-criticism I aim to undertake in Chapter 2 cannot hope to be less speculative than much of that which has come before. Moreover, my conclusions in that chapter on Dio's use of contemporary Latin sources for his speeches may not give an insight into where else the same principle can be applied in Imperial Greek historiography. Dio's re-elaboration of his sources into his speeches may be idiosyncratic. But the source-question is nevertheless an issue which must be dealt with. I do, however, set out in Chapters 3 and 4 some approaches which may be usefully reapplied to speeches in other historians, writing in Greek during the Second Sophistic and versed in the *progymnasmata*, in order to confirm that the historiographical speeches written under those conditions need not solely enhance the historian's characterisation either of his historical actors or of himself as a *παιδευμένος*. Rather, in Cassius Dio's speeches of the Late Republic and Augustan era the historian sets out a persuasive causal framework of constitutional change, which is effective not in spite of his methodology, but because of it.

Section One: Methodological Problems

Chapter 2: Speeches and Sources

Introduction

Quellenforschung constitutes the vast majority of scholarship on Cassius Dio's history prior to Millar's 1964 monograph. Much of this, he conceded, 'normally ends in mere speculation', and in his view the search for a 'proto-Dio' is a hopeless one.¹ It is not difficult to understand Millar's scepticism. The theory put forward by Schwartz in the nineteenth century, that the historian relied substantially on Livy's now-lost Late Republican and Augustan narratives,² at one time commanded a broad consensus.³ But Manuwald's discussion of Dio's sources for his account of Augustus has imposed convincing limitations on that consensus, and in one view has exposed it as a 'flimsy prejudice'.⁴ It is testament to the complexity of Dio's relationship with his narrative sources for the first centuries BCE and CE that the Livian consensus can be exploded.

Scholars are on even more uncertain ground with Sallust, Cremutius Cordus, Asinius Pollio, and Aufidius Bassus as possible sources for the Late Republican and Augustan narratives. As with Livy, Dio mentions all except Bassus by name at one point in his history,⁵ and we can suspect that all wrote contemporary histories of the latter half of the first century BCE and in cases further beyond. Considerable scholarly attention has been devoted to Dio's source-relationship with these historians.⁶ These, however, do not even survive in epitomated form. Given the absence of any comparative material they furnish for the kind of analysis necessary for productive source-criticism, this chapter will not address these historians. I share Millar's scepticism: the evidence offered by scholars so far justifies only the cautious but not particularly satisfying conclusion that Cassius Dio may

¹ Millar (1964) 84-85; also 34.

² Schwartz (1899) *RE* 3² 1697-1714. I do not discuss the earlier nineteenth-century source-criticism here, for a survey of which cf. Haupt (1882), (1884).

³ Blumenthal (1913) 97; Marx (1933) 326; Charlesworth (1934) 876; Pelling (1979) 91-95; Marx (1933) 326; Bender (1961) 13; Mette (1961) 279; Millar (1964) 34; Harrington (1971) 43.

⁴ Manuwald (1979) 168-258 for the demolition of the Livian orthodoxy. For the quote, cf. Pelling (1983) 226.

⁵ Sallust: Cass. Dio. 40.63.4; Pollio: Cass. Dio. 57.2.5; Cordus: Cass. Dio. 57.24.2-3; Livy: Cass. Dio. 67.12.4.

⁶ For Cordus as an annalist of the Late Republic cf. Tac. *Ann.* 4.34.1, Sen. *Suas.* 6.18.23, Suet. *Aug.* 2, Cass. Dio. 57.24.2-3; Manuwald (1979) posits a terminus of 29 BCE for his work. For the possibility of Cordus as a source, cf. also Millar (1964) 85 and Swan (1987) 286. Asinius Pollio is a further possibility, whose history, Hor. says at *Od.* 2.1.1-4, began *ex Metello consule* in 60 BCE. Quint. *Inst. Or.* 10.1.20-22, 10.1.113 praises him as an orator but has nothing to say about his history. For Dio and Asinius Pollio, cf. Sordi (1971) 167-183; Micallella (1986). For Dio and Aufidius Bassus cf. Marx (1933) 325-326; Levi (1937), (1951) 415-434; Gabba (1955) 313, n.4; Townend (1961) 232, 240; Manuwald (1979) 258.

have read all of them. Certainly he read widely. There is no reason to suspect his claim in the preface to have read πάντα ὡς εἰπεῖν τὰ περὶ [τῶν Ῥωμαίων] τισι γεγραμμένα,⁷ and over a period of ten years of note-taking.⁸ This invites inclusivity. It is safe to assume that, if Dio knew of an historian's work and mentions him – as in the case of Sallust, Pollio, Livy, and Cordus – he probably read it if it was available. More than this cannot be safely said.

In comparison, far less research has been undertaken to determine the extent to which Dio used either rhetorical material as such, or the rhetorical flourishes in the works of previous historians, to inform the content of his own speeches and his presentation of Late Republican oratory more generally. This stems from a long-held consensus that Cassius Dio almost universally composed his speeches without the use of a previous model, and especially without drawing from contemporary oratorical texts.⁹ As Millar has already stated, more often than not the historian only inserted a speech where it was justified by his sources: that is, where he read that there had actually been an historical occasion of oratory to represent.¹⁰ Yet even in view of this assertion, the hypothesis that Dio 'wrote up his orations himself without translating or accurately representing even famous speeches that were and are extant' is held confidently:¹¹ They are 'freehand compositions'. No analysis has yet been done to follow up the lone statement of Berrigan that there may be more historical truth in Dio's representation of Late Republican oratory than we have previously thought.¹²

In this chapter, I argue that many of the arguments and rhetorical strategies in Dio's speeches of the first century BCE can be traced directly back to Late Republican oratory. I am aware that this appears a bold claim. There were issues of intellectual ownership and self-presentation to consider, and simply providing a Greek précis of a Latin speech from the Late Republic in the relevant context would add little to the historian's intellectual authority. Moreover, many of the texts required for a cross-comparison between Dio's rhetoric and that of the first century BCE are now lost.¹³ This risks speculation, which I

⁷ Cass. Dio. F 1.1.2.

⁸ Cass. Dio. 73[72].23.5.

⁹ For a few examples, cf. Heimbach (1878) 29; Millar (1961) 15; Millar (1964) 81; Gowing (1992) 227-228, 239; Saylor Rodgers (2008) 296.

¹⁰ Millar (1964). Notable exceptions to this are the Cicero-Philiscus *consolatio philosophiae* on Cicero's exile in Book 38 and the 'pro-monarchy' speech of Maecenas in Book 52.

¹¹ Saylor Rodgers (2008) 296.

¹² Berrigan (1966) 59.

¹³ On which see the contributions in the volume of Steel & Gray (forthcoming, 2016).

have argued in the case of other historians has not produced secure results. I therefore propose to consider Dio's speeches in relation only to texts which still survive: specifically the *De Imperio Gnaei Pompei* and *Philippicae* of Cicero. In my conclusions, there will also be a need to consider the implications of that analysis in how we conceive of Dio's relationship with the *Res Gestae* of Augustus and Caesar's *De Bello Gallico*, which may themselves have provided material and inspiration for other of Dio's speeches.

My suggestion is not that Dio's presentation of Late Republican speech is 'historical' in the sense that we can use him to recover lost Latin oratory, or that the historian deliberately sought to deliver the *ipsissima verba* of public speech in this period. It may be possible to attempt this argument for a contemporary historian writing as an eyewitness shortly after the time;¹⁴ but Dio came centuries after the events he described. Rather, my point is that Cassius Dio was clearly well-versed, from his reading of contemporary material, in certain arguments that were current in political oratory in the Late Republic and in aspects of the self-presentation pursued by the orators of this period. These emerge in his speeches. In consequence, we need to reconsider the extent to which Dio's representation of public oratory in the Late Republic was a product of pure invention.

If that point can be reasonably demonstrated, then this will understandably exert an effect upon our reading of the speeches. It will show that, rather than belonging to a paideutic thought-world divorced from the depicted Late Republican context, Dio's speeches of this period were an attractive and viable means of historical explanation because of their relationship with depictions of Late Republican oratory made by contemporaries themselves.

To arrive at this point, however, we need first to briefly consider whether Dio would have been able to read the Latin rhetorical material which I suggest, and second, the possible implications of his method of data collection upon the re-elaboration of this material into his own speeches.

¹⁴ Hammond (1999) makes the case that the speeches in Arrian's *Indica* and *Anabasis* are 'historical' in this respect and render *ipsissima verba* or an approximation of these.

Dio and Latin

There is no scholarly consensus on the question of whether or not Dio was able to read Latin. This is crucial. The historian scatters dozens of quotations from the Greek poets, and especially Homer and the classical tragedians, throughout his history. But he only once directly quotes a work originally written in Latin – the *Aeneid* – in his entire text, and this in a rather prosaic Greek translation.¹⁵ This says little about Dio’s linguistic skills in any case. We know of a Greek translation by a Polybius of the *Aeneid* already available in the first century CE, and so too of Greek renderings of Sallust by Zenobius in the following century.¹⁶ Had he wished to quote Virgil or Sallust more extensively, he could have done so without using Latin.

The question of Cassius Dio’s knowledge of Latin has generated little dedicated study owing to several other limitations. Firstly, we cannot be sure whether Dio was educated entirely in Greek in his πατρίς of Bithynia, or in Latin with his senator father in Rome, or in a combination of both. That the historian refers to Nicaea as his πατρίς and speaks of returning ‘home’ (οἴκαδε) to it may justify speculation on the former.¹⁷ But this option does not presuppose early instruction in Latin. There is remarkably little evidence of the instruction of Latin in Greek education in the earlier centuries of the *Graecia capta*, as evidenced by Rochette’s only brief comments on this and the relative paucity of scholarly work on the subject. Our evidence of Latin within Greek education, such as the bilingual glossaries of the *Hermeneumata*, papyri, and literary evidence of professors of Latin, emerge only from the third century CE, and more abundantly in the fourth and fifth. Too late for Dio.¹⁸ Within Dio’s history – our only source of biographical information aside from a military diploma and an inscription – there is nothing to indicate that the historian did not, just as Dionysius and Plutarch, have to acquire his Latin later in life, or indeed that he had any at all. As Rochette has concluded, the acquisition of Latin was not normally

¹⁵ Cass. Dio. 76[75].10.2 with Virg. *Aen.* 11.371-373.

¹⁶ Cf. Reichmann (1943) and Fisher (1982) 176 n.12 respectively of Virgil and Sallust. The Rylands Papyri (*P. Ryl.* 478 a-c) demonstrate that the trend for translating Latin and Greek works continued long after Dio.

¹⁷ Cass. Dio. 80[79].5.2 for πατρίς and οἴκαδε.

¹⁸ Rochette (1997) 166-167 briefly for the instruction of Latin in the East up to the third century; 167-210 for the evidence and for discussion of the third and, more fruitfully, fourth and fifth century evidence.

included within the education of the Greek young; this was usually reserved for later life, where trade or administration demanded the skill.¹⁹

Secondly, the fact alone that both the historian and his father held provincial commands within the Roman empire does not by the fact itself indicate knowledge of Latin. Both were posted to hellenophone provinces within the eastern half of the empire.²⁰ Rome shows a marked preference within this period for assigning Greek-speaking governors to Greek-speaking provinces, and to have such territories publicly administered in their own language in cases where knowledge of Latin was not widespread.²¹

Finally, while there is no shortage of examples for elite Romans who spoke Greek from the Late Republic onward,²² there is a long-held scholarly tradition that Hellenes scorned their conquerers and their language.²³ Although Sherwin-White has challenged this view,²⁴ its afterlife persists into modern scholarship. In his survey of Imperial literature, Bruno Rochette concludes that the Greeks

were not remotely interested in purely Latin culture and literature. Even those Greek authors most favourable to Rome deliberately ignored Latin language and literature...Dionysius of Halicarnassus, despite his fierce defence of ancient Roman values dear to Augustus and familiarity with the reality of Rome, treats Latin as a mixed language...only Plutarch, whose remarks on languages are many, seems to hold back from qualifying Latin as a barbarian language. Later, Aelius Aristides in his *To Rome* seems to ignore the existence of a Roman history and a Latin language...he very probably considered it a barbarian tongue.²⁵

I am not sure what to make of this. Both Dionysius and Plutarch made the effort to learn Latin. The former calls those who treat the Romans as barbarians ‘malicious’ (κακοηθέστεροι) and, indeed, turns the accusation of barbarism on hellenophone kings and

¹⁹ D.H. *AR.* 1.7.2.; *Plu. Dem.* 2.2-4. Rochette (1997) 210: ‘l’acquisition de la langue latine par les hellénophones ne s’inscrit pas dans le cursus normal de formation de l’enfant. Bien au contraire, elle n’est envisagée qu’à l’âge adulte’.

²⁰ With the exception of Pannonia, which Cassius Dio governed as *legatus* in 226-228 CE. According to Vell. Pat. 2.110.5, its inhabitants were all able to read official publications of the administration in Latin even in Augustus’ reign.

²¹ Walton (1929) 63 ; Lambrechts (1936) 202-207; Millar (1964) 186-187; Rochette (1997) 109: ‘même après 212, le grec resta d’application dans l’administration des provinces orientales’. For Rochette’s discussion, cf. pp.83-109.

²² We should not put too much faith in the first part of Cicero’s assertion at *Tusc.* 5.166 that *nostri Graece fere nesciunt, nec Graeci Latine*.

²³ Chiefly in older scholarship, for a summary of which cf. Rochette (1997) 82-83 with nn.

²⁴ Sherwin-White (1973) 23-58.

²⁵ Rochette (1997) 82-83. My translation.

their propagandist historians who hated Rome.²⁶ He additionally prides himself upon his twenty-two years at Rome and his thorough knowledge of Latin and its ‘commended’ authors (ἐπαινούμενοι).²⁷ Plutarch also did not merely ‘hold back’ (*se retient*) from treating Latin as a barbarian tongue. Praising the ‘beauty and quickness of the Roman style, the figures of speech, the rhythm, and the other embellishments of the language, which I think graceful’, Plutarch’s only apology is for knowing too little of the language.²⁸

These limitations make it still possible, and justified, for experts to ask whether Cassius Dio was able to read Latin.²⁹ In response to this we need to consider four points. Firstly (and most speculatively), it strikes me as highly unlikely that, if the ιδιώτης Dionysius and the *archon* of Chaeronea Plutarch learned Latin for their historical research, then the son of a Roman senator and consul, drawn from a family who may have had the citizenship since Nero’s time,³⁰ who was himself twice a consul and spent forty years as a member of the Senate, would not also have done the same or already had Latin beforehand. However, aside from these details about the historian’s family and career there is no evidence to support this suggestion except common sense.

Next, and as Millar has already written,³¹ Dio prosecuted the short-lived usurper of 193 CE Didius Julianus, ‘and as an advocate proved him guilty of numerous offences many times’.³² This suggests several appearances in a Roman court. Although Dio reveals few clues regarding the date, he treats his prosecution in connection with the reign of Pertinax and being offered the praetorship by him. This suggests around 193 CE, during which time the historian was in Rome. In other sources we only hear of Didius Julianus being prosecuted in court once: in the early 180s CE he returned to Italy after numerous provincial commands, was made *praefectus alimentorum* there, and was then implicated in an assassination plot against Commodus. He was prosecuted and acquitted.³³ It is unclear whether Dio implies that he was involved in the prosecution of this trial and successfully demonstrated Julianus’ guilt in offences other than that of conspiracy, or whether he means

²⁶ D.H. AR 1.4.2-3.

²⁷ D.H. AR 1.7.2-3.

²⁸ Plu. *Dem.* 2.3: Perrin’s 1919 translation, slightly modified.

²⁹ This question was raised by Prof. A. Gowing (Washington) at the *Cassius Dio – Greek Intellectual and Roman Politician* conference (University of Southern Denmark, Oct. 29-31, 2014). Rochette (1997) 229-248 does not include Dio among his comprehensive list of Greek authors who knew Latin.

³⁰ Millar (1964) 8-9 with nn. for the discussion.

³¹ Millar (1964) 189. To my knowledge, Millar (2005) 32-35 is the only other study which examines the evidence on whether or not the historian was bilingual.

³² Cass. Dio. 73[72].12.2: καὶ ἐκεῖνον πολλὰ πολλάκις ἐν δίκαις συναγορεύων τισὶν ἀδικοῦντα ἐπεδεδείχεν.

³³ HA, *Did. Jul.* 2.1.

a later trial around the reign of Pertinax. In both cases, however, it is likely that they were held at Rome and this presupposes the use of Latin. Although we know from two contemporary inscriptions that Greek could be used in cases held in the east, with the official formalities in Latin and then evidence and proceedings in Greek,³⁴ prosecuting in a court in Rome or indeed the western provinces will have demanded knowledge of Latin.³⁵

Thirdly there is the issue of the historian's Roman institutional lexicon and endorsement of Latin geopolitical vocabulary. As an Atticist, Dio uses Classical Greek synonyms for Roman magistracies wherever possible. As such, he will regularly translate *consul* as ὑπατεύων, *praetor* as στρατηγός, *aedilis* as ἀγορανόμος and *tribunus plebis* as δήμαρχος.³⁶ However, at other points the historian will freely transliterate Latin vocabulary, such as *auctoritas*, into Greek (αὐκτόριτας). Vrind has already shown that these Latinisms are easily-identifiable aspects of his style,³⁷ and I will not repeat their evidence here; Dio was not alone among Imperial Greek historians in transliterating Latin institutional terms. Instead, I turn to the less-studied point of the historian's use of Roman geopolitical vocabulary.

Dio's use of this vocabulary may have been influenced by his own experience as a Roman provincial governor within the empire. I have argued elsewhere that his transliteration of Latin place-names for imperial territories exemplifies the role that *imperium* and governing abroad played in integrating Greek elites and making them sound 'Roman'.³⁸ But the point I make here concerns not his identity, but his bilingualism. The historian's preference for Latin terminology is most pronounced in his etymology of Pannonia, in which he was *legatus* in 226-228 CE:

After my promagistracies in Africa and in Dalmatia (ἐν τῇ Ἀφρικῇ ἡγεμονίαν τῇ τε Δελματίᾳ), which latter my father also governed for a while, I was drafted in for what is called Upper Pannonia (τῇ Παννονίᾳ τῇ ἄνω καλουμένῃ), for which reason I write with complete knowledge of their affairs (ὄθεν ἀκριβῶς πάντα τὰ κατ' αὐτοὺς εἰδῶς γράφω). They are called 'Pannonians' because they sew together their sleeved tunics from those which they have ripped apart into strips in a way particular to them, known as *panni* (πάννους). And so these are

³⁴ Kunkel (1952) 81; Frend (1956) 46.

³⁵ Millar (1964) 189.

³⁶ For these and further examples cf. Aalders (1986) 295-297; Freyburger-Galland (1997).

³⁷ Cass. Dio. 55.3.4-5; cf. Vrind (1923) 22f for further examples.

³⁸ Burden-Strevens (2015), esp. 288-296.

named Pannonians, whether for this reason or for some other; but some of the Greeks, being unaware of the truth of it, call them Paeones.³⁹

Dio not only prefers the Roman etymology for the province to which he was dispatched as *legatus*, and sees the logic in its derivation from the Latin *pannus*. He additionally refers here to Africa, which he governed as proconsul in 223 CE, with the transliterated Ἀφρικῆ. This is peculiar for a Greek history. Dio's contemporary Herodian and the later Eunapius write of 'Λιβύη, which the Romans in their native tongue call Ἀφρικῆ' and of 'Scipio Ἀφρικανὸς...derived from what the Λίβυες are called in the Roman language'.⁴⁰ In this way Dio again endorses a Latin, not Greek, geopolitics. He similarly sidesteps the Greek etymology for the coastal town of Dyrrachium and provides instead the Latin nomenclature, citing the connection between 'loss' (*damnum*) and the rocky shoreline.⁴¹ He furthermore refers to Cisalpine and Narbonensian Gaul as *Galatia togata* (Γαλατία τογᾶτα) and *Galatia comata* (Γαλατία κομᾶτα), and in both instances explains the significance of their names.⁴²

This does not strike me as a writer ignorant of Latin. There seems a burden of proof for evidence to the contrary, but scholarship still has yet to see this satisfied. Even discounting his two consulships and forty years in the Senate, Dio was a *nobilis* from a senatorial family who, while still attached to his πατρίς of Bithynia, clearly seems to have been able to speak Latin in a court at Rome as well as to read, and prefer, Latin geographical etymologies. If Dio acquired these etymologies from earlier Greek writers, we find no trace of them. In fact, by insisting on his knowledge and personal experience of Pannonia from his term as governor there,⁴³ Dio claims the *pannus* etymology in particular as his own new factoid to impart. There were also odder things than a Greek historian of Rome using Latin for his research. In addition to Dionysius of Halicarnassus and Plutarch, Diodorus of Sicily too did so and like them says so in the preface to his work.⁴⁴ As Dio's preface is lost, we do not know if he advertised his learning of Latin and its texts in the same fashion. But by the third century CE there was probably no need, for a Greek consul of Rome.

³⁹ Cass. Dio. 49.36.4-5. Cf. Pitcher (2012) for fuller discussion of this passage as an assertion of Dio's autopsy.

⁴⁰ Eunap. VS 7.3.8 and Herod. 7.5.8, respectively.

⁴¹ Cass. Dio. 41.49.3.

⁴² Cass. Dio. 46.55.5, 48.12.5.

⁴³ Burden-Strevens (2015) 292-294.

⁴⁴ Diod. 1.4.4; also D.H. AR. 1.7.2; Plu. Dem. 2.2-4.

A fourth and final point is the striking similarity of several of Dio's Late Republican speeches to the surviving contemporary Latin rhetorical material, both in their argumentation and in the order in which that argumentation develops. There are furthermore translated overlaps in the language and expression. This in itself suggests a Latin original model. However, that will only become clear through a comparative analysis of Dio's history with the original rhetorical material, which I will begin on the next page along. Before doing so, it is important to give a brief comment on how and where Dio may have collected this Latin material, and how this method may have facilitated the later re-elaboration of that material into Dio's speeches which I propose.

Dio's Method of Work

We have little testimony from the historians themselves about how they worked. Pelling posits that Cassius Dio, like Plutarch before him, performed all his preliminary reading in a single and lengthy period before turning to the task of writing-up; and that he read a variety of different sources in the research-stage for compilation into notes, before then having a single main source before him, alongside his notes, during the composition-stage.⁴⁵ We should thus imagine a programme of broad reading, in which the historian may have initially drawn details from several different sources even on the same historical event,⁴⁶ and then the 'following' of a single source as a guide in the writing-up, kept open alongside the historian's diverse notes.

The sheer difficulty of handling rolls of papyrus may have necessitated this practice. They were, of course, large; and little evidence exists of contemporary methods to negotiate the geography of the physical text, such as headings and numberings.⁴⁷ Moreover, owing to their size it would be difficult to compare versions during the composition even if a slave were to hold another.⁴⁸ But historians needed to compare versions all the same, and decide upon the more plausible of two accounts. This decision over what to include and what not to include may well have happened in the compilation of the historian's *aide-memoire*, or *ὑπόμνημα*, which we find first mentioned in Lucian:

⁴⁵ Pelling (1979) 91-92. Cass. Dio. 73[72].23.5 does appear to divide his work into a 'reading-stage' of ten years and a 'writing-stage' of twelve.

⁴⁶ On which, cf. Russell (1963) 22 for Plutarch; Townend (1964) 337-377 for Tacitus; Luce (1977) 210ff. for Livy.

⁴⁷ Schubart (1962) 66-71.

⁴⁸ Pelling (1979) 92-95.

The material ought not to be gathered slap-dash, but through laborious, careful, and frequent discrimination...and keeping to those who narrate in the least partisan fashion, you should choose authors who seem least disposed toward ingratiation or dislike of their predecessors. Let the process of deduction and of piecing together ‘which of the two’ is more reliable happen here. And when everything has been put properly together, or mostly, then you should compile a sort of *aide-memoire* (ὑπόμνημα) of that material; the body of it should still be free from ornamentation.⁴⁹

In what little is written on the topic scholars all agree that Cassius Dio will have had such a ὑπόμνημα.⁵⁰ Although these ὑπομνήματα could vary in their level of polish – some appear to have been bare collections of topic-headings and notes, while others could be whole stretches of unadorned narrative – it is unlikely that these would have contained drafted speeches.⁵¹ This, certainly, is what Lucian seems to me to suggest (σῶμα ποιεῖτω ἀκαλλῆς ἔτι καὶ ἀδιάρθρωτον). We need to imagine that Dio composed his speeches later, during the ‘neater’ composition stage.

This does not mean, however, that during the reading and note-taking process the historian will not have read speeches that he knew about and taken notes of what he saw had been said. Take the events of 43 BCE (Book 45) as an example. According to the consensus, in the composition of his ‘neat’ Book 45 the historian will have had a single historical narrative source before him as a guide, alongside his digest or comparison of several sources in the ὑπόμνημα. After writing-up the diegetic material, Dio came to consider Cicero’s political invectives against M. Antonius in that year. Given the ergonomic difficulty of scrolls, it may not have been attractive to then pause, open and search the scroll of the *Philippicae* for useful material, and then incorporate these straight into a new speech; especially in view of the fact that Dio seems to have drawn not only from one of the *Philippicae*, but several of them, as I discuss in the next section. This method, then, could involve three or more scrolls (ὑπόμνημα, Cicero or a Greek translation or précis thereof, Dio’s new draft itself) being open at the same time, let alone trawling through several *Philippicae* rather than only one. This is obviously impractical.

I think we can envisage another possibility. Dio’s Late Republic centres around the *δυναστεία* and *φιλοτιμία* of individual actors – especially Pompeius, Caesar, Cicero, and

⁴⁹ Luc. *Hist. Consc.* 47-48. My translation. I have not selected to translate ὑπόμνημα as ‘abstract’ or ‘draft’ as is regularly seen as this obliterates the connotation of memory which is implicit in the Greek noun.

⁵⁰ Millar (1964) 32-40; Pelling (1979) 92-95; Rich (1990) 90 n.16.

⁵¹ Pelling (1979) 94-95 with n.151.

Octavian. It is telling that Dio wrote three speeches each for these latter three, more than for any other characters in his work. I suggest that in the course of his reading and research for the *ὑπόμνημα*, Dio turned to original material that was known to him already through his advanced rhetorical training or which especially exemplified the historical issue which he wished to elucidate through a speech. For the *δυναστεία* of Pompeius in Dio's narrative of the general's extraordinary commands, there was Cicero's *De Imperio Gnaei Pompei*. Similarly, for the polemical debates between M. Tullius Cicero and M. Antonius – which exemplify Late Republican political oratory at its most fractious and hostile – there were the *Philippicae*. It seems reasonable to expect that, in the course of his reading and research, Dio may have appreciated quotations, ideas, or arguments in these works and noted them down in his *ὑπόμνημα* for later re-elaboration into a parallel speech of his own in the writing-up stage. In this way the *ὑπόμνημα* served as a repository not only of details and comparisons of the historian's narrative sources, but of ideas from speeches he had read – ideas which originated in Late Republican oratory.

I am aware that this is hypothetical. But Dio, as I discuss further in Chapter 4, was trained through a rhetorical curriculum which by his time universally advocated the *chreia*: the exercise in re-elaborating the words and sayings of great men into different contexts. There can also be little doubt that he would have had access to such contemporary Latin material as had survived, which I have argued he was perfectly able to read. In addition to residing in Rome in his capacity as a senator, the historian served as *curator* of the major intellectual centres of Pergamum and Smyrna in Asia Minor, accompanied Caracalla to the eastern metropolis of Nicomedia, and was connected to the 'circle' of Septimius Severus' erudite wife, Julia Domna.⁵² If the historian needed these texts, he could get them.

But to this point I have been begging the question. I have argued that Cassius Dio recorded arguments, quotes, and rhetorical strategies from the Latin literature of the Late Republic, which he had read, into his *ὑπόμνημα* for later re-elaboration. But I have not yet demonstrated that he read this material in the first place. The comparative analysis will reveal that this was probable. I turn now to discuss the example most rich in obvious clues: Dio's relationship with Cicero.

⁵² I give a more detailed overview of these points and the supporting evidence in Chapter 3.

The Ciceronian Material: The *De Imperio Gnaei Pompei*

Four orations within the *Roman History* reproduce the argumentation which Cicero suggests in his own speeches was ‘historically’ employed, at Rome, in parallel contexts to those depicted by Dio. First, the speech of A. Gabinius in favour of his *lex Gabinia* (36.27-28). Second, the lengthy *dissuasio* of that law by Q. Lutatius Catulus, set during a *contio* (36.31-36). Third, the ‘Philippic’ of Cicero against M. Antonius in the opening days of 43 BCE (45.18-47). And fourth, Q. Fufius Calenus’ response in defence of Antonius at the opening of the next Book (46.1-28). All four speeches represent occasions of political oratory we know to have actually existed: in Gabinius and Catulus’ case, the debates surrounding Pompeius’ two extraordinary commands in 67 and 66 BCE, known respectively as the *lex Gabinia* and *lex Manilia*, attested in the *De Imperio Gnaei Pompei*; in Cicero and Calenus’ case, the exchanges of invective between Cicero and Antonius which occurred in the Senate after Caesar’s assassination, famously attested in the *Philippicae*. Accordingly I organise this analysis into two sections, turning first to the Gabinius-Catulus debate before the Cicero-Calenus polemics in the second.

I do not wish to talk in particular depth at this point about the historical context of either or the historical details. I elaborate this more fully in Chapters 5 and 6, where it will be relevant. My intention here is to demonstrate that Dio in these speeches reproduced the contemporary Latin oratory of the late *res publica*; and thus that they were an ideal medium for discussing the problems that beset it, especially for an educated audience who may have known their Cicero.

Nevertheless – and to turn to the first pair of speeches – there are important chronological issues with Catulus’ *dissuasio*. As *rogator* of the law, which proposed extraordinary powers for Pompeius over virtually the entire Mediterranean,⁵³ Gabinius will clearly have spoken in the *contio* in support of his legislation in 67 BCE. However, Catulus’ role during the *lex Gabinia* debate is far less clear. All our historians, including Dio, record that he spoke against Gabinius’ law in 67 BCE alongside Q. Hortensius Hortalus.⁵⁴ However, Saylor Rodgers argues that Catulus’ role here is a fiction. Although Cicero in the *De Imperio* mentions Hortensius’ activity in the debates of that year, he makes no reference to Catulus in that context, apparently citing only his objections to the *lex Manilia* of the

⁵³ Ferrary (2007) gives an overview of the terms of the law and our sources. For the nature of Pompeius’ *imperium* in 67 BCE, which I do not touch upon in this thesis, cf. Jameson (1970).

⁵⁴ Dio. Cass. 36.36; Plu. *Pomp.* 25.5-6; Val. Max. 8.15.9 ; Vell. Pat. 2.32.1-3.

following year, 66 BCE. Apparently, we should therefore assume that he did not speak.⁵⁵ This has been specifically challenged by Coudry, and I think rightly.⁵⁶ Saylor Rodgers' thesis is based upon the suggestion that Cicero *would have* cited Catulus had he been a member of the opposition to the Gabinian law too. But Cicero's explanation of Hortensius' role in 67 BCE extends to no more than two fairly brief comments:⁵⁷ it is clear that he did not intend to give a full overview of the debates of 67 BCE. Saylor Rodgers' second supporting detail, that when Cicero finally quotes Catulus' objections to Pompeius' power he is 'clearly describing a very recent event' (i.e. 66 BCE on the *lex Manilia*), is also a moot point. There seems to me nothing in the quotation to suggest that it has just occurred, and if there is, Saylor Rodgers does not specify what. The opposition of Catulus quoted by Cicero could just as easily have occurred in the previous year as all our historians attest.⁵⁸

To provide some positive evidence, we should also consider that Cicero leaves Catulus' *dissuasio* out of his speech altogether until the end. He devotes an independent, final section of his argumentation to deal specifically with Catulus' objections to Pompeius' power (*reliquum est ut de Q. Catuli auctoritate et sententia dicendum esse videatur*).⁵⁹ This being the case, it is not surprising that he did not mention Catulus' role when discussing that of Hortensius in 67 BCE earlier. This additionally has the effect of making the opposition appear weaker than it actually was. It does Cicero's argumentative purpose no favours to marshal the arguments of all the distinguished Roman statesmen that spoke against Pompeius' power, especially over two consecutive years. Cicero was being vague, and I think deliberately, to deliver a political objective. The chronological issue may appear esoteric, but it is important for how Dio's speeches surrounding the *lex Gabinia* are read. It is specifically Cassius Dio's apparent displacement of Q. Lutatius Catulus' *dissuasio* from 66 BCE to the context of the previous year which has justified the claim that 'Dio's choices of speakers and occasions often serve his philosophical or moralizing agenda better than they serve history'.⁶⁰ But the evidence that Catulus did not speak in 67 BCE is limited and unconvincing.

A second but less complicated chronological issue is the text and subject matter of the source-material itself. It will already have become clear that Cicero delivered the *De*

⁵⁵ Saylor Rodgers (2008) 289-300. Conversely, there is no doubt that Hortensius spoke in both years; cf. Morstein-Marx (2004) 181-182.

⁵⁶ Cf. Coudry (forthcoming, 2016).

⁵⁷ Cic. *Man.* 52, 56. These, in fact, find their way into Dio's *dissuasio* of Catulus, as I will show later.

⁵⁸ Saylor Rodgers (2008) 289. The quoted Latin material is Cic. *Man.* 63-64.

⁵⁹ Cic. *Man.* 59-63; here at 59.

⁶⁰ Saylor Rodgers (2008) 297.

Imperio not in 67 BCE on the *lex Gabinia*, but a year later in support of the *lex Manilia*. Therefore, Dio displaces the content of Cicero's oration to a different historical context. This can be explained simply by the similarity of those contexts and the scope of the historian's work. To Dio, both Cicero and Gabinius played parallel roles as advocates of Pompeius' extraordinary commands in the same 67-66 BCE period. Rather than dealing with both laws separately at length, he compressed these two examples of the same historical problem of Pompeius' *δυναστεία* into a single rhetorical moment when the issue first arose. This is confirmed by the very cursory treatment Dio affords the *lex Manilia*: he states merely that the tribune C. Manilius proposed the law and that Cicero urged the *populus* to ratify it.⁶¹ The brevity of this note in comparison to the lengthy episode Dio constructs around the *lex Gabinia* indicates that the historian viewed the two laws as part of the same problem. It made sense to explore that problem in detail once, at the first opportunity, rather than twice.

The arguments of A. Gabinius in favour of Pompeius' power in 67 BCE therefore represent those we know from the *De Imperio* to have been made by Cicero in favour of it a year later. This, it seems to me, is no coincidence, but was a deliberate choice on the historian's part to align his own representation of the debate surrounding the *lex Gabinia* with the contemporary evidence. This will be borne out by my discussion of the concordances, some of which were collected by Van Ooteghem. Van Ooteghem's tabulation, however, considers only Cic. *Man.* 27-28 and 61-62, and does not provide analysis.⁶²

To begin that analysis, then, with Gabinius. Dio visibly reproduces five arguments in support of Pompeius we know from the *De Imperio* to have been used for that purpose and in that period. These are: i) that the general is blessed with *felicitas* or *τύχη*; ii) that he alone is exceptional and distinctive; iii) that this exceptionality demands unanimous support; iv) that he has had a glorious career even from youth; and v) that he will be able to preserve and maintain Rome's allies and revenues. Within these Dio furthermore imitates the rhetorical strategies of *aporia*, *anaphora*, *polyptoton*, and possibly *polysyndeton* at precisely the same argumentative points at which Cicero portrays himself having used them in 66 BCE.

⁶¹ Cass. Dio. 36.42.4-43.5. This also suggests that Dio knew about Cicero's *De Imperio*.

⁶² Van Ooteghem (1954) 170 n.1; cf. also Saylor Rodgers (2008) 308-311 for further comments on Van Ooteghem's table of overlaps between the two texts.

The first three of these arguments are compressed into a single passage. Consider the following comparison:

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| <p>I would be glad if you had many good men, and would pray so too if I had to. But since this matter is one neither of prayer nor comes of its own accord, but requires that one be born with innate ability, learn what is serviceable, do what is required and above all enjoy good fortune – all of which I think very rarely come to the same one man – you must all unanimously support and make use of him when such a man is found.</p> <p>βουλοίμην μὲν γὰρ ἂν πολλοὺς ὑμῖν ἀγαθοὺς ἄνδρας εἶναι, καὶ εἶγε καὶ εὐξασθαι δεῖ, εὐξαίμην ἂν: ἐπεὶ δ' οὐτ' εὐχῆς τὸ πρᾶγμα τοῦτό ἐστιν οὐτ' αὐτόματόν τῳ παραγίγνεται, ἀλλὰ δεῖ καὶ φῦναί τινα πρὸς αὐτὸ ἐπιτηδείως, καὶ μαθεῖν τὰ πρόσφορα, καὶ ἀσκῆσαι τὰ προσήκοντα, καὶ παρὰ πάντα ἀγαθῇ τύχῃ χρῆσθαι, ἅπερ πῶς σπανιώτατα ἂν τῷ αὐτῷ ἀνδρὶ συμβαίη, χρῆ πάντας ὑμᾶς ὁμοθυμαδόν, ὅταν τις τοιοῦτος εὐρεθῆ, καὶ σπουδάζειν αὐτὸν καὶ καταχρῆσθαι αὐτῷ.</p> <p style="text-align: right;">Cass. Dio. 36.27.5-6.</p> | <p>I wish, people of Rome, that you had such a great abundance of strong and honest men that to determine the man strong enough to be set at the head of such weighty matters and so great a war were a difficult decision! But now, truly, since there is this one Gnaeus Pompeius who has surpassed in valour not only the glory of men now alive, but even the recollection of our history, what matter is there that could make anyone doubtful in this case?</p> <p><i>utinam, Quirites, virorum fortium atque innocentium copiam tantam haberetis ut haec vobis deliberatio difficilis esset quemnam potissimum tantis rebus ac tanto bello praeficiendum putaretis! nunc verocum sit unus Cn. Pompeius qui non modo eorum hominum qui nunc sunt gloriam sed etiam antiquitatis memoriam virtute superarit, quae res est quae cuiusquam animum in hac causa dubium facere possit?</i></p> <p style="text-align: right;">Cic. Man. 27</p> |
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Both advertisements of Pompeius' virtues begin with *aporia* articulated with βουλοίμην ἂν and *utinam*. Both also wish that Rome have more able men; and both reach the same conclusion by encouraging unanimous approval by the end of the thought. It seems particularly striking that both argumentative chains begin with the same technique, before moving on to stress the exceptionality of this one man alone and then reaching the conclusion that none should hesitate to make use of him. The argument of Dio's Gabinius that all of the virtues of the ideal leader are present in τῷ αὐτῷ ἀνδρὶ is of course the main thrust of *De Imperio* 28-49 as a whole, a lengthy explanation of why Pompeius alone possesses all four qualities of the *summus imperator*; but Cicero too later reduces this

argument to the sort of digestible one-liner we find in Gabinius' speech.⁶³ All that is lacking in the excerpt of Cicero, in comparison to that of Dio's Gabinius, is a word on *felicitas* or τύχη. But Pompeius' *felicitas* is praised several times throughout the *De Imperio*, and elaborated in some detail.⁶⁴

The historian's technique is similar later. Stressing Pompeius' exceptionality even from his youth, both orations use *anaphora* and *polyptoton* to emphasise the point:

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| <p>He, whom you chose to command as a youth, you will reject now that he's a grown man? He, to whom as an <i>eques</i> you entrusted those wars, you will not entrust this campaign now that he's a senator? Of him who alone you had need for the emergencies back then before putting him properly to the test, will you not now entrust this, an emergency no smaller than those ones, now that you have more than sufficiently tested him? And he, whom you engaged against Sertorius when not yet able to hold a magistracy, you will not now send against the pirates now that he's a consular?</p> <p>οὐκ ἂν ὑμῖν χρησιμώτατος γένοιτο; ἀλλ' ὄν ἔφηβον ὄντα ἄρχειν εἴλεσθε, τοῦτον ἄνδρα γεγονότα ἀποδοκιμάσετε; καὶ ᾧ ἵππεϊ ἔτ' ὄντι τοὺς πολέμους ἐκείνους ἐνεχειρίσατε, τούτῳ βουλῆς γεγονότι τὴν στρατείαν ταύτην οὐ πιστεύσετε; καὶ οὗ καὶ πρὶν ἀκριβῶς πειραθῆναι, μόνου πρὸς τὰ τότε κατεπεῖξαντα ὑμᾶς ἐδεήθητε, τούτῳ νῦν, ἰκανώτατα αὐτοῦ πεπειραμένοι, τὰ παρόντα οὐδὲν ἦττον ἐκείνων ἀναγκαῖα ὄντα οὐκ ἐπιτρέψετε; καὶ ὄν οὐδὲ ἄρχειν ἔτι πῶ καὶ τότε δυνάμενον ἐπὶ τὸν Σερτώριον ἐχειροτονήσατε, τοῦτον ὑπατευκότα ἤδη ἐπὶ τοὺς καταποντιστάς οὐκ ἐκπέμψετε;</p> <p style="text-align: right;">Cass. Dio. 28.2-3.</p> | <p>Who set out from school and juvenile education for his father's army and the discipline of the camp in the midst of the greatest war and fiercest foes; who became the soldier of the greatest general when in the height of boyhood, then himself became the general of a great army upon attaining adolescence; who fought with the enemy more often than any other, waged more wars than others have even read about, subdued more provinces than others have dreamed of; whose youth was trained to military matters not by another's precepts, but by his own commands.</p> <p><i>qui e ludo atque e pueritiae disciplinis bello maximo atque acerrimis hostibus ad patris exercitum atque in militiae disciplinam profectus est, qui extrema pueritia miles in exercitu summi fuit imperatoris, ineunte adolescentia maximi ipse exercitus imperator, qui saepius cum hoste conflixit quam quisquam cum inimico concertavit, plura bella gessit quam ceteri legerunt, pluris provincias confecit quam alii concupiverunt, cuius adolescentia ad scientiam rei militaris non alienis praeceptis sed suis imperiis.</i></p> <p style="text-align: right;">Cic. Man. 28</p> |
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⁶³ Cic. Man. 51: *et necessarium bellum esse et magnum et in uno Cn. Pompeio summa esse omnia*; also 28: *in summo imperatore quattuor has res inesse oportere, scientiam rei militaris, virtutem, auctoritatem, felicitatem.*

⁶⁴ Cic. Man. 9, 28, 47, 48.

Just as in the previous example Dio clearly compressed several Ciceronian arguments made in favour of Pompeius in 66 BCE and reproduced these with the same rhetorical strategy, so too do we find the same here. My inelegant translation of the Greek is intended to preserve the repetition and case-variation of the relative pronoun. It seems to me unusually coincidental that in both, the *anaphora* and *polyptoton* are generated in the relative pronouns ὃς and *qui*. It is also striking that this occurs in the same argumentative thought, in which both focus on Pompeius' youth and the distinctiveness of his meteoric career.

Third and finally, Cicero appears to have appealed to Roman imperialistic self-interest in his advocacy of the *lex Manilia* in 66 BCE; an argument which finds its way also into the exhortation of Dio's Gabinius. In a summary of Pompeius' martial prowess, both speeches argue that the general's interventions have, and will again, preserve Rome's revenues and protect its allies:

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| <p>Or do you think that this Pompeius, who in his boyhood was able to campaign and lead an army and increase your possessions and protect those of your allies and acquire those of your enemies, could not now, being in the prime of his life and of such an age as every man is at his best, and having gained such great experience from those wars, not now be most useful to you?</p> <p>οἴεσθε ὅτι Πομπήιος οὗτος ἐν μὲν μεираκίῳ καὶ στρατεύεσθαι καὶ στρατηγεῖν καὶ τὰ ὑμέτερα αὐξῆιν καὶ τὰ τῶν συμμάχων σώζειν τὰ τε τῶν ἀνθισταμένων προσκτᾶσθαι ἐδύνατο, νῦν δὲ ἀκμάζων καὶ ἐν ταύτῃ τῇ ἡλικίᾳ ὧν ἐν ἧ πᾶς τις ἄριστος αὐτὸς αὐτοῦ γίνεται, καὶ ἐμπειρίαν ἐκ τῶν πολέμων πλείστην ὄσῃν προσειληφώς, οὐκ ἂν ὑμῖν χρησιμώτατος γένοιτο;</p> <p style="text-align: right;">Cass. Dio. 36.28.1</p> | <p>His arrival held in check even Mithridates, puffed-up with his unusual victory, and delayed Tigranes, threatening Asia with great forces. And who can doubt what he will do by his valour who has achieved so much by his authority? Or how easily with this command and his army he will preserve our allies and our revenues, who has defended them already merely by his name and the dread of it?</p> <p><i>huius adventus et Mithridatem insolita inflatum victoria continuit et Tigranen magnis copiis minitantem Asiae retardavit. et quisquam dubitabit quid virtute perfecturus sit qui tantum auctoritate perfecerit, aut quam facile imperio atque exercitu socios et vectigalia conservaturus sit qui ipso nomine ac rumore defenderit?</i></p> <p style="text-align: right;">Cic. Man. 45</p> |
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Rhetorically, there may be less of interest in these passages from the viewpoint of source-criticism. Both display a predilection for co-ordinating conjunctions (καὶ, τε, μὲν, δὲ: 9; *et, atque, que, ac, aut*: 7), and a case could be made here; but this is less striking than the

identical rhetorical figures in the previous pairs. In the Greek the *polysyndeton* creates the rhetorical effect of a stressed enumeration of Pompeius' many services, although this seems to me less pronounced in the Latin. But even without the shared *polysyndeton* it is striking that Dio's Gabinius is again made to provide the same arguments in support of further extraordinary powers for Pompeius in the debate of 67 BCE as Cicero had historically offered around the same time, and with several clear overlaps in rhetorical strategy. It is even more striking that Dio covers all of this supporting Ciceronian material in such a short speech.

For historical *objections* to the Gabinian law, however, the sources of evidence of historical oratory were less abundant. As I have already explained, Dio uses his Catulus as a catch-all opponent to Pompeius' extraordinary commands, representing in him the opposing argument to these developments in Roman foreign-policy voiced by Q. Hortensius Hortalus in 66 BCE and probably by Q. Lutatius Catulus himself in 67 BCE. But no speech of either survives from the Late Republic. They may, or may not, have published their *dissuasiones* of the two laws; but Cicero mentions no such texts in the *Brutus* and didn't consider Catulus *in numero oratorum*.⁶⁵

For the material, I suggest that Cassius Dio again looked within the *De Imperio*. Cicero preserves numerous fragments and *testimonia* of Catulus and Hortensius' reasons for rejecting the Gabinian and Manilian laws. According to Cicero, they made five arguments: i) that great power ought not to be entrusted into the hands of one man alone; ii) that this ought to apply even if the recipient of those powers were the most worthy of all; iii) that such extraordinary commands would contravene the *mores maiorum*; iv) that over-reliance on Pompey had already led to a shortage of tried-and-tested commanders, and would continue to do so; and v) that it was inappropriate to bestow this honour upon a *privatus* rather than existing pro-magistrates. All five are reproduced in the historian's speech of Catulus against the *lex Gabinia*.

Cassius Dio inserts the first objection cited above into the mouth of his orator immediately after the *proemium*, and then the second some way further along the development of the argumentation. The similarities, again overleaf, seem to me striking:

⁶⁵ Cic. *Brut.* 133, 222.

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| <p>And so first of all (and most importantly), I assert that we should never entrust so many commands to the charge of a single man, one after another.</p> <p>ἐγὼ τοίνυν πρῶτον μὲν καὶ μάλιστα φημι δεῖν μηδενὶ ἐνὶ ἀνδρὶ τοσαύτας κατὰ τὸ ἐξῆς ἀρχὰς ἐπιτρέπειν.</p> <p>For who doesn't know that it is neither fitting nor of advantage to confer all our affairs upon one person and to make one man master of our possessions, even if he is the finest of all?</p> <p>τίς γὰρ οὐκ οἶδεν ὅτι οὔτ' ἄλλως καλῶς ἔχει οὔτε συμφέρει ἐνὶ τινι τὰ πράγματα προστάσσεσθαι καὶ ἓνα τινὰ πάντων τῶν ὑπαρχόντων ἡμῖν ἀγαθῶν κύριον γίνεσθαι, κἂν τὰ μάλιστα ἄριστός τις ᾖ;</p> <p style="text-align: right;">Cass. Dio. 36.31.3, 36.35.1</p> | <p>What says Hortensius? That if all things should be entrusted to one man, Pompey would be the most worthy of all, but these should not be conferred upon a sole individual.</p> <p><i>quid ait Hortensius? si uni omnia tribuenda sint, dignissimum esse Pompeium, sed ad unum tamen omnia deferri non oportere.</i></p> <p>[Catulus said in the contio that Gnaeus Pompey was indeed a great man, but already too great for a free Republic, and that all powers should not be placed in one man.]</p> <p><i>[in contione dixisset esse quidem praeclarum virum Cn. Pompeium, sed nimium iam liberae rei publicae, neque omnia in uno reponenda adiecissetque.]</i></p> <p style="text-align: right;">Cic. Man. 52; [Vell. Pat. 2.32.1]</p> |
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We know from Cicero's eyewitness testimony that Hortensius objected to Pompeius' increasing military might in 66 BCE on the principle that it ought not to be placed into the charge of only one man (*ad unum tamen omnia deferri non oportere*). We can also be reasonably confident that he made the concession that if such a concentration of powers were appropriate, then Pompeius would be the most worthy of all to enjoy it (*dignissimum esse Pompeium*). Both the general principle and the concession cited in the contemporary Latin material find their way into the mouth of Dio's Catulus: even if Pompeius were the finest of all (κἂν τὰ μάλιστα ἄριστός τις ᾖ), the command would be ill-advised. It is entirely possible that the historian drew inspiration here from Velleius Paterculus' *testimonium* of Catulus. He also states the general principle contained in both Dio and Cicero. But *only* Cicero, among our ancient records of the debate, cites the concession as well as the general principle, which only Dio, too, reproduces in his oration of Catulus.

There was then the third objection: the problem of ancestral custom. Cicero does not state explicitly that either of the two traditionalist statesmen involved in the debates of 67-66 BCE objected on the grounds of the *mores maiorum*, and he does not quote. However, he

goes quite transparently on the defensive on this question, and within a section of the speech (59-63) specifically devoted to Catulus' objections to the *lex Manilia*:

at enim ne quid novi fiat contra exempla atque instituta maiorum. non dicam hoc loco maiores nostros semper in pace consuetudini, in bello utilitati paruisse, semper ad novos casus temporum novorum consiliorum rationes accommodasse...in ipso Cn. Pompeio in quo novi constitui nihil volt Q. Catulus quam multa sint nova summa Q. Catuli voluntate constituta recordamini.

Let there be no innovation contrary to the examples and principles of our ancestors. I will not say here that our ancestors always obeyed custom in times of peace and expediency in times of war, and always accommodated plans of action to the novel circumstances of new times...**but in the case of this Gnaeus Pompeius, for whom Quintus Catulus objects to our introducing any innovation,** remember how many new laws were constituted with the most willing consent of Quintus Catulus before!⁶⁶

It seems clear from Cicero, then, that Catulus rejected the possibility of further powers for Pompeius on the grounds that these would contravene established custom. The issue of the *mores maiorum* does not find its way into our other accounts of Valerius Maximus and Velleius Paterculus. Dio, on the other hand, reproduces it in his speech of Catulus. 'How', his orator asks, 'will you not bring hatred upon yourselves from [the existing magistrates] and from all others selected to engage in public affairs, if you revoke our ancestral offices (ἂν τὰς μὲν πατρίους ἀρχὰς καταλύητε)?'⁶⁷ This is an expansion of an earlier argument in Catulus' oration, in which he states that 'it is not in the nature of man, not only of the young but the old as well, to spend a long time in possession of power and still wish to abide by ancestral customs (τοῖς πατρίοις ἔθεσιν)'.⁶⁸ Leach argues that these were 'standard optimate arguments': in view of the literary tradition of writing Catulus as the ideal staunch Republican, it would not be difficult to imagine and then reproduce such arguments without reference to a source.⁶⁹ The number of parallels between Dio's speeches of Gabinius and Catulus and the *De Imperio*, in addition to the overlaps in the rhetorical strategy, says otherwise. But if Cassius Dio did imagine and fabricate the objection to Pompeius' *δυναστεία* in the early 60s BCE on the grounds of the *mores maiorum*, it merely

⁶⁶ Cic. *Man.* 60.

⁶⁷ Cass. Dio. 36.33.3.

⁶⁸ Cass. Dio. 35.31.4.

⁶⁹ Leach (1978) 68. For positive assessments of Catulus cf. Cic. *Brut.* 133, 122; Cic. *Phil.* 2.21; Cic. *Man.* 51; Cic. *Red. Sen.* 9; Vell. Pat. 2.31-32; Plu. *Pomp.* 17.3; Cass. Dio. 36.30.5, 37.46.3.

demonstrates how aware he was of genuine contemporary optimate arguments for the preservation of the Republic.

A fourth argument in the historian's *dissuasio* which comes directly from Late Republican oratory is the concern that selecting Pompeius for yet another command had led to a scarcity of competent generals and would continue to. Catulus, Cicero records, had flirted with the possibility of Pompeius' death, and suggested that in such a case, Rome would have no other tried-and-tested commanders to turn to:

reliquum est ut de Q. Catuli auctoritate et sententia dicendum esse videatur. qui cum ex vobis quaereret, si in uno Cn. Pompeio omnia poneretis, si quid eo factum esset, in quo spem essetis habituri, cepit magnum suae virtutis fructum ac dignitatis, cum omnes una prope voce in eo ipso vos spem habituros esse dixistis.

It seems all that is left is for me to talk about the authority and opinion of Quintus Catulus. When he asked you **in whom you would place your hopes, in the event that you entrusted everything to Gnaeus Pompeius and something then happened to him**, he reaped the great crop of his virtue and dignity when you all with one voice said that you would place your faith in *him* instead.⁷⁰

It is unclear from Cicero's paraphrase whether this objection was voiced in 67 or 66 BCE,⁷¹ but it emerges in all our sources on the *lex Gabinia*, and possibly also in Sallust's lost histories.⁷² This argument that over-reliance on a single commander would leave Rome with a dearth of other options, again, is re-elaborated also into Dio's speech. His Catulus predicts that, should Pompeius be chosen again, 'it is inevitable that there will be a profound lack of men to train for and be entrusted with the necessary matters; indeed, it's for this reason most of all that you lacked a general for the war against Sertorius, since prior to that time you used to employ the same men for long periods'.⁷³ As I will show in Chapter 5, in this thought Cassius Dio articulates very much his own historical analysis of Rome's problematic inability to distribute power effectively within the Republican empire.

⁷⁰ Cic. *Man.* 59.

⁷¹ Pace Saylor Rodgers (2008) 289, for which see my suggestions on this in the earlier discussion.

⁷² Plu. *Pomp.* 25.10; Val. Max. 8.15.9; Vell. Pat. 2.32.1-3; Sall. *Hist.* 5 F 24: *nam si in Pompeio quid humani evenisset*. From the evidence of FF 20-24 of Book 5 of Sallust's *Historiae*, and F 24 in particular, Gelzer (1943) 180 suggests that Dio drew from Sallust for his speech of Catulus. But it is not clear whether any of these fragments refer to that statesman, and they are scant and incomplete evidence.

⁷³ Cass. Dio. 36.32.2-3: ἐκείνως δὲ δὴ πολλὴν τὴν σπάνιν καὶ τῶν ἀσκησόντων τὰ προσήκοντα καὶ τῶν ἐπιτραπησομένων ἀνάγκη πᾶσα γίνεσθαι καὶ διὰ τοῦτο γε οὐχ ἥκιστα ἐν τῷ πρὸς τὸν Σεργώριον πολέμῳ στρατηγοῦ ἠπορήσατε, ὅτι τὸν πρὸ τούτου χρόνον τοῖς αὐτοῖς ἐπὶ πολὺ ἐχρήσθε.

But he also re-elaborates another objection to Pompeius' power in the early 60s BCE as we find it preserved in Cicero, and as such closely aligns his own speech of Catulus with the contemporary Latin evidence.

Finally, from the evidence of the *De Imperio Pompeius'* status as a *privatus* may also have been grounds for opposing the Gabinian and Manilian laws. Again, it is in the section of his oration specifically devoted to Catulus' objections that Cicero labours this point. 'What', he asks, 'can be more of an innovation than a teenage *privatus* raising an army in a time of emergency for the Republic? But Pompeius did so.'⁷⁴ He continues: 'what could be so unusual, as for a Roman *eques* [Pompeius] to be sent to a most important and formidable war? But he was sent. And indeed, when at that time someone in the Senate said that "we ought not to send a *privatus* with proconsular power", it's said that Lucius Philippus quipped "in my view, we're not sending him with proconsular power, but actually in defence of the consuls"⁷⁵. Cicero mentions Pompeius' *privatus* status elsewhere:⁷⁶ the point is laboured. It was an objection which had to be dealt with. Accordingly, Dio reproduces it in his oration of Catulus. Following on from his historically-accurate arguments about the preservation of the *mores maiorum*, Dio's Catulus states that Gabinius' *lex* would 'overthrow the ancient offices, entrusting nothing to those elected by law, but instead assigning some strange and to this point unheard-of command to a private individual (ιδιώτη)'.⁷⁷

I do not think we can agree that Dio's Catulus 'was talking as if he were in the Republic of Plato rather than the sink of Romulus'.⁷⁸ As with Gabinius, all his main points replicate genuine arguments in the Latin political oratory of this context. I suggest that the historian found the material for both the opposing and supporting case on the *lex Gabinia* within the *De Imperio*, either stated explicitly (Gabinius *qua* Cicero) or reconstructed from Cicero's quotations and *testimonia*. We do not know of Greek translations of Cicero's speech. In any case, there are few grounds to suspect that the historian would have been unable to draw from the contemporary Latin version: I have set out the evidence which confirms that Dio

⁷⁴ Cic. *Man.* 61: *quid tam novum quam adolescentulum privatum exercitum difficili rei publicae tempore conficere? confecit.*

⁷⁵ Cic. *Man.* 62; cf. also Plu. *Pomp.* 17.4. I have adopted a loose translation in order to preserve the pun on *proconsule* and *pro consulibus*, but the humour is almost untranslatable.

⁷⁶ Cic. *Man.* 50: *quod si Romae Cn. Pompeius privatus esset hoc tempore, tamen ad tantum bellum is erat deligendus atque mittendus.*

⁷⁷ Cass. Dio. 36.33.4: ἄν τὰς μὲν πατρίους ἀρχὰς καταλύητε καὶ τοῖς ἐκ τῶν νόμων χειροτονουμένοις μηδὲν ἐπιτρέπητε, ξένην δὲ τινα καὶ μηπώποτε γεγενημένην ἡγεμονίαν ιδιώτη προστάξητε;

⁷⁸ Pace Greenhalgh (1980) 88.

could read and speak Latin. It is most likely that in the course of his decade of reading and research, the historian will have consulted the *De Imperio* when the issue of Pompeius' extraordinary commands arose. Given the ergonomical difficulty of ancient texts, he then excerpted quotations and arguments from this text into his ὑπομνήματα for later re-elaboration into his own representation of the debates surrounding Pompeius' power when the time came for writing-up. Fechner's scepticism – that it is questionable whether or not Dio really did use the *De Imperio* – may be cautious, but is not necessary.⁷⁹

The Ciceronian Material: The *Philippicae*

Cassius Dio's use of the *Philippicae* to construct both the for- and against-case regarding M. Antonius in the Cicero-Calenus invectives is remarkably similar. As with my previous analysis, I leave aside a detailed discussion of the historical context of those speeches, which is not relevant here. However, the historian's relationship with the *Philippicae* has been more thoroughly discussed than the relatively neglected *De Imperio*, and it is worthwhile to look cursorily at this first.

Dio's debt to the *Philippicae* in the composition of his Cicero-Calenus debate has long been acknowledged. Fischer's detailed study concluded that Dio certainly used material from all fourteen *Philippicae*, but that he was so faithful to the original 'that you would think you were reading an actual speech of Cicero translated into Greek'.⁸⁰ This, I will show, is an exaggeration, but my conclusions will absolutely support Fischer's thesis that there is no reason to suspect an intermediate source (and especially not a Greek one) between Cicero and Dio, which two later studies have insisted upon.⁸¹ It is testament to the detail of Fischer's investigation that all modern discussions of the historian's re-elaboration of the *Philippicae* now merely mention the fact that it happened, either directly from the Latin original or through a later Greek compilation or translation.⁸²

Calenus' riposte to Cicero's treatment of Antonius in Book 46 is less studied. Although both Gabba and Millar recognise that Cicero in the *Second Philippic* gives fragments and *testimonia* of Antonius' words which could have provided anti-Ciceronian material for Dio's speech of Calenus, both set aside the possibility.⁸³ Gabba concludes that the historian

⁷⁹ Fechner (1986) 44 n.35.

⁸⁰ Fischer (1870) 1-28, esp. 27: '*deinde autem Dioni hanc tribuere debemus laudem, quod in plurimis rebus optime cum Cicerone congruit...ut in Graecum conversam Ciceronis orationem legere videaris*'.

⁸¹ Fischer (1870) 28; *contra* Haupt (1884) 689-693 and Zielinski (1912) 280-288.

⁸² Millar (1964) 54; Stekelenburg (1971) 80; Fechner (1986) 64; Gowing (1992) 238 n.34.

⁸³ Gabba (1957) 321-322; Millar (1964) 53-54.

drew instead from Asinius Pollio's lost invectives.⁸⁴ In fact, I will suggest here, there is no need to imagine any source for Dio's Cicero-Calenus polemics other than Cicero himself, and in Latin. As in his Gabinius-Catulus debate, the historian appears to have taken a Latin text of Late Republican oratory and then used it, not only to build one side of the debate, but to reconstruct the other in addition. He furthermore again replicates aspects of the rhetorical as well as argumentative strategy of Cicero.

Beginning, then, with the invective of Book 45, the speech strikes me as a fusion of three *Philippicae*: the *Second*, *Fifth*, and *Eighth*. Gabba argued that it corresponds predominantly to the *Fifth Philippic*.⁸⁵ The main body of the parallels between Cicero and Dio, moreover, have been discovered in the *Second* and *Third*.⁸⁶ Two aspects are missing in those analyses. Firstly, while the historian certainly does locate his speech in the context of the *Fifth Philippic* in the earliest days of January 43 BCE, it is addressed directly to Calenus (45.46.1: ὦ Καλῆνε), the addressee of the *Eighth Philippic*. It therefore merges both the context of the *Fifth* and the setting of the *Eighth*. Moreover, Dio deliberately locates his speech of Cicero as second in the 'series'. This is indicated from the beginning. His orator opens by reiterating the 'recent' (πρόην) defence he has made in a previous speech both for his departure from Rome and for his long ἀποδημία following Caesar's assassination.⁸⁷ This is a reference to the exculpatory content of sections 1-11 of the *First Philippic*. Dio therefore collapsed several *Philippicae* as has already been argued elsewhere, but did so not only in content, but in context, addressee, and sequence.

The historian clearly took liberties with Cicero's polemics against Antonius. It would hardly have been feasible to provide a version of all fourteen speeches; and his purpose was not to provide the reader with a précis in any case, but to demonstrate the way in which public speech and political life were corrupted by factional discord in the Late Republic. This purpose, I suggest, was made more attainable by Dio's reproduction of the contemporary Latin evidence of oratory.

When we compare the argumentation of the historian's Cicero with the historical Cicero, a striking pattern emerges which demonstrates how closely Dio followed the contemporary evidence in the course of his reading and note-taking. I suggest that the historian excerpted

⁸⁴ Gabba (1957) *passim*; Millar (1964) does not conclude either way.

⁸⁵ Gabba (1957) 320; notwithstanding the theory in Haupt (1884) 687-692 and Gowing (1992) 238 n.34 that it draws from all fourteen.

⁸⁶ Haupt (1884) 687-692.

⁸⁷ Cass. Dio. 45.18.1.

details from the *Second Philippic* for long stretches ('runs'), occasionally interrupting this where he felt the original Ciceronian material unnecessary to include ('breaks'). Where these 'runs' occur, the order in which the argumentation develops is identical in both. At a later point, Dio additionally 'loops' back to an earlier point in the *Second Philippic* before the argument resumes, again in parallel.

RUN 1: Cicero declares that Antonius is an enemy of the state (45.20.4: πάλαι φημι πολέμιον αὐτὸν ἀπάντων ἡμῶν εἶναι = 2.2: *esse hostem patriae*); **Antonius' banditry substantiates that point** (45.20.4: τὴν χώραν πορθῶν καὶ λυμαινόμενος = 2.5: *beneficium latronum*); **Caesar's documents are unfaithfully edited** (45.23.6: τοῖς μὴ λαβοῦσι δέδωκε, παραποησάμενος τὰ τοῦ Καίσαρος ὑπομνήματα = 2.8: *habes scientiam quaestuosam*); **Antonius' prostitution in his youth** (45.26.2: τὴν ἀκμὴν τὴν ἐφ' ἧβης ἀπεκήρυξε = 2.45: *puer emptus libidinis*); **the paralipical posture of sparing details of this for modesty** (45.26.2: αἰδοῦμαι, νῆ τὸν Ἡρακλέα, ἀκριβῶς καθ' ἕκαστον = 2.47: *sunt quaedam quae honeste non possum dicere*);

BREAK 1: Phil. 2.48-56: description of Antonius' political career

RUN 2: Antonius' romp in Italy with pimps and prostitutes (45.28.2: πόρνους καὶ πόρννας = 2.58: *sequebatur raeda cum lenonibus, comites nequissimi*); **his disgrace of the lictors, still crowned with laurel, by exposure to such company** (45.28.2: μετὰ τῶν ῥαβδούχων δαφνηφορούντων = 2.58: *lictores laureati antecedebant*); **vomiting in the tribunal while conducting public business in the assembly** (45.28.2: ταῖς ἐκκλησίαις τὴν κραιπάλην ἐπ' αὐτοῦ τοῦ βήματος μεταξύ δημηγορῶν ἐξήμει = 2.63: *in coetu vero populi Romani negotium publicum gerens...vomens frustis esculentis vinum redolentibus gremium suum et totum tribunal implevit*); **shock in both that Antonius' 'dared' purchase Pompeius Magnus' estate** (45.28.3: τὴν τοῦ Πομπηίου οὐσίαν μόνος ἀνθρώπων ἀγοράσαι ἐτόλμησε, μήτε τὸ ἑαυτοῦ ἀξίωμα μήτε τὴν ἐκείνου μνήμην αἰδεσθεῖς = 2.64: *qui ad illud scelus sectionis auderet accedere, inventus est nemo praeter Antonium*); **public grief at the auction** (45.28.3: ἐφ' οἷς πάντες ἔτι καὶ τότε ἐθρηνοῦμεν = 2.64: *dolor...gemitus populi Romani*); **Antonius' immediate squandering of Pompeius' property** (45.28.4: πάνθ' ὅσαπερ ἐκτήσατο, παμπληθῆ τε γεγόμενα καὶ ἐκ παντὸς τρόπου ἀργυρολογηθέντα, κατακεκύβευκε καὶ καταπεπόρνευκε καὶ καταβέβρωκε = 2.66: *illa tam multa quam paucis non dico mensibus sed diebus effuderit*); **Antonius as Charybdis** (45.28.4: καταπέπωκεν ὥσπερ ἡ Χάρυβδις = 2.66: *quae Charybdis tam vorax?*);

BREAK 2: Phil. 2.67-70: rhetorical questions on Antonius' activities in Pompeius's house

[RUN 3?]: **Paraliphtical transitioning from the narrative of Antonius' personal life to deal with the Civil War** (45.29.1: ταῦτα μὲν οὖν ἔασω: τὰς δὲ δὴ ὕβρεις ἃς τὸ κοινὸν ὕβρισε, καὶ τὰς σφαγὰς ἃς κατὰ πᾶσαν ὁμοίως τὴν πόλιν εἰργάσατο, πῶς ἂν τις σιωπήσειεν; = 2.70: *sed omitto ea peccata quae non sunt earum partium propria quibus tu rem publicam vexavisti; ad ipsas tuas partis redeo, id est ad civile bellum*);

BREAK 3: Phil. 2.70-84: Antonius' Mediterranean peregrinations

RUN 4: Antonius' naked harangue of the people at the Lupercalia (45.30.1: γυμνὸς καὶ μεμυρισμένος ἔξ τε τὴν ἀγορὰν ἐσῆλθε, πρόφασιν τὰ Λυκαῖα ποιησάμενος, κἀνταῦθα πρὸς τὸ βῆμα μετὰ τῶν ῥαβδούχων προσῆλθε, καὶ ἐκεῖ κάτωθεν ἐδημηγόρησεν = 2.85: *O praeclaram illam eloquentiam tuam, cum es nudus contionatus!*); **the crowning of Caesar** (45.31.3: καὶ τό τε διάδημα εὐθὺς ἐπὶ τὴν κεφαλὴν αὐτοῦ ἐπιθεῖναι = 2.86: *diadema ostendis*); **shock that Antonius should take it upon himself to establish a king without popular consent** (45.32.1-2: ἡμεῖς, ᾧ Ἀντώνει, ἡμεῖς σοι ταῦτ' ἐνετειλάμεθα;... ἡμεῖς βασιλέα τινὰ ἀσπάσασθαί σε προσετάξαμεν;... ἡμεῖς τύραννόν τινα ἀποδειξάι σοι ἐκελεύσαμεν; = 2.86: *a nobis, populoque Romano, mandatum id certe non habebas*);

LOOP 1: Concordances drop at Phil. 2.86 and return at 2.25-2.41, below:

RUN 5: Refutation of the accusation that Cicero was responsible for Caesar's death, with acknowledgement that this is praise, not defamation (45.41.1: εἶπέ ποτε ὅτι ἐγὼ τοὺς σφαγέας ἐπ' αὐτὸν παρεσκεύασα: οὕτω γὰρ ἀνόητός ἐστιν ὥστε μου καταμυθεῖσθαι τολμᾶν τηλικούτους ἐπαίνους = 2.25: *Caesarem meo consilio interfectum...me non solum meis laudibus ornaret sed etiam oneraret alienis*); **responsibility for Caesar's death shared by Antonius as any other** (45.41.1: τοῖς μέντοι πράγμασιν αὐτοῖς φημι ἐκεῖνον ὑπ' αὐτοῦ ἀπολωλέναι = 2.34: *vide, quaeso, Antoni, quid tibi futurum sit, quem et Narbone hoc consilium cum C. Trebonio cepisse notissimum est*); **yet he was too cowardly to be directly involved in the plot** (45.41.1: οὐχ ὅτι οὐκ ἠθέλησεν, ἀλλ' ὅτι καὶ τοῦτο κατέδεισε = 2.35: *virum res illa quaerebat*); **Antonius did not receive the patrimony from his father** (45.47.3: μήτε τὸν πατέρα τῆς οὐσίας κληρονομήσας = 2.42: *cum ipse hereditatem patris non adisses*); **instead, he inherited from people he had never even met** (45.47.5: τῶν μὲν ἐκείνου χρημάτων οὐκ ἐκληρονόμησεν, ἄλλων δὲ δὴ καὶ πάνυ πολλούς, τοὺς μὲν μήτ' ἰδὼν μήτ' ἀκούσας πῶποτε = 2.41: *te, quem numquam viderat aut certe numquam salutaverat, fecit heredem*).

The architecture of both orations is fundamentally the same from beginning to end, and progresses consecutively. The breaks, at which the historian appears to have stopped following Cicero, can be explained by the structure of Dio's text as a whole. There was no need to provide the summary of Antonius' political career articulated in *Phil.* 2.48-56 (Break 1), as the particulars had been outlined earlier in the narrative. Dio apparently did not feel the need to incorporate the lengthy selection of rhetorical questions at *Phil.* 2.67-70 (Break 2) into his own version; but it appears to be arguments that the historian required, and not rhetorical questions, which were easy enough for Dio to devise of his own accord. The absence of an enumeration of Antonius' travels abroad at *Phil.* 2.70-84 (Break 3) is harder to explain: it is peculiar that the historian omitted this especially long and incriminating section of the argument, although this can perhaps be again justified by the record he provides of Antonius' travels throughout his career earlier in the diegesis. The reasons for the 'loop', again, are unclear. It may be that after excerpting details from the *Second Philippic* in the course of his reading and research, Dio set the text aside, but returned to it later. All told, there are no fewer than twenty-one points at which the arguments of Dio's Cicero and the historical Cicero run in tandem.

The mirroring extends to the rhetorical as well as the argumentative strategy of the *Second Philippic*. Unlike Dio's imitation of the *De Imperio*, there is less here from the viewpoint of rhetorical figures. It is possible that the abundance of detailed arguments left little room for recording also how those were expressed. However, just as in his speech of Gabinius the historian reproduced rhetorical figures *in conjunction* with the arguments they originally reinforced in the *De Imperio*, so too here did Cassius Dio retain the original wording of Cicero at the beginning of a transition from one argument to another. The comparison follows on the next page:

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| <p>δὴ ἴδιον αὐτοῦ βίον τὰς τε ἰδίας ἀσελγείας καὶ πλεονεξίας ἐκὼν παραλείψω, ὅτι αἰδοῦμαι νῆ τὸν Ἡρακλέα ἀκριβῶς καθ' ἕκαστον</p> <p>But I shall pass over his private life and his lusts and his greed, since (by God!) I am ashamed to detail them point-by-point.</p> <p style="text-align: right;">Cass. Dio. 45.26.2</p> <p>τὴν τοῦ Πομπηίου οὐσίαν μόνος ἀνθρώπων ἀγοράσαι ἐτόλμησε, μήτε τὸ ἑαυτοῦ ἀξίωμα μήτε τὴν ἐκείνου μνήμην αἰδεσθεῖς...ἀλλ' ἐφ' οἷς πάντες ἔτι καὶ τότε ἐθρηνοῦμεν, ταῦτα μεθ' ἡδονῆς ἀρπάσας.</p> <p>He alone among men dared to purchase the estate of Pompeius, having regard neither for his own dignity nor the memory of that great man...At the sight of him grasping at these things with pleasure, we all groaned, and still do now.</p> <p style="text-align: right;">Cass. Dio. 45.28.3</p> <p>ταῦτα μὲν οὖν ἐάσω: τὰς δὲ δὴ ὕβρεις ἅς τὸ κοινὸν ὕβρισε, καὶ τὰς σφαγὰς ἅς κατὰ πᾶσαν ὁμοίως τὴν πόλιν εἰργάσατο, πῶς ἄν τις σιωπήσειεν;</p> <p>And so I shall leave that aside; for how could one remain silent about the outrages which you committed against the state, and the slaughter you inflicted upon all the city alike?</p> <p style="text-align: right;">Cass. Dio. 45.29.1</p> | <p><i>sed iam stupra et flagitia omittamus: sunt quaedam quae honeste non possum dicere. tu autem eo liberior...</i></p> <p>But let us leave aside, now, your depravity; there are some things which cannot be with decency said. You're all the freer for that...</p> <p style="text-align: right;">Cic. Phil. 2.47</p> <p><i>qui ad illud scelus sectionis auderet accedere, inventus est nemo praeter Antonium, praesertim cum tot essent...qui alia omnia auderent...Dolor – bona, inquam, Cn. Pompei Magni!...gemitus tamen populi Romani liber fuit.</i></p> <p>No one was found who would dare to commit that criminal purchase, except Antonius, even when there were so many there who would commit any crime!...The grief – the goods, I say, of Pompeius Magnus!...But the Roman people groaned freely.</p> <p style="text-align: right;">Cic. Phil. 2.64</p> <p><i>sed omitto ea peccata quae non sunt earum partium propria quibus tu rem publicam vexavisti; ad ipsas tuas partis redeo, id est ad civile bellum</i></p> <p>But I pass over those offenses which have no connection with the part you took in harassing the republic; I return to that in which you bore so principal a share,—that is, the civil war.</p> <p style="text-align: right;">Cic. Phil. 2.70</p> |
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In his use both of the *De Imperio* and *Second Philippic*, Cassius Dio worked to bring his orations into line with the contemporary Latin material where composing a speech *parallel* to an historical occasion of oratory. That is, he seems not to have qualms about collapsing the content, context, and addressee of several *Philippicae* into one, if it was to demonstrate Late Republican oratory at its most aggressive; nor did he find displacing genuine

arguments, on the constitutional problem of Pompeius' extraordinary command of 66 BCE, to a debate on that topic a year earlier a source of disquiet. Probably he would not have understood why some modern scholars do.⁸⁸ The important aspect appears to have been to preserve, where possible, those arguments which Dio knew to have been put forth in the Late Republic in a comparable historical situation. Even the rhetoric is not entirely his – and this is no criticism. On a number of occasions, Dio imitated not only the historical argumentation but the rhetoric used to deliver it, grafting the expressions he found in the texts onto identical arguments in his own version. A mere list of concordances between Dio and Cicero will not suffice. Through a rhetorical analysis of the texts, it is clear that Dio found a compromise route between the time- or space-demands of writing his enormous history, and giving a credible representation of some Late Republican oratory that was still his own.

I close this discussion of the Ciceronian material with the 'anti-Philippic' response of Q. Fufius Calenus. Gabba held the view that the speech was compiled from anti-Ciceronian literature as such, either the lost polemics of Asinius Pollio or the pseudo-Sallustian *Invectiva in Ciceronem*.⁸⁹ But as Syme has shown, there is little evidence to suggest that the *Invectiva* date to the Late Republic at all;⁹⁰ they may come from the Imperial period, and this is the literature from which Millar believes Dio drew the body of his 'anti-Philippic' material.⁹¹ Gabba adduces ten concordances between the *Invectiva* and Dio's oration of Calenus, and is surely correct that these admit of little doubt that the historian did draw from a source. But the case for Asinius Pollio's polemics, being lost, is not strong; and although Gabba has outlined ten parallels between the pseudo-Sallustian *Invectiva* and Dio's Calenus, these are lacking in detail, and ten are rather few for so famous an event. There is the possibility that M. Antonius' own published responses to Cicero were still available in the historian's time. Plutarch appears to have read them, and one of his recorded attacks on Cicero's divorce and remarriage appears in Dio's speech of Calenus.⁹² This, however, will not help, as Antonius' ἀντιγραφαί are lost, and we last hear of them a century before Dio.

⁸⁸ Pace Saylor Rodgers (2008) 317-318.

⁸⁹ Gabba (1955) 318-321; Gabba (1957) 167 n.1.

⁹⁰ Syme (1958) 46-55.

⁹¹ Millar (1964) 52-55. So also Haupt (1884) 689-693 and Zielinski (1912) 280-288.

⁹² Plu. *Cic.* 41.4 with Cass. Dio. 46.18.3

In fact, and as Frisch has already suggested,⁹³ the richest source of evidence for Antonius' arguments against Cicero which we know to have still been extant in Cassius Dio's time were the *Philippicae* themselves. The historian's motivation in placing these into the mouth of Calenus rather than that of Antonius himself is a different question, but at the time of the debate in the early days of January 43 BCE, Antonius is away in Gaul and cannot possibly defend himself.⁹⁴ Knowing from the *Eighth Philippic* that Q. Fufius Calenus was a supporter of Antonius, Dio again appears to have chosen the most natural available character to present the opposite side of the debate, as with Q. Lutatius Catulus for the events of 67 BCE.

The *Second Philippic* preserves fourteen of these accusations against Cicero. It seems to me that, just as Dio had the *De Imperio* to hand for the exhortation of Gabinius and then found in that text all the main arguments needed to reconstruct the opposing case of Catulus, so too could he draw both the 'Philippic' and the 'anti-Philippic' from this text. In a series of quotations and *testimonia*, Cicero repeats those contentions which Antonius had levied against him in reply to his *First Philippic* of September 44 BCE: i) that he had violated their friendship;⁹⁵ ii) that he had been ungrateful for Antonius' retiring from the augurship contest in his favour;⁹⁶ iii) that he had taken advantage of Antonius' *beneficia*;⁹⁷ iv) that he had sent him friendly letters and was now changing face;⁹⁸ v) that he had demonstrated misconduct in his consulship;⁹⁹ vi) that the Capitoline had been full of armed slaves on Cicero's watch;¹⁰⁰ vii) that he had mistreated Antonius' uncle, Lentulus;¹⁰¹ viii) that Clodius was slain by his contrivance;¹⁰² ix) that he advised and rejoiced at the death of Milo;¹⁰³ x) that the alienation of Pompeius and Caesar was Cicero's fault, and by extension the Civil War too;¹⁰⁴ xi) that he had spurred individuals on to Caesar's assassination;¹⁰⁵ xii) that he was an accomplice in the plot;¹⁰⁶ xiii) that he was disliked and consequently

⁹³ Frisch (1946) 151 with nn.

⁹⁴ Cass. Dio. 46.29.4.

⁹⁵ Cic. *Phil.* 2.3.

⁹⁶ Cic. *Phil.* 2.4.

⁹⁷ Cic. *Phil.* 2.5.

⁹⁸ Cic. *Phil.* 2.8.

⁹⁹ Cic. *Phil.* 2.12.

¹⁰⁰ Cic. *Phil.* 2.16.

¹⁰¹ Cic. *Phil.* 2.17.

¹⁰² Cic. *Phil.* 2.21.

¹⁰³ Cic. *Phil.* 2.21.

¹⁰⁴ Cic. *Phil.* 2.23.

¹⁰⁵ Cic. *Phil.* 2.27.

¹⁰⁶ Cic. *Phil.* 2.28.

received few inheritances;¹⁰⁷ xiv) and that Cicero returned from voluntary exile under cover of darkness and in un-Roman dress.¹⁰⁸

Strikingly, only two of these recriminations of Antonius preserved in Cicero's text do *not* find their way into Dio's 'anti-Philippic' of Calenus. The speech makes no mention of accusations i) and iv), that Cicero had violated his friendship with Antonius and was displaying hypocrisy in changing face after a cordial exchange of letters. This may owe something to the choice of speaker in Dio in comparison with the personal nature of the accusations: Calenus may not have seemed the best-placed to comment on the friendship formerly enjoyed by the pair, or to have read their correspondence in the context. Twelve others, however, are reincorporated from the *Second Philippic* into Calenus' invective.

The points at which the two texts most closely overlap in their argumentation appear to be arranged into three clusters of concordance. First, the short section from 46.2.2-46.4.2 reproduces eight of these *testimonia*; second, the yet briefer 46.20 preserves three; and third, a couple of sentences in 46.22.3-5 replicate four, in rapid sequence.

To turn to the first of these clusters, it is clear that Dio on eight occasions reproduces the *crimina* which Antonius marshalled against Cicero at some point in September or October 44 BCE; but he does so with no particular regard to the order in which the *Second Philippic* preserved them. Here the historian's method is noticeably different from his invective of Cicero in Book 45, for which as I have shown he imitated the sequence of the original argumentation. As for the overlaps in the argumentation, there is, first, the accusation that Cicero was the cause of the enmity between Pompeius and Caesar and in consequence precipitated the civil war (46.2.2 = 2.23).¹⁰⁹ This is followed by Cicero's supposed responsibility for the death of P. Clodius Pulcher through T. Annius Milo (46.2.3 = 2.21);¹¹⁰ and, similarly, the killing of Caesar through M. Junius Brutus, stated once explicitly and insinuated a second time (46.2.3 = 2.27; 46.3.3 = 2.27).¹¹¹ Calenus then raises the controversial topic of Cicero's consulship, with reference to Catiline (46.2.3 = 2.11),¹¹² before accusing him of cruelty toward Antonius' uncle Lentulus during that time

¹⁰⁷ Cic. *Phil.* 2.40.

¹⁰⁸ Cic. *Phil.* 2.76.

¹⁰⁹ Cass. Dio. 46.2.2: ἢ γὰρ οὐχ οὗτός ἐστιν ὁ τὸν τε Καίσαρα τῷ Πομπηίῳ συγκρούσας καὶ τὸν Πομπήιον τῷ Καίσαρι καταλλαγῆναι κωλύσας

¹¹⁰ Cass. Dio. 46.2.3: οὐχ οὗτός ἐστιν ὁ τὸν τε Κλώδιον διὰ Μίλωνος ἀποκτείνας.

¹¹¹ Cass. Dio. 46.2.3: καὶ τὸν Καίσαρα διὰ Βρούτου φονεύσας; Cass. Dio. 46.3.3: καὶ τὸν μὲν Ἀντώνιον, ὃν τέως ἀγαπᾶν ἔλεγεν, ὑβρίζει καὶ λοιδορεῖ, τῷ δὲ δὴ Καίσαρι, οὐ καὶ τὸν πατέρα ἀπέκτεινε, συναίρεται;

¹¹² Cass. Dio. 46.2.3: ὁ τὸν τε Κατιλίαν ἐκπολεμώσας ἡμῖν;

(46.2.3 = 2.18).¹¹³ The final two points are a considerable jump forward in the material of the *Second Philippic*: Calenus implies that the orator's voluntary exile in Athens shows how foreign (ἀλλότριον) he is to the Roman way of life (46.3.2 = 2.76),¹¹⁴ before raising Cicero's lack of inheritances, here owing to his provincial background (46.4.2 = 2.40).¹¹⁵ Surprisingly, then, Dio compresses eight of M. Antonius' actual accusations of September-October 44 BCE scattered across the *Second Philippic* into a very short section of his own speech of Calenus.

In the second brief cluster, Dio's Calenus returns to the year 63 BCE to attack Cicero on the basis of his *consulatus*. Here again the earlier argument that the orator ought to be punished for his consulship is repeated (46.20.1 = 2.11);¹¹⁶ but Calenus provides further detail. Dio here introduces Antonius' accusation that the Capitol was filled with armed slaves during Cicero's term (46.20.1 = 2.16),¹¹⁷ and brings forth the unjust imprisonment and execution of Lentulus a second time, on this occasion in much greater detail (46.20.3-5 = 2.18).¹¹⁸

The third cluster reconstructed from *testimonia* of Antonius' criticisms of 44 BCE focusses again on the assassination of Caesar and introduces the relationship between Cicero and Antonius. Dio's Calenus first repeats the orator's apparent involvement in the murder plot, and his exhortations to others to do his dirty work for him by literally stabbing the dictator in the back (46.22.3 = 2.27).¹¹⁹ Here the historian returns to, but modifies, Antonius' *crimen* that Brutus had held his dagger aloft to Cicero and called his name following the bloodshed in the Senate, thereby implicating him too.¹²⁰ Dio's version (46.22.4 = 2.28) is slightly corrupted: Calenus is made to detail nameless tyrannicides running into the Forum

¹¹³ Cass. Dio. 46.2.3: καὶ τὸν Λέντουλον ἄκριτον ἀπολέσας.

¹¹⁴ Cass. Dio. 46.3.2: ἢ οὐχ ὁρᾶτε ὅτι καὶ μετὰ τὸν τοῦ Καίσαρος θάνατον, ὅτε μὲν τὰ πράγμαθ' ἡμῶν δι' Ἀντώνιον ὅτι μάλιστα, ὡς οὐδ' αὐτὸς ἀρνήσασθαι δύναται, κατέστη, ἀπεδήμησε, καὶ ἀλλότριον καὶ ἐπικίνδυνον ἑαυτῷ τὸν τῆς ὁμοιοῦσας ἡμῶν βίον εἶναι νομίζων. ἐπεὶ δὲ τεταραγμένα αὐτὰ αὐθις ἦσθετο, μακρὰ χαίρειν τῷ τε υἱεὶ καὶ ταῖς Ἀθήναις φράσας ἐπανῆλθε; Both Antonius at *Phil.* 2.76 and Dio's Calenus at Cass. Dio. 46.3.2 use Cicero's exile to demonstrate his foreignness to Rome.

¹¹⁵ Cass. Dio. 46.4.2: οὐ γάρ που καὶ ὁ πατήρ αὐτῷ ὁ κναφεύς... ἢ γένος ἢ πλοῦτον κατέλιπεν.

¹¹⁶ Cass. Dio. 46.20.1: σὺ δ', ὦ Κικέρων, τί ἐν τῇ ὑπατεία σου οὐχ ὅτι σοφὸν ἢ ἀγαθόν, ἀλλ' οὐ καὶ τιμωρίας τῆς μεγίστης ἄξιον ἐπραξας;

¹¹⁷ Cass. Dio. 46.20.1: οὐχ ἡσυχάζουσας μὲν καὶ ὁμοιοῦσας τὴν πόλιν ἡμῶν καὶ ἐξετάραξας καὶ ἐστασίασας, τὴν ἀγορὰν καὶ τὸ Καπιτώλιον ἄλλων τέ τινων καὶ δούλων παρακλητῶν πληρώσας.

¹¹⁸ Cass. Dio. 46.20.3: σὺ δὲ οὔτε μικρὸν οὔτε μείζον οὐδὲν ἐκ τῶν περὶ ταῦτα τεταγμένων Λεντούλω παρέσχες, ἀλλὰ ἄνευ λόγου καὶ κρίσεως ἐνέβαλες ἐς τὸ δεσποτικὸν ἄνδρα ἐπιεικῆ γέροντα, πολλὰ μὲν καὶ μεγάλα πρὸς τὴν πατρίδα ἐκ προγόνων ἐνέχυρα φιλίας ἔχοντα, μηδὲν δὲ μῆθ' ὑπὸ τῆς ἡλικίας μῆθ' ὑπὸ τῶν τρόπων νεωτερίσαι δυνάμενον. For the full detail cf. Cass. Dio. 46.20.3-5.

¹¹⁹ Cass. Dio. 46.22.3: ἐλεθθεὶς ὑπὸ τοῦ Καίσαρος καὶ σωθεὶς ἔς τε τοὺς εὐπατρίδας ἐγγραφεὶς ἀπέκτεινεν, οὐκ αὐτοχειρία 'πόθεν, δειλὸς τε οὕτω καὶ γύννις ὢν;' ἀλλ' ἀναπέισας καὶ παρασκευάσας τοὺς τοῦτο ποιήσαντας.

¹²⁰ Cic. *Phil.* 2.28: *at quem ad modum me coarguerit homo acutus recordamini. 'Caesare interfecto' inquit 'statim cruentum alte extollens Brutus pugionem Ciceronem nominatim exclamavit atque ei recuperatam libertatem est gratulatus.' cur mihi potissimum? quia sciebam?*

brandishing their swords and calling ‘ὦ Κικέρων’, without reference to Brutus in the Senate or *recuperatam libertatem*.¹²¹ The reasons for this corruption of the material escape me, particularly given the distinctiveness of the image. It may be that the historian did not record Brutus’ name into his ὑπόμνημα, and in a misinterpretation of the original Latin believed that the tyrannicide invocation of Cicero happened in the Forum rather than the senate-house. And to close, there are lastly the accusations of Cicero’s ingratitude toward Antonius’ *beneficia* (εὐεργέτην ὄντα ἐφόνευσε): both in the matter of the generously-ceded augurship (46.22.5 = 2.4),¹²² and with regard to Antonius’ refraining from killing Cicero at Brundisium (46.22.6 = 2.5).¹²³

Cassius Dio thus appears to have re-elaborated the actual argumentative strategy pursued by Antonius in September-October 44 BCE into his own ‘anti-Philippic’ of Calenus. The parallels between the historian’s method here and in his speech of Catulus on the Gabinian law seem to me evident. In two Latin speeches of Cicero, Dio found not only the case which was historically parallel to the one he was intending to make, but also the quoted or paraphrased objections of the other side, which he duly reconstructed. In these debates on Pompeius’ power and the rectitude of Antonius, the historian built four speeches out of two. In all four cases, Cassius Dio presents the actual case that he found, among the contemporary Latin evidence of oratory, to have been historically made in a similar context to the one he depicts.

There were of course gaps in the material. The historian’s intention was not to provide a précis or translation of any speech of Cicero, Catulus, Hortensius, or Antonius; whole sections of the ‘anti-Philippic’ of Dio’s Calenus cannot be traced back to the *Second Philippic*. The oration, which covers twenty-eight chapters (46.1-28) only corresponds strongly with the original text of Cicero in clusters with often lengthy gaps inbetween, especially from cluster one (46.2.2-46.4.2) to cluster two (46.20). The historian fills these ‘breaks’ with material demonstrably not from the *Second Philippic*. For example, one may consider the vulgar and graphic excursus criticising Cicero’s unexalted background (46.4-7). We should not be too quick to imagine that a *novus homo* would not have to face similar slanders in Late Republican oratory: some of Asinius Pollio’s comments on Cicero

¹²¹ Cass. Dio. 46.22.4.

¹²² Cass. Dio. 46.22.5: ἐκεῖνόν τε οὖν εὐεργέτην ὄντα ἐφόνευσε, καὶ παρ’ αὐτοῦ τοῦ Ἀντωνίου καὶ τῆς ἱεροσύνης...

¹²³ Cass. Dio. 46.22.6: ... καὶ τῆς σωτηρίας, ὅτ’ ἀπολέσθαι ἐν τῷ Βρεντεσίῳ ὑπὸ τῶν στρατιωτῶν ἐκινδύνευσε, τυχὼν τοιαύτας αὐτῷ χάριτας ἀνταποδίδωσι, κακηγορῶν τε αὐτὸν ἐπὶ τούτοις ἢ μήτ’ αὐτὸς μήτ’ ἄλλος τις πώποτε ἐμέμψατο. Compare *Phil. 2.5: sed quo beneficio? quod me Brundisi non occideris?*

were so vulgar that even he decided not to circulate them further.¹²⁴ Therefore, , there is no need to posit that this aspect of Dio’s invective necessarily emerged from Imperial Greek literature or was alien to the world of Late Republican oratory.¹²⁵ Dio could have as easily drawn this material from other contemporary Latin sources,¹²⁶ or, as I will come to in Chapter 4, from the memory of his rhetorical education. Nevertheless, it is clear that something other than the *Philippicae* contributed to this section. Similarly, the stretch of the ‘break’ which follows this slander (46.7-10) sets out a number of general and unsubstantiated criticisms of the orator’s character – mediocrity, covetousness, hypocrisy, boastfulness – which need not have derived from a source at all.

Even during these breaks, however, we find defensive responses of Dio’s Calenus to the historical arguments made by Cicero himself in the *Second Philippic* scattered about. The historian still found room in his speaker’s crude digression on Cicero’s provincial origins to register Calenus’ shock that ‘you dared, you wretch, to slander Antonius for his early manhood, he who enjoyed attendants and teachers which befit his pedigree’:¹²⁷ a clear reference to Cicero’s attack on Antonius’ boyhood relationship with Curio.¹²⁸ There are in addition in this break a rather weak defence of Antonius’ nudity at the Lupercalia,¹²⁹ and of his gift of two thousand acres of Leontine land to the rhetor Sextus Clodius:¹³⁰ both directly respond to accusations in the *Second Philippic*. Whether the historian devised these ripostes himself from excerpts and quotations of the original in his ὑπόμνημα, when the time came to writeup, or derived them from another source, is speculation. But they demonstrate further that in this less sophisticated section of the oration, comprised mainly of personal abuse rather than the genuine arguments of Antonius recorded in the *Second Philippic*, Dio incorporated the historical material even here.

I am aware that to this point I have not investigated similarities in the rhetorical, and not only argumentative, strategy pursued by Dio’s Catulus and Calenus. Such an analysis, I have suggested in the case of Gabinius’ and Cicero’s orations, can be fruitful: in his speech of Gabinius in support of Pompeius, the historian’s use of *anaphora*, *polyptoton*, *aporia*,

¹²⁴ Sen. *Suas.* 6.17.

¹²⁵ Pace Haupt (1884) 689-693 and Zielinski (1912) 280-288.

¹²⁶ For which cf. the summary at Millar (1964) 54.

¹²⁷ Cass. Dio. 46.5.1: ἐτόλμησας, ὃ μιαιώτατε πρῶτον μὲν τῶν Ἀντωνίου ὄραν διαβαλεῖν ἀνθρώπου καὶ παιδαγωγῶν καὶ διδασκάλων κατὰ τὴν τοῦ γένους ἀξίαν κεχηρημένου.

¹²⁸ Cic. *Phil.* 2.45: *nemo umquam puer emptus libidinis causa tamfuit in domini potestate quam tu in Curionis. quotiens te pater eius domu sua eiecit, quotiens custodes posuit nelimen intrares?*

¹²⁹ Compare Cass. Dio. 46.5.3 and Cic. *Phil.* 2.86.

¹³⁰ Compare Cass. Dio. 46.8.2 and Cic. *Phil.* 2.43.

and *polysyndeton* at precisely the same argumentative points as Cicero in the *De Imperio* cannot be a coincidence. Nor, indeed, the striking mirroring of the Ciceronian language in Dio's 'Philippic'. For want of Greek translations of either, the extant material suggests that this was the historian's own intellectual endeavour and that he deliberately chose to reproduce the historical evidence of oratory into his own speeches. However, I have found nothing to indicate that Dio replicated the rhetorical strategy pursued by Q. Lutatius Catulus and Q. Hortensius Hortalus in 67-66 BCE in his own speech of Catulus on the Gabinian law, nor that of M. Antonius in 44 BCE in his invective of Calenus.

I speculate that the reason for this is simple. Cassius Dio could not align his own 'versions' of these speeches with the rhetorical strategies of those orators because he did not have access to them. I have suggested that the historian reconstructed the 'opposing' cases put forward on the depicted occasion of speech by reading and noting down the *testimonia* and quotations of Catulus, Hortensius, and Antonius that he found in Cicero, for later re-elaboration. These are universally brief, and give an indication only of what was supposedly argued, not *how* it was argued. These fragments of oratory were not presented *in propria voce*, but were quoted, and possibly misrepresented,¹³¹ by Cicero for his own argumentative purposes. The historian had, on the one hand, two ample and rhetorically-finished orations of Cicero in support of the *lex Manilia* of 66 BCE and in castigation of Antonius in 44 BCE: these provided both the argumentative and rhetorical basis for his speeches of Gabinius and Cicero. But on the other hand, for his Catulus and Calenus he had only testimonies of the arguments put forward by 'their' side of the debate. These arguments he preserved in his notes and then reincorporated into his *dissuasio* of the Gabinian law and 'anti-Philippic', with a surprising degree of accuracy. The rhetoric, however, was down to Dio.

Conclusion

Cassius Dio's speeches are no more an absolute fabrication and nonsensical distortion of the nature of Late Republican oratory than they are a verbatim transcript of it. Both of these are extremes, and no scholar would approve either. The consensus, however, seems to me to have shifted too far toward the former of this pair, and our general impression of the meaning and role of Dio's orations of the Late Republic and Augustan era has been altered by this consensus. It is telling that there is far more bibliography on concordances

¹³¹ But cf. Morstein-Marx (2004) 26: 'at present the debate seems to be favouring proponents of the view that the published speeches are, in substance and form, fair, if not by our standards exact, representations of the oral original.'

between the historian's speeches and the writings of Thucydides or Demosthenes than there is on the relationship between these compositions and the evidence, especially synchronous evidence, of Late Republican oratory.

By returning to a source-critique of Dio's speeches – a subject which has generated only a few items of discussion in the past century – I have been ploughing traditionally well-furrowed ground, at least in the case of the *Philippicae*. However, there is also room from the analysis of this chapter to posit three general principles with respect to these compositions which are, to my knowledge, new and hitherto unstudied.

Firstly, it seems clear to me that Dio used contemporary Latin source-material in cases where the historical occasion could be expected to be recognisable to an educated audience. Where Cassius Dio had an occasion of oratory to represent which ran parallel to an actual historical occurrence, we can be confident that he had at least read, and had probably excerpted into his *ὑπομνήματα*, the historical particulars of the case, for re-elaboration into a speech of his own later. In the next chapter I will come to the problem of the moral probity of rhetoric in Dio, and this discussion will touch upon the speech of Caesar at Vesontio in Book 38 and the false *recusatio* of Augustus in Book 53. Although the source-material is less rich than what I have discussed here, there is certainly a case to be made about the extent to which the historian modelled these orations on what he found in, for example, Caesar's own speech to his troops at Vesontio in the *De Bello Gallico*, or aspects of Augustan self-presentation which the *princeps* brought to the fore in his *Res Gestae*. Having now established this principle, we can proceed into further notes about the composition of Dio's speeches with greater confidence.

Secondly, it is not an anachronistic value-judgement to suggest that the historian's handling of the writing of speeches may be more sophisticated than has been traditionally thought. The mirroring of Ciceronian rhetorical strategies which Dio mapped onto the argumentative strategies they initially reinforced in the Latin texts required careful reading of the original rhetorical material; and it furthermore speaks to the historian's level of rhetorical education and his literary art. Some scholars may believe that I have credited Cassius Dio with too much subtlety in suggesting that he reconstructed the arguments of his Catulus and Calenus from the opposing *testimonia* and quotations preserved in the *De Imperio* and *Second Philippic*. But the preserved objections of the 'other side' are not particularly hidden or obfuscated in the text: they are plain enough to see. If Cassius Dio

performed the task of reconstruction which I suggest, then he may have beaten Meyer's 19th-century *Oratorum Romanorum Fragmenta* to the task by about sixteenhundred years.

Third – and most importantly – the fact that the historian aligned his own representation of the debate on Pompeius' δυναστεία in the early 60s BCE or the polemics of Cicero and Antonius with the contemporary record speaks to the relationship between speech and historical explanation in Dio's work. In these contexts, the historian reproduces the actual for-and-against arguments, which (if we are to believe Morstein-Marx) we can reasonably trust that Cicero recorded in his published speeches with something approximate to accuracy.¹³² These compositions in the *Roman History* do not belong in a sophistic thought-world divorced from what we, and Dio himself, read in the contemporary Latin record of the Late Republic. Rather, by setting out the genuine historical arguments in favour of or opposition to Pompeius' power, or for and against Antonius classification as a *hostis*, he locates the speeches implicitly in their proper historical context. There were, of course, opportunities to imitate Demosthenes and assert one's παιδεία. But this was not the sole objective, or even a main one. In fact, Cassius Dio seems to have resented rather than participated in some of the shallower rhetorical foibles of his time. But that is for the next chapter.

¹³² Morstein-Marx (2004) 26.

Chapter 3: Dio and the Second Sophistic

Introduction

The way we read a speech is necessarily influenced by the rhetorical culture in which it was composed. In the case of Cassius Dio, that culture has come to us from Philostratus under the name of the ‘Second’ Sophistic.¹ As numerous studies and the important testimony of Philostratus show,² this was an intellectual movement underpinned by display-rhetoric first and foremost, even where its purview extended to the education of the young, political affairs, or the writing of history. In education, the exercises of the *progymnasmata* developed the skills of composition and delivery as routes to acquiring and then reproducing canonical literary knowledge. This curriculum was the sophistic education *par excellence*,³ and equipped students with the tools to advertise their *παιδεία* in their own writings.⁴ In political affairs, rhetoric became a means to secure representation. The *poleis* of the Greek east, which already began replacing genuine political rhetoric with declamation in the Hellenistic era,⁵ nevertheless required those declaimers for embassies, especially to the emperor.⁶ Such sophists often operated with sufficient distinction to become secretaries *ab epistulis Graecis* or consuls. And in history-writing, narratives even on military concerns could serve as a means of ‘sophistic’ self-presentation through the medium of rhetoric. The belletristic choice to use the defunct prestige-dialect of Attic took deliberate training and time,⁷ and the practice was sufficiently prevalent for the rhetorician Lucian to satirise it.⁸ History-writing additionally provided fertile ground for showy Homeric quotations and Platonic allusions.⁹ Scholars cite several exponents of ‘sophistic historiography’, such as Cassius Dio’s contemporary Antipater who like him wrote a monograph of Septimius Severus’ rise to power,¹⁰ or the also-contemporary Lucian and

¹ Philost. VS 480-481.

² Though the reliability of Philostratus as a source for the Second Sophistic has been called into question, for which cf. Reardon (1984) 24; Jones (1978) 13-15; Brunt (1994); Eshleman (2008), esp. 397-399.

³ On the *progymnasmata* as sophistic education system *par excellence* cf. Anderson (1993), Gibson (2004), and Bloomer (2011), who demonstrate that these exercises were geared toward the inculcation of easy familiarity with (and imitation of) Classical literature.

⁴ For the unpacking of *παιδεία* cf. Anderson (1993); Bowie (1994) 196-198; Swain (1996) 33; Whitmarsh (1998) 193; Whitmarsh (2005) 13-22; Jones (2015) 18.

⁵ Bowie (1970) 4-6.

⁶ On sophists as ambassadors cf. Bowersock (1969) 17-29, 58f.; Reardon (1984) 23-24; Anderson (1993) 25, 31; Whitmarsh (2005) 59-61. A few examples: Philost. VS 520, 521, 524, 531, 539, 570, 582, 600, 601.

⁷ As Swain (1996) has convincingly demonstrated.

⁸ Luc. *Rhet. Praec.* 9-17.

⁹ Cf. esp. Kindstrand (1973); Anderson (1993) 70; Trapp (2000) 236.

¹⁰ Philost. VS 607 and Cass. Dio. 73[72].23.1-2 for the monographs. Cf. Moscovich (2004) 358 for Antipater.

Dexippus, as examples of the insinuation of ‘epideictic and sophistic tastes’ into the writing of history.¹¹

The sheer range of ‘sophistic’ activity above should give us pause. As Kemezis has recently written, the umbrella of ‘the sophistic’ has become so broad that it is at risk of becoming meaningless. The identifiers now called ‘sophistic’ by scholars can be detected ‘in almost any author, monument, or cultural practice one cares to look at’.¹² There can be no doubt that a flourishing of display-oratory did occur in the first centuries CE and that this oratory did assert Hellenic identity by memorialising a glorious Greek past. It is also paradoxical, but probably true, that the removal of Greek geo-political power by the Roman state provided both the catalyst for such nostalgic memorialisation, and the conditions of security under which it could flourish.¹³ However, we should not be too quick to identify sophistic self-presentation in any Greek author from this period who asserts his own literary, intellectual, or political authority.

Yet the view that Cassius Dio was a committed exponent and member of this Second Sophistic is widely held. This exerts a significant impact upon how we read his speeches. For Millar, the Second Sophistic ‘lay close behind Dio and his history’.¹⁴ Reardon writes of Cassius Dio’s as ‘the sophistic way of writing; everywhere there is drama, commonplace, descriptions (almost *ecphrases*), antitheses, and of course rhetorical displays.’¹⁵ In his comparison of Cassius Dio and Appian, Alain Gowing sees the former as the far more ‘sophistic’ of the pair.¹⁶ Most recently, Brandon Jones’ survey of this topic writes of Dio as ‘a literary and socio-political member of the Second Sophistic’, whose ‘self-promotion’ is his ‘most obvious sophistic feature’. In him, ‘one can easily discover the elite eastern background, imperial ambassadorship and egocentrism that seem to characterise the socio-political sophist’.¹⁷ Taking this further, Ameling suggests that Dio was a sophist as such.¹⁸

There are problems with some of these views. In this chapter, I reassess Cassius Dio’s relationship with the rhetorical culture of his time. In the first section, I suggest that Dio in

¹¹ Anderson (1993) 105-114.

¹² Kemezis (2015) 151.

¹³ For these thoughts cf. Bowie (1970); Desideri (2002).

¹⁴ Millar (1964) 174.

¹⁵ Reardon (1971) 206.

¹⁶ Gowing (1992) 290.

¹⁷ Jones (forthcoming, 2016). Cf. also Sidebottom (2007) 77.

¹⁸ Ameling (1984) 127-129.

fact regarded the sophists of his own day with hostility: he criticised them for misleading others with a persuasive tongue, among other things. Here Dio endorses Classical concerns about the moral probity of rhetoric, amply represented in Plato. In the second longer part, I want to consider how Dio's response to the sophistic influenced his depiction of rhetoric in the Late Republic. A considerable number of the historian's orations of this period exemplify precisely the penchant for deception and self-presentation which Dio abhorred in the sophists. Being aware of the improbity of rhetoric in his own time, he appears to have selected the set-piece speech as the ideal medium to explore the problem of corrupted public debate in the late *res publica*.

The Historian and the Sophists

The basis upon which Cassius Dio founded his suspicion of the sophists of the second and third centuries CE can be divided into four aspects: i) the belief that sophistry was a sham form of imitation philosophy; ii) hatred of moral improbity, particularly in connection with magic and apostasy; iii) dislike of the artifice of sophistic self-presentation; and iv) anxiety about the sophistic tendency for pretence, lies, and deception. I suggest that Dio viewed these four negative traits as hallmarks of the typical sophist of his day, often hearkening back to a Classical reception of the sophists. In view of this, we need to reconsider the unspoken consensus that educated Greek writers of this period willingly participated in the intellectual culture in which they lived. Moreover, in Dio's case, we should question whether the historian would have found paideutic self-advertisement through sophistic display a necessarily attractive desire to fulfil through his speeches. It may be that *παιδεία* was not in fact the whole point, or even a particularly important one, given the lengths Dio saw others go to in their transparent attempts to assert it and his polemics against such people.

To turn to the first of these bases, then, the historian was clearly influenced by the texts of Plato and consequently conceived of sophistry along noticeably Platonic lines. From Classical antiquity, the term 'sophist' had been synonymous with 'false philosopher',¹⁹ and Dio's own comments suggest that he fully endorsed the criticism. I will come momentarily to the evidence from Dio's text which confirms that view, but a word on his relationship with Plato is important first.

¹⁹ For comments on which cf. Jones (1978) 12; Brunt (1994) 32; Sandy (1997) 176.

As Gowing has already demonstrated, the elaborate *consolatio philosophiae* of Dio's Cicero and Philiscus in Book 38 betrays numerous overlaps with Platonic language and ideas, especially with those in the *Alcibiades*, the *Republic*, and the *Phaedrus*.²⁰ To this list of possible sources of inspiration Jones has also recently added the *Phaedo* – a text whose contents the historian appears to have known in view of the fact that he calls it familiarly 'Plato's book on the soul' (τὸ τοῦ Πλάτωνος βιβλίον τὸ περὶ τῆς ψυχῆς).²¹ The historian furthermore adds, in his brief account of the portents and signs which led Septimius Severus to seize power, a striking image of the future *princeps* laying his hands upon all the lands and seas, 'as one might on an instrument capable of playing all modes'. The image is too distinctive not to owe something to the *Respublica*.²² Even without these allusions, it is hardly possible to imagine that the historian had not read Plato. Lucian, a few decades before Dio, satirised social climbers who 'reach in longing for the wisdom of Homer or the vim of Demosthenes or the sublimity of Plato' in an attempt to cultivate παιδεία.²³ The philosopher furthermore appears regularly attested within a 'canon' of the most-read authors of the period.²⁴ Plato of course polemicised against the sophists on the grounds of their pretensions to philosophy: consider the lengthy debate between Socrates and 'Gorgias' on whether the purpose of rhetoric is to speak useful and instructive truths or simply to persuade regardless of veracity;²⁵ or the exchange between Socrates and Phaedrus, in which Socrates' interlocutor argues, fruitlessly, that good speechwriting is all persuasion rather than knowledge.²⁶ Plato's attack on sophistry as a false form of artificial wisdom was a response to an uncomfortable synonymy.

Dio accepted this view. His account of Marcus Aurelius' education is a case in point. From his reading of this passage, Millar has suggested that the historian *approved* of sophists, but disliked philosophers.²⁷ Aurelius had been trained in rhetoric under Herodes Atticus and M. Cornelius Fronto, and in philosophy under Apollonius of Nicomedia and Q. Junius Rusticus. Dio records that Aurelius took to the latter subject naturally, 'and as a result of this (ἀφ' οὗ δὴ), many people pretended to pursue philosophy (φιλοσοφεῖν ἐπλάττοντο), hoping to enriched by him'.²⁸ The historian's criticism here does not seem to me at all of

²⁰ Gowing (1998) 385-386.

²¹ Jones (forthcoming, 2016). The parallels that Jones remarks upon are between the suggestion of Dio's Philiscus, that the soul reigns supreme over the earthly body, and Plat. *Phd.* 73A, 81A.

²² Cass. Dio. 75[74].3.2. Compare Plat. *Rep.* 3.399C.

²³ Luc. *De Merc.* 25.

²⁴ De Lacy (1974); Anderson (1993) 70.

²⁵ Plat. *Gorg.* 257C-279C.

²⁶ Plat. *Phaed.* 258D-260E, esp. 260A.

²⁷ Millar (1964) 13.

²⁸ Cass. Dio. 72[71].35.2.

philosophers. Indeed, he writes that Aurelius' nature was virtuous 'even before' (καὶ γὰρ πρὶν) he associated with these teachers: the implication is that his innate virtue was only increased through these studies. Aurelius' education in the wisdom of Zeno is moreover treated with favour. The disapproval expressed here is not toward philosophers, but only toward those who pretended to be.

This is merely part of a broader concern in Dio's contemporary history. Antiochus of Aegae is described by Philostratus as a sophist from a distinguished Cilician family:²⁹ he was probably born in the mid second century and so was contemporary with Dio's lifetime.³⁰ In his narrative of Caracalla's campaign against Parthia in the 216-217 CE period, Dio initially writes approvingly of Antiochus: though surely an old man by this time, he would roll about in the snow to lift the morale of Caracalla's freezing troops. However, he faked it as a Cynic philosopher, too (φιλοσοφεῖν κωνηδὸν τὰ πρῶτα ἐπλάττετο), and grew rich from Septimius Severus and Caracalla's beneficence: as a result he grew haughty and defected to Parthia.³¹ Dio's concern, again, is not that 'all philosophers were fraudulent',³² but that there were sophists masquerading as philosophers who are reprehensible.

The problem of false philosophy meets an even clearer expression in the 'to monarchy' speech of Maecenas. It has long been accepted that the historian here uses his speaker as a voice for his own views about third-century political life.³³ This is surely right, but it was not the only consideration: Maecenas, I will show in Chapters 5 and 6, additionally serves an explanatory purpose as Dio's comment on the problems of the Late Republic and the challenges to be faced by the Augustan Principate. His admonishment about the risk of false philosophers, however, relates very much to Dio's time:

For men like this, who speak the occasional truth but really speak falsehoods for the greater part, often encourage many people to make trouble. And indeed, not a few of those who pretend to be philosophers do the very same thing (τὸ δ' αὐτὸ τοῦτο καὶ τῶν φιλοσοφεῖν προσποιουμένων οὐκ ὀλίγοι δρῶσι). For this reason, then, I warn you be on your guard against these people. Do not believe, just because you have experienced Areius and Athenodorus and other good men, that all others who say they pursue philosophy (τοὺς φιλοσοφεῖν

²⁹ Philost. VS 568.

³⁰ For the date, cf. Puech (2002), 74.

³¹ Cass. Dio. 78[77].19.1-2.

³² Pace Millar (1964) 156.

³³ Cf. Hammond (1932) 88-102; Beicken (1962) 444-467; Millar (1964) 102-118; Usher (1969) 252; Dalheim (1984) 216; Dorandi (1985) 56-60; Fechner (1986) 71-86; Reinhold (1988) 179; Rich (1989) 99

λέγοντας) are like these; for some who use this profession as a screen (τοῦτο προβαλλόμενοι) wreak many thousand ills upon communities and citizens alike.³⁴

Cassius Dio clearly disapproved of those who pretended to be philosophers. In the context of his time I am at a loss for whom such comments may be aimed at other than the sophists. Certainly the distinction between sophistry and philosophy remained blurred and controversial. A string of orators from Dio's period attack the sophists in their work, professing instead to be philosophers or rhetors.³⁵ Philostratus' ambiguity in describing the difference between philosophy and sophistry only compounds the synonymy.³⁶ Several of these writers, moreover, warned their audiences vehemently to be on their guard and not to fall prey to false philosophers.³⁷ Such criticisms of sophists are somewhat ironic, particularly coming from a sophist such as Dio of Prusa.³⁸ But they are indicative of a hostile attitude with a long pedigree, which went back to Plato and was still current in Cassius Dio's time. This, then, is paradoxical. It is precisely the historian's familiarity with the canonical texts of Plato which scholars have used as grounds to call him and other authors 'sophistic'.³⁹ In fact, by adopting a Platonic view of the sophists, Cassius Dio finds the grounds of false wisdom on which to criticise those of his own day.

A further source of dislike from Dio's perspective was the possible relationship of the sophists with magic and charlatanism. The charge seems absurd, but we hear of a number whose displays were so dazzling that their audiences accused them of witchcraft. Jacqueline de Romilly has already explored the equation between magic and brilliant rhetoric in the ancient world – an equation which first appears, I think significantly, in the time of Philostratus' 'first' sophist, Gorgias.⁴⁰ The sophist Apuleius' fascination with magic is transparent throughout his *Asinius Aureus*. Hadrian of Tyre's oratory was brilliant enough to make him a suspected γόης.⁴¹ Further, Dionysius of Miletus' skill at *memoria* was so exceptional that Philostratus had to insist that he did not use magic to teach it: 'for what man who is recorded among the number of the wise would be so careless of his own

³⁴ Cass. Dio. 52.36.3-4.

³⁵ Apul. *Ap.* 80.3, *Flor.* 12; Aristid. *Or.* 33.29; Dio. *Or.* 3.27, 4.32-38, 6.21, 8.9, 10.32, 32.11, 35.8-10, 58.2; Luc. *Rhet. Praec.* 15-16; Max. *Dial.* 1.226.

³⁶ Philost. *VS* 480, 486, 489. On the relationships between the two see further Stanton (1973) in particular; Anderson (1993) 133-143; Sandy (1997) 21-22; Whitmarsh (2005) 15, 62.

³⁷ Apul. *Flor.* 4; Dio *Or.* 49.11; Max. *Dial.* 1. More generally, both Seneca and Epictetus warn their audience away from any self-professed philosopher skilled at eloquent speech: cf. Epict. 1.7.11, 1.27.6, 2.16.3, 2.18.18, 3.8.1, 3.26.16, 4.5.3; Sen. *Contr.* 1.2.22, *Suas.* 1.6. One cannot help but think of the sophists.

³⁸ For which cf. Philost. *VS* 487-488.

³⁹ De Lacy 1974; Trapp (2000) 236; Jones (forthcoming, 2016).

⁴⁰ De Romilly (1975), esp. Chapter 1.

⁴¹ Philost. *VS* 590.

reputation as to practice magic (ὡς γοητεύων) with his pupils?⁴² That Philostratus makes an excursus to develop the defence may indicate that others faced the same charge. Certainly the sophist Apollonius of Tyana did. In the additional biography that Philostratus devotes to Apollonius he is made to deliver a lengthy *apologia* against the charge of witchcraft.⁴³

One of Apollonius' retrospective accusers, in fact, was Dio. Immediately before his critique of the sham-Cynic Antiochus of Aegae, he details Caracalla's winter-quarters in Nicomedia. In his description of Caracalla's many misdeeds, Dio singles out Apollonius as a γόης καὶ μάγος: 'for the emperor so loved magicians and tricksters that he praised and honoured Apollonius of Cappadocia, who really had been both a magician and a trickster (καὶ γόης καὶ μάγος ἀκριβῆς ἐγένετο), and set up a shrine to him'.⁴⁴ Scholars have suggested that Cassius Dio probably read Philostratus' work, as both were active at court in the same period.⁴⁵ If so, then the formulation of the historian's scorn here may have been a deliberate contradictory response to Philostratus' defence of Apollonius 'witchcraft' in the *VA*: Dio asserts that the sophist 'really had been' what he was called by others (ἀκριβῆς ἐγένετο). Similarly, the historian attacks Caracalla's companion Sempronius Rufus on the grounds that he too had been a γόης καὶ μάγος and was once banished from court by Septimius Severus.⁴⁶ It strikes me as bizarrely coincidental that this occurs just before Dio's attacks on the sophist Apollonius as a charlatan and then on Antiochus as a false philosopher. What we have here is a sustained attack, though *exempla*, on sophists as magician-tricksters and false philosophers over a short stretch of narrative (78[77].17-19). Although we hear nothing secure of Sempronius Rufus outside of the *Roman History*, the chronological and prosopographical clues and the Dionean appellation γόης καὶ μάγος indicate he may have been a sophist attested also in Philostratus' *VS*.⁴⁷

In fact – and to return to the previous point – there appears to be an overlap in the historian's thinking between γόης καὶ μάγος and 'false philosopher'. This connects the idea of witchcraft and religious irregularity more securely to the sophists. I have already set out the evidence which indicates that Cassius Dio conceived of sham-philosophy and sophistry as comparable along Platonic lines. In view of that Platonic conception, and the reputation

⁴² Philost. *VS* 523.

⁴³ Philost. *VA* 7-8.

⁴⁴ Cass. Dio. 78[77].18.4.

⁴⁵ Moscovich (2004); Jones (forthcoming, 2016).

⁴⁶ Cass. Dio. 78[77].17.2.

⁴⁷ Philost. *VS* 597-598.

of certain sophists for magic and trickery, I think that we can triangulate false philosophy, sophistry, and charlatanism and witchcraft. Such again is the effect of Dio's Maecenas, who places all three into the same thought:

Allow no one to reject the gods or to be a magician (ἀθέω τινὶ μήτε γόητι). Soothsaying is of course necessary, and you should always appoint some diviners and augurs that people who wish to consult with them can turn to. But there should be absolutely none who practice magic tricks (μαγευτὰς πάνυ οὐκ εἶναι προσήκει). For men like this, who speak the occasional truth but really speak falsehoods for the greater part, often encourage many people to make trouble. And indeed, not a few of those who pretend to be philosophers do the very same thing...⁴⁸

Cassius Dio therefore seems to have endorsed particular hostile views about the sophists which, though by no means unique to him, are certainly inconsistent with a 'sophistic' writer. He additionally appears to have disliked aspects of artificial self-presentation and outward display which are so often identified in the sophists. Even Philostratus, the biographer of the sophistic, conceded that sophistry and especially public declamation were 'prone to egocentrism and arrogance'.⁴⁹ Pretensions of Spartan simplicity were a common extreme,⁵⁰ of which there are several examples. The sophist Apuleius adopted the guise of poverty – modest garb, a wooden staff, few servants – in order to enhance his self-fashioning as a Platonist.⁵¹ Aristocles of Pergamum did the same.⁵² Maximus of Tyre's quip that 'a purse and staff do not constitute emulation of Diogenes' explicitly condemned such sophistic masquerades of penury; the critique is indicative of a trend.⁵³ And despite his own outward pretensions to philosophical poverty, even Apuleius was not above mocking such sophistic foibles when he saw them in others. The fact that the protagonist of his *Asinius Aureus* runs into an emaciated acquaintance sitting on the ground and dressed in the shreds of a cheap Greek *pallium* takes on a particular resonance when we bear in mind Apuleius' deliberate choice of the acquaintance's name: 'Socrates'.⁵⁴

⁴⁸ Cass. Dio. 52.36.2-3.

⁴⁹ Philost. VS 616: παραλαβὼν γὰρ τὴν τέχνην φίλαυτόν τε καὶ ἀλαζόνα οὔτε ἐς ἔπαινον ἑαυτοῦ κατέστη ποτὲ καὶ ἐπέκοπτε τὰς ὑπερβολὰς τῶν ἐπαίνων.

⁵⁰ For the sophistic obsession with appearances and self-presentation cf. Anderson (1993) 216-233; Sandy (1997) 23-24; Whitmarsh (2005) 30-36, 53. Pace Jones (forthcoming, 2016): 'self-promotion is Dio's most obvious sophistic feature'.

⁵¹ On which cf. Sandy (1997) 23-24.

⁵² Philost. VS 567.

⁵³ Max. Dial. 1.265.

⁵⁴ Apul. As. 1.6: *ecce Socraten contubernalem meum conspicio. Humi sedebat scissili palliastro semiamictus, paene alius lurore, ad miseram maciem deformatus.*

Dio's account, again, of Caracalla's time at Nicomedia before his campaign on Parthia reflects some of these concerns. The historian contrasts Julia Domna's genuine love of philosophy and overall excellence with the emperor's vain pretensions of rustic simplicity:

Surely I do not need to say, too, that Julia hosted public gatherings for all the men of the first rank, just as the emperor did? But while she preferred to engage in philosophy with these men all the more (ἢ μὲν καὶ μετὰ τούτων ἔτι μᾶλλον ἐφιλοσόφει), *he* kept on saying that he needed nothing more than the necessities of life, and he preened and plumed over his ability to live on the cheapest sustenance (ὁ δὲ ἔλεγε μὲν μηδενὸς ἔξω τῶν ἀναγκαίων προσδεῖσθαι, καὶ ἐπὶ τούτῳ καὶ ἐσεμνύνετο ὡς ὅτι εὐτελεστάτῃ τῇ διαίτῃ χρῆσθαι δυνάμενος). But really, there was nothing on earth, sea, or air that we did not have to keep giving him, both in gifts and state grants.⁵⁵

The distinction between Julia Domna's genuine philosophical bent and the *princeps'* veneer of affected poverty is deliberately constructed. The historian admits of no doubt that these pretensions were an artifice. Although the contrast between 'genuine' philosophy and the false trappings of poverty was a dichotomy between philosophers and sophists already recognised by Dio's contemporaries, the location of this critique of the emperor's behaviour seems to me the historian's own attack on sophistic self-presentation, above all, when considered within the narrative context. It is significant that this critique occurs within the same stretch of narrative as Dio's attacks on Antiochus, Apollonius, and Rufus (78[77].17-19). Immediately after this passage the historian goes on to attack one of the most celebrated sophists of the Imperial period, recently memorialised in Philostratus *Vita Apollonii*, as a γόης καὶ μάγος; he also lambasts Rufus on those same grounds and attacks the false philosophy of Antiochus. In that context, then, 78[77].17-19 is a critique of pseudo-intellectual life at Nicomedia in which three sophists and an emperor exemplify the affected self-presentation, religious aberration, and false veneer of wisdom that Dio detested in the sophists. Only the woman in the episode, Julia, is conspicuously excellent, and so illustrates the historian's message by contrast.

A related and final issue in the historian's odium toward the sophists of his time is his anxiety about the moral probity of rhetoric, particularly in connection with pretending and deception. This will be borne out in the following section ('A Sophistic Republic?'). Dio does not hold back in presenting the sophists as arch-falsifiers both of themselves and their words. In recapitulation we may consider the argument of Dio's Maecenas that 'those who

⁵⁵ Cass. Dio. 78[77].18.2-3.

pretend to be philosophers' (τῶν φιλοσοφεῖν προσποιουμένων) are comparable to sorcerers and mountebanks who use philosophy 'as a screen' (τοῦτο προβαλλόμενοι) to mislead whole populations in their displays.⁵⁶ Many, again, pretended to pursue philosophy to attract Marcus Aurelius' favour (φιλοσοφεῖν ἐπλάττοντο).⁵⁷ Caracalla's affectations to Platonist poverty are comparable to the pretensions of Apuleius and other sophists which Maximus of Tyre attacked; and Antiochus pretended himself (φιλοσοφεῖν κυνηδὸν τὰ πρῶτα ἐπλάττετο) in order to secure favour with the emperor and the army.⁵⁸ Maecenas furthermore castigates those who 'put on an act of feminine behaviour' (μαλακίαν προσποιῆσθαι).⁵⁹ Accusations of affected effeminacy were frequently directed at sophists, such as Dio's contemporary Philiscus of Thessaly, whose high-pitched voice and artificial dress and deportment caused outrage.⁶⁰ As a 'virtuoso rhetor with a big public reputation',⁶¹ the first task of the sophist was to speak. The amount of criticism that the historian reserves for these orators, particularly with regard to pretence and deception, suggests that he saw in their oratorical careers an innate capacity for misleading others. This, certainly, is the argument of his Maecenas.⁶²

Dio valued philosophy and philosophers. But the sophists of his day were to him a menace. This does not mean that the historian was alien to the values of παιδεία or wished to be viewed as such. It was possible to hold those values without identifying with the sophists, and indeed as Dio shows, at the same time as disliking most. It may seem possible that the historian's attacks upon the sophists for their affectations of poverty, religious and moral unorthodoxy, capacity for deceit, and pretensions to philosophy may seem an over-vehement attempt at dissociation. He would not be the first sophist to reject the title and attack its holders: one thinks of Isocrates, Dio of Prusa, Aelius Aristides, Apuleius, Favorinus, and Maximus of Tyre.⁶³ But those authors made those attempts at dissociation in a context of public speech in which the connotations of artifice and pretence (which were inherent in sophistry) would undermine their immediate political or philosophical objectives. In other words, these orators attacked the sophists in their political and philosophical speeches because they had to in order to be believed. We hear of none of this

⁵⁶ Cass. Dio. 52.36.4.

⁵⁷ Cass. Dio. 72[71].53.2.

⁵⁸ Cass. Dio. 78[77].19.1.

⁵⁹ Cass. Dio. 52.26.1.

⁶⁰ Philost. VS 622. For effeminacy and the sophists, cf. VS 536, 620, 623; Luc. *Rhet. Praec.*; Gell. NA 1.5.1.

⁶¹ Bowersock (1969) 13.

⁶² Cass. Dio. 52.36.

⁶³ Isoc. 13.1.11, 15.270-271; Dio. 3.27, 4.32-38, 6.21, 8.9, 10.32, 32.11, 35.8-10, 58.2; Aristid. *Or.* 33.29; Apul. *Ap.* 80.3, *Flor.* 12; Max. *Dial.* 1.226.

in Dio's case. We only know that the historian spoke once publicly, and that in a judicial capacity. Philostratus never mentions a forensic speech as a notable sophistic work;⁶⁴ and he explicitly divides Antiphon's speeches into 'the forensic type' and 'the sophistic type' (δικανικοί μὲν...σοφιστικοὶ δὲ).⁶⁵ The idea that Dio may have declaimed some of his speeches such as the Agrippa-Maecenas debate is attractive, but unsupported by any evidence.⁶⁶ Cassius Dio attacked the sophists simply because he disliked them and what they represented.

A 'Sophistic' Republic?

In this final section, then, I suggest that Cassius Dio projected his contemporary concerns about the rectitude of rhetoric onto his speeches of the late *res publica*. This does not undermine the explanatory purpose of these compositions or the degree to which they communicate Dio's historical interpretations. From the experience of his own time, Dio had anxieties about the ambiguity of rhetoric and its capacity for misleading others; but this does not mean that the application of those anxieties to the Late Republic was anachronistic or fanciful. The problem of self-interested or unethical persuasion was perhaps applicable to any period; although it is easy to see why the first century BCE seemed a time in which that problem was historically important. There was, of course, the prestige of the Ciceronian material, as detailed in the previous chapter. Evidence of this oratory was forthcoming and provided inspiration. Moreover, like Polybius, Cassius Dio conceived of *παρρησία* as the hallmark of a *δημοκρατία*.⁶⁷ It seems reasonable that he chose to explore public political oratory most fully in the final stages of its existence. In any case, and as Catherine Steel has argued, concerns about the probity of rhetoric were as alive and well in the Late Republic as in Dio's time.⁶⁸ In choosing to exemplify the moral ambiguity of public speech in his account of the Late Republic, Cassius Dio made a choice which was both appropriate to that historical context, and informed by his own third-century opinion of the sophists.

Of Dio's sixteen speeches between the *lex Gabinia* and Augustan Settlement, just under a third (five) are deliberately constructed by the historian as examples of Republican oratory at its most deceitful. I return here to the orations of Pompeius (36.25-26) and Gabinius

⁶⁴ Brunt (1994) 31.

⁶⁵ Philost. VS 500.

⁶⁶ Pace Millar (1964) 19, 104; Freyburger-Galland (1997) 10; Jones (2016).

⁶⁷ Polyb. 2.38.6, 6.9.4-5. For the prominence of *παρρησία* in Dio's Republic, cf. Nawijn (1931) 606ff. and Mallan (forthcoming, 2016), with further discussion in Chapter 7 ('Speech After the Settlement') here.

⁶⁸ Steel (2006) 66-69.

(36.27-28), already seen in Chapter 2. I also discuss the two speeches of Caesar at Vesontio and in the Senate (38.35-46; 43.15-18) and the false *recusatio imperii* of Augustus (53.3-10). Cassius Dio, as I have outlined in the preceding sections, conceived of sophistic rhetoric as fundamentally dishonest. He frequently uses verbs of pretending in his veiled and overt criticisms of sophists. Those who pretended to pursue philosophy (τῶν φιλοσοφεῖν **προσποιουμένων**) used it as a ‘screen’ to obscure their immorality (τοῦτο **προβαλλόμενοι**).⁶⁹ Many, again, pretended to pursue philosophy to attract the young Marcus Aurelius (φιλοσοφεῖν **ἐπλάττοντο**),⁷⁰ and Caracalla preened over his Platonist guise of poverty (**ἔσεμνύετο**), like Apuleius and the other sophists whom Maximus of Tyre attacked.⁷¹ Antiochus assumed similarly false trappings himself (φιλοσοφεῖν κυνηδὸν **ἐπλάττετο**);⁷² and at the other extreme, Dio’s Maecenas castigates those who ‘affect feminine behaviour’ (μαλακίαν **προσποεῖσθαι**).⁷³ Cassius Dio considered pretence and artifice a fundamental characteristic of sophistic speech – and so, too, of political oratory in the Late Republic.

The historian consciously alerts the reader to the deception and artifice of his Late Republican speakers in two ways. Firstly, in four of the five orations Dio provides a narrative ‘preface’ immediately prior to the speech. These prefaces inform the audience of Dio’s interpretation of the orators’ true hidden motives, which are diametrically opposed to the content of the forthcoming speech itself. In this way the historian creates a simple but effective contrast between speech (‘deception’) and narrative (‘truth’) which serves his explanatory purpose: to demonstrate the corruption of public debate in the Late Republic. Secondly (and in this connection), Dio places sentiments and factoids within these five speeches which directly contradict the preceding historical diegetic material. He will, for example, undertake an ‘embedded focalisation’ of an event in the past,⁷⁴ which sets out the selfish thinking which underpinned a dynast’s particular course of military or political action. But then later, when that dynast reflects upon that action in his speech, Dio will have his speaker deliberately misrepresent those activities and posit a patriotic motivation. That the embedded focalisation, within the ‘true’ narrative of the historian’s interpretation, comes *before* the ‘false’ speech is important. Dio’s intention is that the reader remember the narrative ‘truth’ as a lens for viewing the pretence of the later speech. Too often,

⁶⁹ Cass. Dio. 52.36.3-4.

⁷⁰ Cass. Dio. 72[71].53.2.

⁷¹ Cass. Dio. 78[77].18.3.

⁷² Cass. Dio. 78[77].19.1.

⁷³ Cass. Dio. 52.26.4.

⁷⁴ On embedded focalisation within narratology cf. De Jong et al. (2004) 102, 113 with a survey of the literature.

speeches in historiography are studied as standalone set-pieces, without consideration of the narrative material which precedes them or of the order in which consonant or contradictory elements are presented in both speeches and narrative. Both parts – speech and narrative – seem to me to interact and will be read in this light here.

Beginning, then, with Pompeius and Gabinius on the *lex Gabinia*. A word on the context, which is relevant here to the historian's presentation of their deceptive rhetoric. Dio writes that Mediterranean piracy had grown to egregious proportions as a result of the drawn-out Third Mithridatic War sapping Roman military capital. A year before Gabinius' proposed law, raiders sacked Ostia.⁷⁵ To restore security to the politically-charged issue of the interrupted *annona*, Gabinius proposed a controversial innovation: to grant an extraordinary proconsular jurisdiction over every province within 50 miles of the littoral to Pompeius for three years, with a large (but unspecified) number of legions, ships, and *legati*.⁷⁶ Although Dio does not give clues as to the nature of Pompeius' *imperium* under these proposals – which may have been greater than or equal to that of other pro-magistrates – he nevertheless stresses the controversy of the measure.⁷⁷ According to Dio, Senate and people were diametrically opposed. There was violence on both sides as the *populus* attempted to storm and burn down the *curia*. A number of senators, including the consul Piso, also tried to assassinate Gabinius before attempting in vain to persuade the tribunes to veto.⁷⁸

It is in that context that the historian interprets Pompeius' and Gabinius' true motives, with which the tenor of their speeches is entirely inconsistent. The latter, he writes, proposed the law 'either at Pompeius' prompting (τοῦ Πομπηίου καθέντος αὐτόν) or because he wanted to ingratiate himself to him; but surely not because of his concern for the common good, as he was an awful man' (κάκιστος ἀνὴρ).⁷⁹ Having now explored the possibility of prior collusion between the pair – not inconceivable in this context, since contional speakers would often have time to prepare – Dio unveils Pompeius' tactic: *dissimulatio*.⁸⁰ Historically, the *recusatio imperii* or disingenuous refusal of honours in order to obtain

⁷⁵ Cass. Dio. 36.20-23.

⁷⁶ Cass. Dio. 36.23.4. Cf. Jameson (1970) and Ferrary (2007) for a discussion of the specifics of this force as we find them in Appian and Plutarch.

⁷⁷ Cf. esp. Jameson (1970) for the nature of Pompeius' *imperium*. Further in Ridley (1981).

⁷⁸ Cass. Dio. 36.24. Dio's account here is abnormally violent compared to other sources: cf. Libourel (1974)

⁷⁹ Cass. Dio. 36.23.4: εἴτ' οὖν τοῦ Πομπηίου καθέντος αὐτόν, εἴτε καὶ ἄλλως χάρισσασθαι οἱ ἐθελήσας, οὐ γὰρ που καὶ ὑπ' εὐνοίας αὐτὸ τῆς τοῦ κοινοῦ ἐποίησε. κάκιστος γὰρ ἀνὴρ ἦν.

⁸⁰ On preparation before the *contio* cf. Steel (2006) 4-7.

them all the more easily was a favoured Pompeian trick;⁸¹ especially in the *contio*, where he could compensate for his rather average oratory by making direct appeals to the people and advertising his military achievements.⁸² To Dio's credit, all of these historical details – the *dissimulatio*, the popular appeal in the *contio*, the enumeration of military services – are present in his *recusatio* of Pompeius.⁸³ In keeping, then, with this *persona*, Dio underlines Pompeius' intentions in the same manner as of Gabinius:

Pompeius was thoroughly eager for the command, and because of his own ambition (τῆς ἑαυτοῦ φιλοτιμίας) and the enthusiasm of the throng, he already did not regard the position so much as an honour as the failure to win it a disgrace. Further, because he saw the opposition of the *optimates* (τὴν δὲ ἀντίταξιν τῶν δυνατῶν ὁρῶν) he wished to seem forced to accept it (δοκεῖν ἀναγκάζεσθαι). For he always affected (προσποιούμενος) not at all to desire what he really did desire; and he pretended (ἐπλάττετο) more than ever now, because of the envy that would follow if he willingly sought the command, and the glory if he should be deemed the most worthy even 'against his will'.⁸⁴

In that context, then, Dio deliberately presents the mendacity of both speakers as a necessary but ignoble scheme concocted in order to attain their political purpose in the face of senatorial opposition, and makes this obvious. He provides a narrative preface through which to read both subsequent speeches. This, I will show throughout this section, is a common technique of Dio's, especially with deceptive political oratory in the Late Republic.

What follows is a string of statements which the reader knows from these prefatory remarks to be false. Pompeius, first, insists that it is inappropriate that one person be continually invested with power, and that the *Quirites* must confer offices upon others as well. He furthermore deflects accusations of *cupido dominandi* from himself by putting the responsibility for his growing political might down to the 'insatiability' of the people for his services (ἀπλήστως).⁸⁵ These, obviously, are postures. Pompeius then briefly relays his military achievements (36.25.2-3) in Sicily and Africa against the forces of C. Marius. These are used by Dio's Pompeius as disingenuous proof that he has 'endured many

⁸¹ Cf. Vervaeke (2010) on Pompeius' as a model for Augustus' later use of the tactic of *recusatio imperii* and *dissimulatio*, with further comments in this chapter, Chapter 7, and Rich (2010).

⁸² On these points the study of van der Blom (2011) is especially important.

⁸³ In that respect, then, I do not think I agree with the assertion of Millar (1961) 15 n.46 that this speech does not serve to shed light on Pompeius character or attitude. In fact, van der Blom (2011) 562 is surely right that Dio's argumentation and style here suggest careful thought about precisely this aspect.

⁸⁴ Cass. Dio. 36.24.5-6.

⁸⁵ Cass. Dio. 36.25.1.

hardships' (ἐταλαιπώρησα), many dangers (ἐκινδύνευσα), and is in short worn out in both body and soul from a lifetime's devoted service to the people (ὅτι πολλάς μὲν φροντίδας πολλοὺς δὲ κινδύνους ὑπέμεινα, κατατέτριμμαι μὲν τὸ σῶμα, πεπόνημαι δὲ τὴν γνώμην).

Frustratingly, Cassius Dio's account of these campaigns is lost, aside from one fragment detailing Pompeius' earliest ventures in Italy. This is the only narrative material we have to compare to this section of the *recusatio* on the speaker's early military career. In the fragment, Dio records that although he had not yet attained manhood, Pompeius gathered a force of his own at Picenum and 'set up his own personal power there' (δυναστείαν ἰδίαν συνίστη) before joining Sulla, for whom he would then go on to fight in Sicily and Africa.⁸⁶ The choice of the term *δυναστεία* in Pompeius' first appearance in the *Roman History* is significant. In the Late Republican context it universally denotes extra-legal and coercive personal power, usually acquired through military or factional means.⁸⁷ It will characterise Pompeius' career throughout the text, not just here at his first appearance. It is no great stretch of the imagination to posit that Dio presented the early campaigns of his Pompeius in Sicily and Africa in the same fashion as they began and as the rest of his career is presented: as a quest for *δυναστεία*. Having read this account, then, Dio's reader would probably be struck by the polarity between Pompeius' own patriotic spin on his earliest campaigns and the unflattering narrative truth of it a few books before.

Pompeius then asserts in his list of his military achievements that 'I alone was deemed worthy to undertake the campaign against Sertorius, when no one else was willing or able to undertake it' (μηδενὸς ἄλλου μήτ' ἐθελήσαντος μήτε δυνηθέντος αὐτὴν ὑποστῆναι).⁸⁸ This is cited as further 'proof' of his exhaustion from a lifetime's devoted service to Rome. Again, this is a posture. As with Sicily and Africa, Dio's record of the Sertorian War in Hispania is lost, and so comparison between speech and narrative is impossible. We know from Plutarch, however, that others certainly were willing and able to undertake the Sertorian War, and that Pompeius was hardly elected to the honour unwillingly as he is made to falsify in Dio. Plutarch records that Q. Caecilius Metellus Pius was already engaged against Sertorius in 76 BCE. But Pompeius, desiring a proconsulship of his own in Hispania, remained hard by Rome with an army and refused to disband it even when ordered to, offering *προφάσεις* not to relinquish it and remaining by the city under arms. In

⁸⁶ Cass. Dio. 30-35 F 107.1.

⁸⁷ For Dio's negative use of the term *δυναστεία* and its adaptation from earlier authors cf. Espinosa Ruiz (1982) 1982) 63-69; Freyburger-Galland (1996), (1997) 127-131; Fechner (1986) 154-163; Kuhn-Chen (2002) 191-195.

⁸⁸ Cass. Dio. 36.25.3.

the wake of Sulla's comparatively recent march on Rome, the Senate read the threat and finally gave him the command he desired.⁸⁹ The point, of course, is whether Dio provided this information to his readers, which the tenor of the *recusatio* contradicts. I see little reason to doubt that Cassius Dio had Plutarch's biography of the general: in addition to quoting his life of Pompeius,⁹⁰ both Dio and Plutarch are our only texts to attribute a particular quotation of Sophocles to him at the moment of his death in Alexandria.⁹¹ I am aware that this reconstruction is speculative. But if Dio did present Pompeius' manoeuvres of 76 BCE to obtain his desired command in the Sertorian War as they are detailed in Plutarch, this would merely be consistent with his characterisation of Pompeius throughout the *Roman History*. It seems likely to me that the patriotic spin of Dio's speaker on the circumstances that led him to enter into the Sertorian War was deliberately constructed by the historian as a transparent falsehood.

A more obvious indicator of Pompeius' deceit lies in the irony which the historian applies to his statements. In the closing section of his *recusatio*, Dio's speaker accuses the *Quirites* of 'pretending' to show concern for his safety: 'for if any of you persist in this demand, remember that all positions of power cause envy and hatred; and although you do not care about this fact – and it is shameful that you pretend to (προσποιεῖσθαί) – nevertheless, it would be most grievous to me'.⁹² The accusation of pretence from one who 'always affected (προσποιούμενος) not at all to desire what he really did desire' is absurd, and I think deliberately here. Dio has his Pompeius ironically project the moral failings of his own rhetorical style onto his audience in order to render more clear his explanation of the moral ambiguity of Late Republican political oratory.

Gabinus' exhortation which follows on from the *recusatio* sustains the farce. I have already outlined the historian's narrative preface which stressed the turpitude of the tribune's character and his prior collusion with Pompeius. Building upon that foundation, the speech continues Dio's demonstration of the especially deceptive character of rhetoric in the late *res publica*. It opens with another ironic twist: Gabinus observes that 'Pompeius' behaviour in this matter is worthy of his character (ἄξιον τῶν ἑαυτοῦ ἠθῶν), in that he neither seeks the command (μήτε ἐφιέμενος τῆς ἀρχῆς) nor accepts it when it is

⁸⁹ Plu. *Pomp.* 17.3; cf. Vervaeke (2010), who reads Pompeius' actions as a threat.

⁹⁰ Cass. Dio. 30-35 F 107.1: ὁ Πομπήιος υἱὸς ἦν τοῦ Στράβωνος, συνεκρίθη δὲ ὑπὸ Πλουτάρχου Ἀγησιλάῳ τῷ Λακεδαιμονίῳ.

⁹¹ Cf. Cass. Dio. 42.4.3 with Plu. *Pomp.* 78.4 and Soph. *Invent. Fab.* 789 (Nauck); discussion in Burden-Strevens (2015) 300-303.

⁹² Cass. Dio. 36.26.1.

given to him'.⁹³ Pompeius' actions, Dio has already informed the reader in the narrative preface, certainly were worthy of his character: he was an habitual liar. From that preface we additionally know the tribune's claim, that the general was not seeking the command (μήτε ἐφιέμενος τῆς ἀρχῆς), to be a simple falsehood.

As in the *recusatio*, so here does Gabinius' exhortation spell out a number of patriotic falsehoods. A good man like Pompeius, for example, does not desire offices (οὔτε γὰρ ἄλλως ἀγαθοῦ ἀνδρός ἐστὶν ἄρχειν ἐπιθυμεῖν), and the people ought to choose 'not what is gratifying to him, but what is of benefit to the state'.⁹⁴ We are already aware from Dio's introductory remarks that Gabinius, the κάκιστος ἀνὴρ, is in no position to lecture on the duties of the ἀγαθός ἀνὴρ. Dio has also spelled out that the tribune, who now instructs the people not to attempt to gratify Pompeius (κεχαρισμένον), may himself have proposed the law precisely in order to gratify him (χαρίσασθαί οἱ ἐθέλησας).⁹⁵ These verbal contrasts between speech and narrative are sophisticated, and seem to me to have been intentionally inserted to draw the scale of Gabinius' deceptive rhetoric into the reader's focus.

Dio's speaker closes by repeating Pompeius' lie about the lack of volunteers for command in the Sertorian War. As I argued earlier, it seems likely that although the historian's account of Pompeius' promotion to the Hispania campaign is lost, it will have elaborated the young general's lust for *δυναστεία* in as unflattering a fashion as in Plutarch. Certainly the rest of Dio's narrative of Pompeius' career does. 'Remember', his Gabinius states, 'the number and nature of the things we suffered in the Sertorian war because we lacked a general (στρατηγοῦ δεόμενοι), and that we found no other man (οὐδένα ἕτερον), either among the young or old, but this one!' ⁹⁶ The overlap between the tribune's misrepresentation of the circumstances that led Pompeius to enter into the Sertorian War and that of the general himself in his *recusatio* (μηδενὸς ἄλλου μήτ' ἐθέλησαντος μήτε δυνηθέντος) is clear. Furthermore, like his earlier counterpart, Dio's Gabinius dresses his words in a falsely patriotic and selfless language. This again is a deliberate play with verbal contrasts between speech and narrative on the historian's part. The speaker exhorts Pompeius to assume the pirate command and thus save the state and its citizens, 'on whose account the noble and patriotic man (χρηστὸς καὶ φιλόπολις) would most readily give up

⁹³ Cass. Dio. 36.27.1.

⁹⁴ Cass. Dio. 36.27.2-3.

⁹⁵ Cass. Dio. 36.23.4.

⁹⁶ Cass. Dio. 36.27.4.

his body and soul'.⁹⁷ Within the narrative preface prior to his oration the historian has already interpreted Gabinius' character and motivations for the reader, and these were the opposite of φιλόπολις; the tribune did not care about the common good and had only selfish interests at heart (οὐ γάρ που καὶ ὑπ' εὐνοίας αὐτὸ τῆς τοῦ κοινοῦ ἐποίησε). Not φιλόπολις, but κάκιστος.

Despite the intervention of Q. Lutatius Catulus, which I discussed from a source-standpoint in the previous chapter, the *lex Gabinia* was ratified. As I will show in Chapter 5, the cadre of genuinely patriotic deliberative oratory, epitomised in Catulus' intervention, fails to persuade in Dio's account of the late *res publica*, leaving the way open for dynasts such as Pompeius and Gabinius to mislead the people through corrupt rhetoric and seize further power.

Strikingly, Cassius Dio is the only historian who formed that interpretation in this case. His is the only one of our several accounts of the *lex Gabinia* to present the moral corruption of Pompeius' and Gabinius' oratory as the cause of their successful grasp at control over the state. Plutarch makes no mention of Pompeius' *dissimulatio* and says nothing of his collusion with the tribune; neither, furthermore, is given a speech.⁹⁸ Appian's account is similarly brief, preserving only the details of the law and obliterating Gabinius' role altogether.⁹⁹ Velleius Paterculus records only the circumstances of the case and Catulus' objections, but says nothing of Pompeius' and Gabinius' deception; so too Valerius Maximus.¹⁰⁰ Only Cassius Dio chose to explore the problem of the moral probity of rhetoric in the late Republic in the events of 67 BCE. This, I argue, emerged as a result of his own third-century concerns about the ambiguous capacity of rhetoric for demagoguery and deception, which he most commonly expresses, in the context of his own time, in connection with the sophists. In this way, then, Dio's relationship with the sophistic rhetoric of his day did not bring his two *lex Gabinia* speeches into a classicising thought-world of flashy display rhetoric where παιδεία was prized above all. In fact, Cassius Dio's belief in the traditional Platonist equation between sophistry and deception and pretension enhanced, rather than detracted from, his ability to form his own historical interpretation of the political consequences of rhetorical artifice in the Late Republic. As Vervaeke has

⁹⁷ Cass. Dio. 36.27.6.

⁹⁸ Plu. *Pomp.* 25.

⁹⁹ App. *Mith.* 94.

¹⁰⁰ Vell. Pat. 2.31-32; Val. Max. 8.15.9.

already shown, Pompeius was an arch-dissembler.¹⁰¹ We should not be too surprised if Dio was right about the extent to which *dissimulatio* was used before the people in the events of 67 BCE.

Two of the Caesarian speeches in the *Roman History* serve as further examples of this argument of Dio's on the historical ramifications of the ambiguity of speech. These are the battle exhortation of Caesar to his mutinying troops at Vesontio and, later, a reassuring speech to the *patres* in the Senate shortly after Pharsalus. As with the orations of Pompeius and Gabinius, the historian alerts his reader to the deceptive character of these speeches in two ways. Firstly, he again embeds a focalisation into the narrative immediately prior to the Vesontio exhortation, interpreting in the authorial voice Caesar's true character and his motives in speaking (the 'narrative preface'). The tenor of the speech will, however, entirely contradict this interpretation of that truth. Secondly, in both orations Dio has his speaker make statements which the reader knows from the preceding narrative to be entirely false.

Before analysing the first of these it will again be worthwhile to give a brief word on the context and the source-material. We of course have an earlier version of the speech on the mutiny at Vesontio in the form of Caesar's own much shorter version at *BG* 1.40. It has long been recognised that Dio probably used the *De Bello Gallico* for his narrative of Caesar's campaign in Gaul.¹⁰² There is good reason to believe that the historian was not solely reliant on the *BG*: probably he blended a number of different factoids from different texts, not relying upon any as a sole source.¹⁰³ Dio's method of work may have facilitated precisely this practice: I have already shown how he mined Cicero for details to record and then re-elaborate into his own speeches later. It would therefore not be peculiar for the historian, in his decade of reading, to consult more than one source of information for Caesar's campaigns in the 50s BCE and then excerpt details into his notes for later re-use. Despite the probability of numerous sources, however, it is hardly possible to escape the idea that the speech of Caesar in the *BG* provided inspiration for Dio's own version.¹⁰⁴ Given his practice with the *De Imperio* and *Philippicae*, he may again here have recorded genuine arguments he found attested in the contemporary Latin rhetorical material. Granted, Dio's exhortation of Caesar at Vesontio is vastly longer than its Latin model; and

¹⁰¹ Vervaet (2010).

¹⁰² Haupt (1882) 140-158.; Melber (1891); Rice Holmes (1911)² 216-217; Hagendahl (1944).

¹⁰³ For which cf. McDougall (1991). This would explain the inconsistencies between Dio's account and Caesar's own. McDougall explains these inconsistencies credibly at 619-628.

¹⁰⁴ So Millar (1964) 82, (2005) 32-33.

as I will show in Chapter 7 the historian designed it primarily to show his interpretation of the problems of Late Republican imperialism and their historical consequences. But several of the supporting arguments made by Caesar in the *BG* do reappear in Cassius Dio's speech.¹⁰⁵ Given the historian's method of re-elaboration with the Ciceronian contemporary material, the possibility of the same here renders Dio's version again no more a nonsense than it is a verbatim transcript.¹⁰⁶

As for the context, Dio deliberately establishes it in such a way as to exaggerate Caesar's duplicity.¹⁰⁷ According to the historian, in 58 BCE the two Gallic tribes of the Sequani and Aedui approached Caesar as friends and allies of Rome. They did so to invite him to attack the Germanic king Ariovistus, upon whom they wished to exact revenge over a dispute (τιμωρήσασθαι). More importantly, they did this as a 'favour' to Caesar (εὐεργεσίαν), because they saw that he had his own designs on Ariovistus (τὴν τε ἐπιθυμίαν αὐτοῦ ἰδόντες). Indeed, by requesting Caesar's intervention, they happened to be asking for precisely what he himself wanted (ἐτύγχανον γὰρ δεόμενοι ὧν ὠρέγετο).¹⁰⁸ As with the speeches of Pompeius and Gabinius, then, Dio lays the ground by bringing forth the possibility of prior collusion between the two parties just before the deceptive speech.

In the remaining small stretch of narrative before the oration the historian elaborates Caesar's motives and actions in a similar manner to Pompeius and Gabinius. Cassius Dio is unequivocal. Just as Caesar deliberately provoked the Herminians into war to cement his own political power during his praetorship in Lusitania in Dio's interpretation,¹⁰⁹ so too with Ariovistus did he desire a false πρόφασις for war in order to satisfy his own φιλοτιμία:

For Ariovistus was the king of those Germans...and Caesar himself as consul had enrolled him among the friends and allies of Rome. But when compared with the glory to be gained from war with him and the power it would bring (τὴν ἐκ τοῦ πολέμου δόξαν καὶ τὴν ἀπ' αὐτῆς ἰσχὺν), Caesar cared not at all for these facts, except in so far as he wanted to get a pretext (πρόφασιν)...and

¹⁰⁵ Compare Cass. Dio. 38.37.1 with Caes. *BG*. 1.40.1; Cass. Dio. 38.42.2-3 with Caes. *BG*. 1.40.2-3; Cass. Dio. 38.40.7 with Caes. *BG*. 1.40.5. However, it is worth noting that Plutarch's version of the speech at *Caes.* 19 is much closer to Caesar's own in length and content than Dio's.

¹⁰⁶ So Gabba (1955) 302: 'with respect to its occasion, then, the speech does locate itself within the ambitus of the actual historical situation'. Gabba's has to this point been a lone view.

¹⁰⁷ On which see also the excellent contribution of Kemezis (forthcoming, 2016) to this topic. My own approach and Kemezis' are close; we both maintain that Dio's Caesar represents, in microcosm, the problem of rhetoric in the historian's Late Republic, but each bring out different points of detail.

¹⁰⁸ Cass. Dio. 38.34.1-2.

¹⁰⁹ Cass. Dio. 37.52.

because of this, he sent for him, pretending to want to speak about something (ὡς καὶ διαλεχθῆναι τι αὐτῷ δεόμενος). But when Ariovistus did not obey, and replied ‘if Caesar wants to speak to me, let him come to me himself!’...Caesar became angry on the ground that he had insulted all the Romans, and immediately demanded all the allied hostages from him...but he did this not in order to scare Ariovistus, but to enrage him, and thereby to gain a good and credible pretext for war (κακ τούτου πρόφασιν τοῦ πολέμου καὶ μεγάλην καὶ εὐπρεπῆ λήψεσθαι ἤλπισεν)...meanwhile, the soldiers heard that Ariovistus was preparing vigorously for war...and they were terribly afraid...indeed, the talk on everyone’s lips was that they were undertaking a war which was neither their business nor had been decreed by the Senate, but was merely on account of Caesar’s private ambition (ἐθρύλουν ὅτι πόλεμον οὔτε προσήκοντα οὔτε ἐψηφισμένον διὰ τὴν ἰδίαν τοῦ Καίσαρος φιλοτιμίαν ἀναιροῖντο)...So, when Caesar learned this, he did not address the mass of the soldiers at large...but instead gathered together his captains, and said in their company words similar to these which follow here (τοιῶδε ἐν αὐτοῖς ἔλεξεν).¹¹⁰

This, then, is the focalisation that Dio provides his readers in another narrative ‘preface’, in order to ensure that they perceive the mendacious tenor of the speech to follow. To Dio the aggressive campaign against Ariovistus was simply an unjustified project orchestrated by the general to suit his private ambitions. Being aware of this fact, the legions mutinied. As with the *lex Gabinia* episode, Cassius Dio is our only source to bring the deceit and pretence of the dynast to the reader’s attention. Plutarch states that Caesar warred against Ariovistus ‘absolutely *in defence* of the Gauls’ and that these Germans were an intolerable threat. He nowhere mentions Caesar’s duplicity and presents him as the righteous party.¹¹¹ A fragment of our other source, Appian, actually states that Ariovistus was the aggressor, attacking Caesar’s emissaries without provocation.¹¹² Only Dio, again, uses the historical moment to explore the problem of a corrupted rhetoric in the Late Republic.

As with his Pompeius and Gabinius, Dio consciously weaves irony into the speech in order to exaggerate the speaker’s hypocrisy and thereby demonstrate deceitful rhetoric at its most successful under the Late Republic. Encouraging his subordinates to restore discipline and push forward with the march, Caesar instructs his subordinates to ‘look not in this instance to what is agreeable and safe to you personally (τὸ ἴδιον ἢδὲ καὶ ἀσφαλές), but to what is good and advantageous to all the Romans’.¹¹³ ‘τὸ ἴδιον’ is a transparent verbal clue: we know from the previous narrative that since Caesar was motivated by his own private

¹¹⁰ Cass. Dio. 38.34.3-35.3.

¹¹¹ Plu. *Caes.* 19.1.

¹¹² App. *Gall.* 17.1.

¹¹³ Cass. Dio. 38.36.4.

ambition (διὰ τὴν ἰδίαν τοῦ Καίσαρος φιλοτιμίαν), he is the last person to lecture against others pursuing their own private interest (τὸ ἴδιον ἢ δὲ καὶ ἀσφαλῆς). There is, then, the outright lie that the Ariovistus campaign was a defensive engagement occasioned by the need to defend Rome's allies, the Sequani and Aedui, from a German attack: 'we have come here not to laze about or to be carefree, but in order to manage properly the affairs of our subjects, keep secure the property of our allies (τὰ τῶν ἐνσπόνδων ἀσφαλῶς διασώσωμεν), and ward off those who try to wrong them (τούς τε ἀδικεῖν ἐπιχειροῦντάς σφας ἀμυνόμεθα)'.¹¹⁴ The reader already knows that this is nonsense: the Sequani and Aedui invited Caesar to attack Ariovistus not in their defence but because they wanted revenge.¹¹⁵ Ariovistus was, furthermore, a friend and ally of the Roman people and had been made such by Caesar himself, as Dio states in his prefatory remarks to the speech: the campaign can hardly be a quest to preserve Rome's allies (τὰ τῶν ἐνσπόνδων ἀσφαλῶς διασώσωμεν).

Like Pompeius, Dio's Caesar additionally deflects the taint of pretence by ironically accusing others of the same. Just as the habitual pretender Pompeius (προσποιούμενος) accused the *Quirites* of 'pretending' (προσποιεῖσθαι) to be concerned for his well-being, so too does Caesar accuse Ariovistus of double-dealing and disloyalty:

When he once wished to benefit us and chose to be well-treated by us in return, he rightly obtained his wish; just so too now, then, should he most rightly be considered an enemy when he pursues the opposite course (ἐπειδὴ τάναντία αὐτῶν πάντα ποιεῖ). Do not be surprised that I am saying these things now, even though it was I who used to defend his interests in the Senate and assemblies. For I hold the same view now as I did back then; I'm not changing front! (οὐ μεταβάλλομαι). And what view is that? To honour and reward good and trustworthy men, but to dishonour and punish evil and untrustworthy men. *He* is the one who is changing front (ἐκεῖνος δὲ ἐστὶν ὁ μεταβαλλόμενος).¹¹⁶

From Dio's own interpretation of the circumstances which led to the mutiny at Vesontio the reader can easily recognise this as absurd. According to the historian Caesar had made Ariovistus a friend and ally of Rome himself during his consulship, but chose to disregard these facts given the opportunity to acquire power and glory by stabbing him in the back.¹¹⁷ The historian has consciously and deliberately chosen to represent Caesar as the hypocrite

¹¹⁴ Cass. Dio. 38.36.5.

¹¹⁵ Cass. Dio. 38.34.1-2

¹¹⁶ Cass. Dio. 38.44.3-4.

¹¹⁷ Cass. Dio. 38.34.3.

in the narrative, but then have his speaker project that fault onto another in the speech to follow. The speech underlines that deceit. In this way, Dio again uses verbal clues, such as the play on τὴν ἰδίαν τοῦ Καίσαρος φιλοτιμίαν and τὸ ἴδιον ἡδὺν καὶ ἀσφαλῆς, or οὐ μεταβάλλομαι and ἐκεῖνος δὲ ἐστὶν ὁ μεταβαλλόμενος, to alert the reader to the scale of the Late Republican dynast's deception.

The fourth of Dio's five deceptive speeches of the Late Republic is the short oration of Caesar before the Senate in 46 BCE in the wake of Pharsalus (43.15-18), reassuring the senators that he will not become a tyrant. Firstly, the issue of the sources can be set aside. No surviving text other than the *Roman History* has Caesar reassure the Senate of his benevolence or reject accusations of *adfectatio regni*. It may be that the historian indeed invented both the content and occasion.¹¹⁸ This conclusion certainly seems preferable to using the speech as evidence for the *dictator* actually speaking in this context or even for what was actually said.¹¹⁹ But the fact that the historian invented the occasion for his own purposes does not mean that we necessarily need to regard it as 'a fiction, a propaganda speech...packed with imperial slogans',¹²⁰ or to think that the speech relates simply to Dio's own time and has little to do with Caesar.¹²¹ It seems to me a further exploration of the historical problem of the moral ambiguity of public oratory in the Late Republic; and of how Caesar, like his predecessors Pompeius and Gabinius, capitalised on that ambiguity for his own political ends.

Unlike the previous three speeches or the *recusatio* of Augustus which will close this discussion, Dio does not provide a narrative 'preface' to the speech of Caesar in the Senate. That is, he sets up no explicit interpretation of the speaker's true motives to be used as a lens for reading the speech to follow, which will obfuscate those motives. He does, however, outline the circumstances which lead his Caesar to speak in 46 BCE. According to Dio, he perceived that the Senate had grown afraid of his great power and suspicious of his haughtiness, and that they feared to suffer as before under the tyranny of Sulla.¹²² Immediately prior to this introduction, the historian additionally numbers the extraordinary

¹¹⁸ As Millar (1964) 81 concludes.

¹¹⁹ Pace Klotz (1917) *RE* 10 244 ('Julius' 131).

¹²⁰ Millar (1964) 80, quoting Béranger (1953) 197. On the speech of Caesar as a fiction cf. much earlier Heimbach (1878) 29.

¹²¹ Pace Millar (1961) 13.

¹²² Cass. Dio. 43.15.1.

and monarchical honours which had been voted to Caesar.¹²³ In the narrative immediately before the speech, then, the historian focuses on the speaker's absolute power.

The *proemium* of the speech underlines that intention. 'None of you should believe', Dio's Caesar begins, 'that I shall bring forward anything harsh in either word or deed, just because I have conquered and am able to say whatever I wish with impunity and do unopposed whatever I choose'.¹²⁴ This opening – surely Dio's own analysis of the historical situation – is intended to be reassuring rather than intimidating. Dio's speaker goes on to mollify the Senate by stating that, although Marius and Sulla initially secured the support of others by making benevolent proclamations only to later become tyrants, he will not do the same (καὶ ἐμέ τις ὑπολάβη τὸ αὐτὸ τοῦτο ποιήσειν).¹²⁵ Nor, indeed, should the senators believe that he had been operating under a disguise the whole time (προσποιητῶς) only to reveal his true nature now, in the fullness of his power. Caesar additionally reassures the *patres* that he is by no means so aggrandised by his success that he would wish to wield kingly power (οὐτ' αὖ ὑπὸ τῆς πολλῆς εὐπραγίας ἐξῆγγμαι καὶ τετύφωμαι ὥστε καὶ τυρανῆσαι ὑμῶν ἐπιθυμῆσαι).¹²⁶

But Dio's narrative of the dictator's career gives the lie to these statements. He is consistent both in stating that Caesar had always aimed at sole power and in presenting him as a deceitful pretender adept at precisely the disguises he rejects (προσποιητῶς). Dio records in the previous book, for example, that upon seeing the severed head of Pompeius, Caesar had wept and lamented; but people mocked him later for this transparent disguise of grief (ἐπὶ δὲ δὴ τῇ προσποιήσει γέλωτα ὠφλίσκανε). Dio writes here that he had always aimed at *δυναστεία* from the very beginning, and hated Pompeius bitterly as his competitor: his mourning was simply a sham, a *προσποίησις*.¹²⁷ Indeed, Caesar came to Egypt for the sole purpose of destroying Pompeius; finding the job done, he 'faked and made a show of vexation at his murder' (ἐπλάττετο καὶ ἀγανακτεῖν τῷ ὀλέθρῳ αὐτοῦ ἐσκήπτετο).¹²⁸ Prior to this, in Book 41, the historian records that both Caesar and Pompeius stated publicly that they alone were fighting for Rome's interests: but in fact, all either desired was the advancement of his own.¹²⁹ This selfish duplicity is equally

¹²³ Cass. Dio. 43.14.3-6.

¹²⁴ Cass. Dio. 43.15.2.

¹²⁵ Cass. Dio. 43.15.3-4.

¹²⁶ Cass. Dio. 43.15.4-5.

¹²⁷ Cass. Dio. 42.8.1-2: ἐπὶ δὲ δὴ τῇ προσποιήσει γέλωτα ὠφλίσκανε: τῆς γὰρ δυναστείας δεινῶς ἀπ' ἀρχῆς ἐφιέμενος, καὶ ἐκεῖνον καὶ ὡς ἀνταγωνιστὴν καὶ ὡς ἀντίπαλον ἀεί ποτε μισήσας,

¹²⁸ Cass. Dio. 42.8.3.

¹²⁹ Cass. Dio. 41.17.3.

perceptible to the reader in the narrative of Caesar's consulship. The historian writes that from the very start, he arranged most of the business of state independently and imperiously, as if he were already a monarch (ὥς καὶ μόνος αὐτῆς ἄρχων). But as for proposals which were to his own benefit, 'he arranged them through others, because he was extremely careful not to offer anything to himself; and through this tactic he all the more easily accomplished everything that he desired'.¹³⁰

Hiding his longing for absolute power behind a screen of pretence and obfuscation is, therefore, a defining characteristic of Caesar's career in Dio's narrative. By having his Caesar assert that he had neither assumed disguises nor sought autocratic power, Cassius Dio brings to the fore precisely those aspects of the speaker's duplicitous character which the speech is staged to reject. In this way the 'lie' of the speech and the 'truth' of the preceding narrative again move in opposing directions to demonstrate the corruption of public speech in the Late Republic. Presumably the historian did not expect the reader of his oration of Caesar in Book 43 to remember all of the prior narrative details. But it hardly seems possible to imagine that he expected them to forget his presentation of Caesar's career and character, either – and especially not the Ariovistus episode, which Dio elaborated to critique Caesar's hypocrisy.

The historian also coded a quite explicit criticism of the sophists into his speech of Caesar. To this point I have been reading these speeches of Dio as an *implicit* attack upon the sophists. I have argued that from his own experience of the sophists and from his readings in classical literature, Dio became intently concerned about the power of rhetoric. By retrojecting this concern onto the Late Republic, the historian found a way of exploring that problem which was also appropriate to the historical context. The 'deceptive' speeches of this period are therefore an implicit criticism both of persuasive but improper rhetorical art as such, and of the Late Republican dynasts who resorted to its abuse. At one point, however, Dio seems to me much more explicit on this point. Following a long sequence of philosophical ruminations on the ethics of power (the fortunate should be moderate, the strong should uphold the weak, rulers must protect the ruled, etc.)¹³¹ Dio's Caesar defends these moralistic digressions:

¹³⁰ Cass. Dio. 38.8.3.

¹³¹ Cass. Dio. 43.16.

I have not said these things as mere sophistries (ταῦτα δὲ οὐκ ἄλλως ἐφιλοσόφησα), but in order for you to know that these things I think and say are **not just for effect (οὐκ ἐξ ἐπίδειξιν)** nor just happened to come to me on the spur of the moment. Rather, they have been convictions of mine from the very beginning on what is appropriate and advantageous. And for this reason, you should be not only confident for the present but hopeful for the future, too, when you consider that, **if I really have shown any pretence (εἴπερ τι αὐτῶν ἐπλαττόμην),** I would not now be deferring my plans, but would have made them known here today.¹³²

Cary's translation of φιλοσοφεῖν as 'to say sophistries' is particularly appropriate in this context. The sense of contrivance or insincerity carried in ἐφιλοσόφησα is not purely Dio's invention: both Lysias and Isocrates use it in this manner.¹³³ In this passage, the historian underlines a clear distinction between genuine philosophy and philosophy which is 'just for effect' (ἐξ ἐπίδειξιν). His Caesar contrasts his long-held ethical convictions with rhetorical display, which has merely the *appearance* of philosophy. In view of Dio's acceptance of the Platonic tenet that sophistry is a form of sham-philosophy, this seems to me significant. He found room, even in his speech of Caesar, to assert that the sophists were merely false philosophers; but in a way that additionally reflects upon the mendacity of his Caesar. The pious sentiments of the speaker here are quite inconsistent with his actual characterisation in the narrative (and in the speech on Ariovistus) as a deceitful megalomaniac. The reader knows, furthermore, that Caesar's rejection in the above passage of the possibility of ever showing pretence (εἴπερ τι αὐτῶν ἐπλαττόμην) is simply untrue, from the earlier evidence of his behaviour in his consulship, toward Ariovistus, and at Pompeius' death.

Even Caesar's advertisement in the speech of his *clementia* toward his enemies,¹³⁴ which follows immediately on from the above excerpt, is contradicted by Dio's narrative. Shortly prior to his oration, the historian writes that Caesar executed L. Afranius and C. Memmius Faustus *sine iudicio*, and had his cousin Lucius killed in secret after a show-trial (κρύφα ἀπέκτεινε), even though the man had surrendered himself as a voluntary suppliant (ἐθελούσιον ἰκετεύσαντα).¹³⁵ In Dio's account such back-handed bloodthirstiness is not uncommon: he writes that Caesar's tactic in general was not to

¹³² Cass. Dio. 43.17.1. I have remained very close to Cary's *LCL* 1914-1927 translation.

¹³³ Lys. *Or.* 24.10; Isoc. *Or.* 15.121.

¹³⁴ Cass. Dio. 43.17.3: πάντα δὲ καὶ τοὺς ἅπαξ ἀντικαταστάντας μοι ἐλεήσας καὶ πολλοὺς καὶ τῶν δευτέρου ἀντιμαχεσαμένων σώσας.

¹³⁵ Cass. Dio. 43.12.2-3.

attack adversaries openly but to have them disposed of in secret.¹³⁶ Dio lays out all these incriminating details just shortly before Caesar's speech in the Senate; he expects the reader to remember when they come to the oration. The antithesis of speech and narrative is thus deliberately constructed to emphasise the dictator's mendacity.

Fifth and finally, there is the *recusatio imperii* of Octavian before the Senate in the account of 27 BCE, promising (falsely) to restore the *libera res publica*. It is Dio's last deceptive speech: none of the compositions in his twenty-seven remaining books will characterise the speaker as being wilfully hypocritical. This aspect, tellingly, is particular to the Late Republican orations alone.¹³⁷ Significantly, the *recusatio* of Octavian is not only the historian's last deceptive speech, but his last speech of the Republic. In this way, the years 67-27 BCE in Dio – from the narrative of the *δυναστεία* of Pompeius and Caesar to its replacement with the *μοναρχία* of Augustus – are framed by two major constitutional innovations, the *lex Gabinia* and the Augustan Settlement, each of which in the historian's interpretation were successful because of rhetorical *dissimulatio*.

Again, like all of his other four mendacious speeches (except that of Caesar in the Senate), the historian focalises the orator's true aims in a short interpretative preface deliberately just before the *proemium*. These prefatory remarks in Octavian's case are noticeably less negative than the previous examples, in keeping with Dio's positive attitude toward the first *princeps* generally.¹³⁸ But the similarities between Octavian's intentions and those of Pompeius four decades earlier in the historian's interpretation are striking. Both concealed their true motives; both wished to be honoured all the more for seeming to reject power but being 'forced' to accept it; and both colluded with their supporters in advance:

And when he received approval and praise for these actions, he wished to show his magnanimity a second time, in order that he would be honoured even more by such a deed (ἐκ τοῦ τοιούτου μᾶλλον τιμηθεῖη) and have his monarchy confirmed willingly by the people, rather than appear to have forced them to ratify it unwillingly (ἦν μοναρχίαν βεβαιώσασθαι τοῦ μὴ δοκεῖν ἄκοντας αὐτοῦς βεβιάσθαι). And so, after priming his closest associates in the senate (τοὺς μάλιστα ἐπιτηδείους οἱ τῶν βουλευτῶν παρασκευάσας), he entered the

¹³⁶ Cass. Dio. 43.13.2: See also Caesar's 'bloodlust' at 43.9.1, and Saylor Rodgers (2008) 311 on Dio comparing Caesarian *crudelitas* to Marius and Sulla.

¹³⁷ Although cf. Adler (2011) 148-150, who suggests that Dio may be deliberately undercutting Livia's message at one brief point in her speech *in camera* with Augustus.

¹³⁸ Vervaeke (2010) 132 recognises that Dio's presentation of Octavian here is not hostile but the speech is nevertheless 'one of history's most powerful examples of deceit and delusion'.

curia in his seventh consulship, and read out words similar to these which follow:¹³⁹

Dio's decision to emphasise Octavian's duplicity is not fanciful: John Rich has recently shown that the career of Octavian-Augustus was a history of deceptions to secure control.¹⁴⁰ In this respect, that either Pompeius or Augustus used *dissimulatio* to obtain their objectives in the course of their careers, as we see emphasised in Dio above all, is not historically inadmissible. Still, as with Caesar's speech in the Senate we hear nothing of a *recusatio imperii* outside of the *Roman History*, and it has been long assumed that the historian fabricated both the occasion and the content of Octavian's refusal.¹⁴¹ This may be so, but it is worth noting that the first *princeps* in his *Res Gestae* is eager to list what he declined, and especially executive powers: the dictatorship, consulship in perpetuity, and right to act *sine collega*.¹⁴² It is hardly possible that the offering of such powers will not have involved some manner of public proclamation and, presumably, public *recusatio*. Thus, in having his Octavian publicly reject power Dio was not doing anything especially peculiar. The only contentious point is whether we accept his interpretation that the *princeps* did so disingenuously, pretending not to desire what he truly did. That is unanswerable – we cannot read Augustus' mind – but it is clear that Dio believed so, and that this in his view was one reason for the successful ratification of his sole rule in the wake of Actium. That is the interpretation that the false *recusatio* of Book 53 was written to demonstrate.

Reading the oration in this vein, then, the historian again establishes the same sort of contradistinctions between speech and narrative he constructed in the four earlier speeches. Like Caesar in the Senate, Dio's Octavian begins by summarising his might: should he wish, he can rule alone forever (πάρεστί μοι διὰ παντὸς ὑμῶν ἄρχειν), since he is at his most popular with the people, his most powerful with his army, and least threatened from factious elements.¹⁴³ He goes on to state that he will relinquish these powers, however, and restore the Republic, 'so that you may know this: that from the beginning I never desired any power (οὐδ' ἂπ' ἀρχῆς δυναστείας τινὸς ἐπεθύμησα)...for I

¹³⁹ Cass. Dio. 53.4.4.

¹⁴⁰ Rich (2010) *passim*.

¹⁴¹ Stekelenburg (1971) 126f.; Manuwald (1979) 89; Millar (1964) 101; Fechner (1986) 86.

¹⁴² Aug. *RG*. 4-6.

¹⁴³ Cass. Dio. 53.4.

wish that I hadn't had to take such a hand in affairs as I did, and that the state had not required me to do this'.¹⁴⁴

This, obviously, is a lie and Dio presents it as such. The narrative preface has already served as the historian's *anteoccupatio*, disproving these postures in advance by underlining Octavian's desire for monarchy. The earlier diegetic material creates precisely the same contrasts. In his prelude to the Battle of Actium, the historian states quite explicitly that Octavian, like his rival Antonius, was trying to secure supreme power for himself: 'both were trying to appropriate everything for themselves in so far as either of them could seize the advantage over the other (ὥς που πλεονεκτῆσαί τι ἑκάτερος αὐτῶν ἐδύνατο, ιδιούμενοι)':¹⁴⁵ this included a race from both parties to control as much land as possible to cement their own power.¹⁴⁶ Again, the narrative is quite clear that Octavian's purpose in speaking was to have his absolute power confirmed, not to lay it aside.

The historian furthermore gives the lie to his Octavian's claim that he has accepted no extraordinary privileges. The *patres* should not be surprised, the orator argues, that he would relinquish such great authority, 'when you can see my love of a life free from politics (ἀπραγμοσύνην), and when you also reflect that I have never accepted any extraordinary privilege nor anything beyond what many others have (οὐδὲν πώποτε οὔθ' ὑπέρογκον οὔθ' ὑπὲρ τοὺς πολλούς), even when you have often voted such things to me'.¹⁴⁷ Obviously the speaker can hardly lay claim to ἀπραγμοσύνη after the preceding six books of competition between himself and Antonius. Nor can he reasonably affect to have never accepted excessive honours beyond those conferred upon others. Dio details an ample list of extraordinary privileges at the opening of Book 53 – again, just before the *recusatio* – including Octavian selecting and inaugurating a *praetor urbanus* of his own choice in addition to new magistrates, abolishing and creating new laws *suo iure*, and forbidding senators to travel outside of Italy without his personal permission.¹⁴⁸ The claim is clearly absurd, and is designed to be read as such.

Finally, Dio extends this absurdity to much greater proportions with the use of irony, an element which, as I have set out here, he liberally employed in several of these speeches. For such irony to work there must of course be an understanding between narrator and

¹⁴⁴ Cass. Dio. 53.4.4-5.1.

¹⁴⁵ Cass. Dio. 50.1.1.

¹⁴⁶ Cass. Dio. 48.6.1.

¹⁴⁷ Cass. Dio. 53.6.1.

¹⁴⁸ Cass. Dio. 52.42.6, 53.7.3, 53.8.1.

reader of the void which separates appearance (the speech) from reality (the narrative). The total of such ironic statements in Dio's false *recuatio* of Octavian would be difficult to enumerate, and I do not provide an exhaustive overview here. One may consider, for example, the speaker's transparently untrue assertion that he wishes the Senators to manage their own affairs without his oversight;¹⁴⁹ or that by praising his patriotic act of returning power to the *patres* he is 'certainly not boasting, for indeed, I would not have said these things in the first place, if I thought I would gain any personal advantage from them!';¹⁵⁰ or the rhetorical question, in view of his act of 'laying aside' power, of 'who could be found more magnanimous than I...who more nearly divine?';¹⁵¹ or, lastly, the string of Republican sentiments scattered throughout a speech whose purpose is presented as monarchical.¹⁵²

Like all of Cassius Dio's other four 'mendacity-speeches', the false *recusatio imperii* of 27 BCE succeeds, in the historian's narrative, in its aims. Augustus' monarchy – like the *lex Gabinia* or Caesar's desired campaign against Ariovistus – became an historical fact, but only *after* the act of deceptive speech which the historian presents as instrumental in its ratification. To be a successful orator in Dio's late *res publica* had nothing to do with knowing one's subject or having the morally stronger case – the tenet of good rhetoric we find in the *Gorgias*, *Phaedrus*, and *Protagoras* of Plato. In fact, and as I discuss in Chapter 5, that party of the debate, represented in Dio by Catulus' *dissuasio* of the Gabinian law or Cicero's speech on the tyrannicide Amnesty, universally fails to persuade. In this context it seems to me peculiar to read the '*Heuchelrede*' of Octavian as the historian's 'final comprehensive opportunity to display the advantages of the Republic'.¹⁵³ Rather, here and indeed only in his account of the first century BCE as a whole, the historian elected to demonstrate the problem of the moral ambiguity of rhetoric in a significant proportion of his speeches – a third of them. After 27 BCE, the problem disappears from Dio's radar. Octavian's '*Heuchelrede*' was certainly a final opportunity to reflect upon the Republic – but in a way that only showed its flaws.

¹⁴⁹ Cass. Dio. 53.6.2.

¹⁵⁰ Cass. Dio. 53.7.4: λέγω δὲ ταῦτα οὐκ ἄλλως ἐπικομπῶν 'οὐδὲ γὰρ ἂν εἶπον αὐτὰ ἀρχήν, εἰ καὶ ὅτιοῦν πλεονεκτῆσειν ἀπ' αὐτῶν ἡμελλον', ἀλλ' ἵνα εἰδῆτε ὅτι...

¹⁵¹ Cass. Dio. 53.8.1: τίς μὲν γὰρ ἂν μεγαλοψυχότερός μου, ἵνα μὴ καὶ τὸν πατέρα τὸν μετηλλαχότα αὖτις εἶπω, τίς δὲ δαμονιώτερος εὐρεθείη;

¹⁵² Cass. Dio. 53.5.1, 53.5.3-4, 53.6.2, 53.8.4-6.

¹⁵³ Pace Fechner (1986) 88.

Conclusion

Two conclusions can be drawn from this analysis. The first is purely methodological: I set out the implications of approaching Dio's speeches from the viewpoint of the time in which they were composed. The second relates more broadly to the thesis as a whole, tying my discussion of the historian's 'mendacity-speeches' into the main argument of this research.

First, then, it seems clear to me that the way Cassius Dio wrote his speeches was indeed influenced by the rhetorical culture of the Second Sophistic; but not at all in the manner that scholarship has traditionally held. It has become quite natural to read a rhetorical flourish in 'sophistic historiography' as a rhetorical flourish *tout court*: as an assertion of the author's παιδεία intended to impress upon the audience the abundance of the author's compositional art. Such flourishes, moreover, are viewed as display-rhetoric and for display above all, notwithstanding the time-honoured tradition of using speech as a mode of characterisation. I have already reviewed the modern literature which asserts this view, often justifiably. Given the epideictic culture of his time, in which rhetoric was overwhelmingly for display, we may understandably interpret Cassius Dio's motives in writing his own speeches in a similar light. Certainly the historian has been treated as an exponent and member of the Second Sophistic or even as a 'sophist' so-called.

This view does not strike me as particularly tenable. Dio's contemporary history demonstrates the permanence of certain Platonist anxieties about aspects of sophistic artificiality and self-presentation; and the degree to which even highly intellectual authors such as Dio shared those anxieties. He criticises the sophists frequently and by way of several points of reference. Some were classical in origin, such as the views of sophistry as false philosophy or of the relationship between dazzling oratory and magical power. Others, such as the outward show of artfully-constructed penury to assert philosophical probity, had become sufficiently widespread in recent times to be satirised.

The case is not, I think, that he protests too much. Unlike the sophists so-called of his time, who vehemently rejected the title and attacked the sophists explicitly, Dio's attacks are rather oblique. They are for an intellectual reader who has read their Plato and would perceive the points of reference and the implied message. Dio had sufficient experience of the sophists to dislike them even at the same time as being a court intellectual himself. One did not simply become a sophist, nor even particularly approve of sophists and forget one's

education in the anti-sophistic tradition of classical philosophy, because one was intellectual. Certainly Dio wrote in archaic language, quoted other authors, imitated Thucydides, and placed poignant antitheses in his narrative or moralising maxims in his speeches. But so did Sallust. Cassius Dio asserts that his work is sophisticated work, but not necessarily sophistic. Indeed, the speech of Maecenas demonstrates the extent of Dio's concern about the capacity of sophistic rhetoric to deceive and mislead individuals and entire communities, and the ambiguous relationship of the sophists with falsehood, pretence, and artifice. Dio seems to have rejected, rather than embraced, the propensity for outward display of the sophists of his time.

This then raises the question of whether speech still served other purposes in his view, and brings me to my second conclusion. I have argued that the historian retrojected his own third-century concerns about sophistic deception onto the Late Republic. Dio consciously and deliberately made a third of his speeches of the first century BCE into negative examples of the power of mendacious oratory to persuade. By writing prefatory interpretative remarks to each of these, constructing obvious contrasts between factoids in the speeches and the preceding narrative, and by inserting verbal clues and word-plays, the historian ensured that his reader was aware of the deception. Cassius Dio elaborated the problem of the moral ambiguity of rhetoric in the late *res publica* more fully than any other surviving account.

This latter point is in one respect an argument from silence. For this era we depend on only a few sources: Sallust, Caesar, Velleius Paterculus, and Appian for historical narrative; and Suetonius and Plutarch for biography. We do not know, then, whether Dio's presentation of Late Republican political oratory was distinctive to him or whether this was inspired by an earlier historian. It is striking, however, that Dio brings the problem of rhetoric to the fore where others do not. Only Dio among our four sources for the *lex Gabinia* mentions Pompeius' *dissimulatio*, and indeed only he explores it at length. The same is the case for Gabinius' role, which most sources virtually obliterate. Further, for the Ariovistus campaign Plutarch and probably Appian followed the positive version doctored by Caesar himself in his *De Bello Gallico*, but only Dio inserted the element of Caesarian hypocrisy and duplicity. It is furthermore striking that the historian explored the problem of rhetorical artifice not only in a third of his Late Republican speeches, but *only* in his Late Republican speeches. He conceived of the issue as especially important in that context.

It is here that these orations are crucial for understanding the theoretical framework which the historian applied to his subject. Dio clearly sensed that the ethical ambiguity of rhetoric was relevant in his own time; but it had more dramatic and far-reaching consequences in the context of the first century BCE. As Dio recognised, within the political system of δημοκρατία the decision-making process was based upon debate. The corruption of that debate would lead, inevitably, to the corruption of the organism of state. This idea had a long pedigree, beginning with Demosthenes,¹⁵⁴ whom Dio held in great regard.¹⁵⁵ By presenting persuasive but fundamentally self-interested and deceitful oratory as consistently successful at times of important deliberation, Dio makes an historical argument through his speeches. He argues that the fora of decision-making became a means of dynastic self-advancement in the Late Republic, rather than instruments of the public or national good. The ability of individual dynasts to manipulate the platforms of public deliberation with selfish but suasive rhetorical artifice was a cause of the downfall of the *res publica*. It secured further δυναστεία for Pompeius in 67 BCE; it procured further δόξα καὶ ἰσχὺς for Caesar with Ariovistus in 58 BCE and a compliant Senate a decade later; and it enabled Octavian to dispose of the Republic altogether in 27 BCE.

Dio does not state this argument explicitly. Only by reading the speeches can this causal interpretation of constitutional change be perceived. Paradoxically, then, the historian's relationship with the epideictic rhetorical culture of the Second Sophistic enhances, rather than obstructs, the explanatory and interpretative value of these compositions. By moulding his political oratory of the Late Republic after the model of the rhetorical vices he loathed in his own time, Cassius Dio produced a persuasive representation of the problematic scale of deceptive rhetoric in the late *res publica* which was very much his own.

¹⁵⁴ Dem. *FL* 184.

¹⁵⁵ cf. Vlachos (1905); Saylor Rogers (2008).

Chapter 4: Moralising and the *Progymnasmata*

Introduction

The explanatory value of the speeches, both as Dio's means of communicating his causal framework of constitutional change to his reader and as a means for the modern scholar to identify that framework, can only be realised by addressing a third and final methodological problem. This is the abundance of explicitly moralising content, and especially generalising and universal moral maxims (*sententiae* or γνῶμαι), in Dio's speeches and narrative.

The preponderance of such content in the *Roman History* has often led scholars to disregard Cassius Dio's importance as a source for the Late Republic and the interpretative quality of his work. These reservations are understandable. If an ancient historian expressed himself overwhelmingly in universal moral statements which could apply to any age or situation, then it is not unreasonable at first glance to assume that the author was more concerned with pursuing a didactic agenda – edifying and instructing his audience – than with analysing historical facts or causes. More unfavourably, one can be misled by such content to assume that the historian was uninventive, lazy, or lacking in analytical skill. Certainly earlier authors than Dio have been criticised on account of their sententious tropes;¹ and Dio has been similarly received.

This applies, more than anywhere else, to his speeches. Millar draws an explicit contradistinction between moral content and historical explanation, writing that where Dio included an oration he did so 'not to illuminate the historical situation, but to write a rhetorical elaboration, often in the form of a debate, of the moral issues involved in it'.² He later argues that these compositions 'carry further the tendency towards generality and lack of apposite detail which characterises the history...their interest must lie not what in they can contribute to historical knowledge': they are a collection of 'commonplace moral attitudes to the issues at stake', and 'disappointing', 'banal', and 'unoriginal'.³ This view remains prevalent. Stekelenburg in his discussion of the Cicero-Philiscus *consolatio* concludes that the episode was constructed from generalising moral and philosophical

¹ Cf. comments in Gomme (1945-1981); Walbank (1957-1979); Grayson (1975); Meister (1990); Grant (1995). Our understanding of the purpose of moralising in historiography consists of brief and pejorative comments rather than studies of its meaning. However, cf. the forthcoming book of Dr Lisa Hau (Glasgow) for a re-evaluation.

² Millar (1961) 14-15.

³ Millar (1964) 82-83.

views relevant to any similar occasion.⁴ Gowing fully endorses Millar's view that 'when Dio does include a speech, it is a long and involved creation, usually with scant relevance to the specific situation'.⁵ Lintott writes that 'there can be no doubt that the striving for effect in certain historical set-pieces led [Dio] to obscure the facts', and that Dio's exhortations before Actium present not an historical interpretation, but rather 'a great deal of declamation about the iniquities of civil war and the bitterness of the actual fighting'.⁶ Most recently, Rodgers writes that Dio's speeches 'often serve his philosophical or moralising agenda better than they serve history'.⁷ The ethical dimension, in short, has not led to favourable receptions of the role of the speeches within the historical account.

In this chapter I argue that the moralising content both of Dio's speeches and narrative was a means of persuasion which actually contributed to, rather than detracted from, the explanatory value of the speeches for the ancient reader. I suggest that the historian placed *sententiae* into his history to present individual moral failures as the cause of even major political and military events in the Late Republic, and especially those which precipitated the downfall of that constitution. The causes of major historical movements are described within a moral or philosophical framework shared by and common to both the narrator and his reader. Interestingly, then, it is precisely those universalising ethics which are uninventive and irrelevant to the modern perspective which would have been strong and persuasive to the ancient one.

I am aware that this point may seem deliberately antithetical or rather perverse. But the systems of rhetorical and compositional education practiced in Cassius Dio's time and indeed probably for some centuries before aimed in precisely that direction. The *progymnasmata* – the curriculum of preliminary rhetorical exercises widespread at the latest by the first century CE – taught the young elite to think morally through learning to write; or, perhaps, to learn to write through thinking morally. Both were concurrent and inseparable aspects of the structure and aims of the *progymnasmata*. In consequence, I suggest that the universalising and gnomic ethics of Dio's *Roman History* were generated directly by the historian's childhood instruction in these drills. By articulating his interpretation of the downfall of the Roman Republic in an ethical language which both he

⁴ Stekelenburg (1971) 50; also Millar (1964) 51: 'the dialogue has no function within the History'.

⁵ Gowing (1992) 244.

⁶ Lintott (1997) 2501-2502 with Millar (1964) 42-43.

⁷ Saylor Rodgers (2008) 297.

and his similarly-educated elite reader will have shared, Dio's causation of the collapse of the *res publica* will have been more convincing, not less, to the contemporary perspective.⁸

In considering Dio's relationship with these *progymnasmata* I am approaching a rather unbeaten track. Although several modern studies have investigated the influence of rhetorical education on ancient historians,⁹ these discussions have generally ignored the *progymnasmata*.¹⁰ Yet this is where the process of writing began for our Imperial authors. In spite of very recent work on this syllabus,¹¹ there has been to my knowledge no research on the way in which the processes of compositional education shaped how historians approached the task of causal interpretation. As Gibson concludes, we need rhetorical analyses of post-Classical historians which investigate how these authors used the building-blocks of the *progymnasmata* to construct their histories, and how Imperial historiography *tout court* emerged from rhetorical education.¹² By this I do not mean that we need to identify where authors 'cut and pasted' the exercises of their childhood into their adult writings.¹³ Rather, I suggest that the process of an education in the *progymnasmata* taught Cassius Dio to conceive of historical narrative as the exemplification and valorisation of moral truths; and to repeat those truths (in the form of γῶμαι) as historical causes, in order to render his interpretation of the decline of the Republic more authoritative and convincing.

To arrive at these conclusions, in the first section I give a survey of the development, components, and objectives of the *progymnasmata*, which united compositional practice, moral instruction, and historical knowledge in a single curriculum. They were thus especially suited to the writing of Dio's history. I focus especially on the exercises in maxim (*sententia* or γνώμη) and fable (*fabula* or μῦθος), which occupied the ancient student in the earlier stages of his schooling. In the second and third sections I present two short case-studies which demonstrate that the historian conceived of historical causes in a fundamentally moralising fashion. I investigate Dio's use of the *sententia* and *fabula*-structure in two stretches of narrative: first, the Mithridatic War and Pompeius' engagement against the pirates; and second, the exile of Cicero under the *lex Clodia*. I

⁸ I give an overview of the scholarship surrounding this point in the next section.

⁹ Cf. for example Wiseman (1979); Woodman (1988); Nicolai (1992); Moles (1993).

¹⁰ As Gibson (2004) 105 observes. Although Nicolai (1992) and Gibson (2004) do discuss the *progymnasmata*, they investigate the use of historiographical texts in the rhetorical classroom, not the influence of the classroom upon historiographical texts.

¹¹ Cf. Webb (2001); Heath (2003); Gibson (2004), (2009), (2014); Bloomer (2011); Penella (2011).

¹² Gibson (2004) 124.

¹³ For which cf. Barwick (1928) and Hock (1997).

demonstrate in these studies that the historian often posited the moral thought contained within a *sententia* as the cause of a political or military event in the Late Republic, either in his own authorial voice or in that of one of his speakers. These moral thoughts often have significant consequences, which are postponed in the narrative and can only be perceived in the longer term. I additionally explore the way in which Dio structured individual narrative episodes in a manner remarkably similar to the Aesopic and schoolroom *fabula*. These episodes, I show, valorise a moral maxim which is postponed to the end of the diegesis and is often introduced with οὕτω or οὕτως (thus, in this way) after the manner of an *epimythium* (ἐπιμύθιον): a concluding moral exemplified in the preceding tale. In such instances, the historian appears not only to be following, perhaps unconsciously, the compositional techniques we see regularly attested in the rhetorical schools of this period. He additionally uses these ‘fable-structures’ to emphasise an important moral point which, having been ‘proven’ by way of example in the fable-structure, he then goes on to display as an underlying cause in a later historical development. From this analysis, we will be better able to perceive how the moral aspect, far from undermining Cassius Dio’s historical explanation, served rather to reinforce it.

Moral, Compositional, and Historical Education

The system of education called by its pedagogues *progymnasmata* (or *gymnasmata*) was a set of exercises practiced in the rhetorical schools of the Imperial period as a training preliminary to advanced composition and declamation.¹⁴ This cannot be described as a fixed syllabus. The individual authors of our extant handbooks exhibit differences in the order and application of the exercises; and the level and quality of training available will additionally have depended on geography and class.¹⁵ But despite differences in practice, the surviving handbooks suggest a remarkably static curriculum, whose exercises and objectives became established in the first two centuries CE and changed little five centuries later. The *progymnasmata* taught boys, aged perhaps roughly seven to fifteen,¹⁶ to be able to speak and write on any number of subjects: the probability of a myth, the advantages or drawbacks of an imagined law, a critique of Homer, or to deliver invective and panegyric.

Possibly none of the surviving compendia of these drills date from the historian’s time. The third-century Pseudo-Hermogenes arrives around a century after Cassius Dio will have

¹⁴ All translations of Aelius Theon, ps.-Hermogenes, Aphthonius, and Nicolaus within this chapter are those of Kennedy’s 2003 edition.

¹⁵ For which cf. Dionisotti (1982) 121; Webb (2001) 297.

¹⁶ Fisher (1987) 45-51. This is, of course, a rough estimate.

been educated. Aphthonius' and Nicolaus' treatises likely follow in the fourth and fifth centuries, respectively.¹⁷ Last, the *progymnasmata* of Theon were at one point believed to date from the first century CE. But Heath has recently adduced evidence indicating that he may date to the fourth century.¹⁸ This does not mean, however, that these drills were not being regularly practiced in the third century CE; and the publication of such treatises possibly within the historian's lifetime, such as those of ps.-Hermogenes, helps in this regard. We know as early as Cicero and the anonymous *Rhetorica ad Herennium* that the exercises in *narratio* or διήγημα, *locus communis* or τόπος, and *sententia* or γνώμη were being practiced as early as the first century BCE, and these consistently find their way into the later collections of *progymnasmata*.¹⁹ A century before Dio, Quintilian recommends a broad range of the exercises found in the manuals, including maxim, fable, *chreia*, narrative, confirmation, and refutation.²⁰ Indeed, this tradition probably goes back much further. The term *progymnasmata* first appears in the 4th-century BCE *Rhetorica ad Alexandrum*, where the author recommends preliminary exercises as a means to understand the formal elements of composition.²¹ Aristotle, too, recommends half of the fourteen exercises which later find their way into the collections.²² We are therefore to imagine a programme possibly only categorised in the manual format in Dio's day, but already in use among Greeks in the Hellenistic period and quite commonly indeed from the first or second centuries BCE.²³

All but one of our surviving collections divide the *progymnasmata* into fourteen parts.²⁴ Following the order in which they appear in Theon (the only treatise to have survived which may have been available in Dio's time),²⁵ these are: moral maxim and quoted anecdote; fable; narration; confirmation and refutation; vivid description; speech-in-character; encomium and invective; comparison; proposition; and law. In Theon, some of these (such as encomium and invective) are paired as a single exercise; and different manuals occasionally variate the order of the drills slightly.²⁶ But all of the treatises place the focus of this chapter, the *sententia* and *fabula*, at the earliest stage of the student's

¹⁷ Kennedy (2003) i-x.

¹⁸ Heath (2003) 141-142.

¹⁹ Cic. *Inv.* 1.27, 2.77; *Rhet. Her.* 1.12, 2.9, 4.56-57.

²⁰ Quint. *Inst. Or.* 1.9, 2.4, 10.5.

²¹ [Arist] *Rh. Al.* 1436a 23-27.

²² Arist. *Rhet.* 2.20. These are fable, maxim, narrative, encomium, vivid description, and thesis.

²³ Hock and O'Neill (1986) 10; Kennedy (2003) xi; also Clarke (1951) 165 for the second-century date.

²⁴ The edition of ps.-Hermogenes has thirteen, omitting invective.

²⁵ Although Kennedy (2003) also points out that we know of the manuals of Harpocration, Minucianus, and Paul of Tyre, all probably from the second century CE.

²⁶ Penella (2011) 82-83 gives an overview of these variations; these are also tabulated in Kennedy (2003) xiii.

education. Quintilian furthermore subordinates maxim and fable to the *grammaticus*, the elementary teacher of grammar and literature – again in the earlier stage of schooling.²⁷ Turning, then, to these two exercises themselves, a survey of these reveals what occupied the student in his most formative years after the basics of the alphabet, handwriting, and some grammar had been acquired.²⁸

The *sententia*, first, is a short moral statement or aphorism with a universal application, usually derived from the corpus of Classical literature. These need little detailed explanation; recommended by Quintilian to be of strictly moral value,²⁹ collections of moral maxims first appear in the Hellenistic period and emerged out of a literary tradition of universally moral writing which began as early as Homer.³⁰ Short and memorable, the *sententia* could be redeployed in any number of compositions in which its ethical force was appropriate and relevant: poetry, historiography, and in various branches of speechwriting. They had not only the moral valour required to situate the words of the speaker or writer within the accepted moral code of the elite (and thus to lend credibility to the composition). In their derivation from the Classical canon – Menander was a common source of *sententiae* – they also possessed the cachet of antiquity.³¹ In addition to its edifying purpose, the maxim also appears to have been used in the earliest stage as an exercise in handwriting.³² As a grammatically-complete expression in direct speech, the maxim could then be incorporated into more complex exercises later, after it had been copied and memorised.

One of these, and next in Theon's programme, was the *fabula*.³³ The structure and purpose of this drill require a little further unpacking than the *sententia*, which is more obviously recognised in modern scholarship on historiography. Theon describes the fable as 'a fictitious story giving an image of truth':³⁴ a short narrative recounting events that the reader or listener knows to be false and improbable, but which demonstrates and proves the truth of a moral idea.³⁵ As a complete diegetic unit, the fable has a clear beginning and end,

²⁷ Quint. *Inst. Or.* 1.9.

²⁸ For which cf. Criore (1996) 139-144.

²⁹ Quint. *Inst. Or.* 1.1.35.

³⁰ Cf. Morgan (1998) 120-151 and Bloomer (2011) 139-169.

³¹ Bloomer (2011) 142 on Menander.

³² Criore (1996) 44-46.

³³ In the (probably) later pedagogical manuals, the *fabula* appears first, with *sententia* and *chreia* second.

³⁴ Theon. *Prog.* 72.

³⁵ For a history of the *fabula*, which it is not my intention to give here, cf. Fisher (1987); Adrados (1999-2003); Holzberg (2001). Gangloff (2002) for the distinction between fable and myth and their differing use in the handbooks and technical treatises.

containing at least two main characters, usually animal or non-human, who must negotiate an altercation or other moral situation. As a short story, the *fabula* furthermore provided context, actions, and often direct or indirect speech. Erroneous schoolchildren's copies on papyri suggest that it was an exercise in listening and copying at the earliest stage,³⁶ but pupils were later called upon to compose their own fables.³⁷ Its suitability for young children was inherent in the form: the moral of the story was always unequivocal, and its focus on animals and the impossible lent it a particular ψυχαγωγία, a 'persuasive charm'.³⁸

As with the *sententia*, the moral dimension is again key here. Although both μῦθος and λόγος were in currency among Hellenic prose writers as terms for fable, the manuals also suggest that the ancient term for them, αἴτιος, emerged from παραίνεσις ('advice') or *vice versa*.³⁹ The etymology is probably spurious, but that is not the point: it is indicative of a clear association in the Imperial Greek mind between fable and didacticism. Most commonly by Dio's period, this didacticism had come to take the form of a concluding moral, an *epimythium*, which served not only as the conclusion of the narrative but additionally as its point of departure. Crucially, in the treatises we hear of rhetoricians assigning their students the concluding moral first, and then requiring them to invent a tale which exemplified its truth.⁴⁰ This seems to me an important point. The purpose of narration, even of preposterous events, began with valorising the moral of a story. The student's first attempt at a proper composition – and a grammatically-advanced one, which strove for syntactic compression through ablative or genitive absolutes and participles – began, and ended, with proving a moral idea.⁴¹

To linger on these *epimythia* a moment longer, it is clear that they were common in the collections long before Cassius Dio's time and had their own recognisable style. Generally *epimythia* were brief and memorable, but more sermonising examples can be found.⁴² Although the later collections of *progymnasmata* state, furthermore, that this concluding moral could be placed at the beginning of the tale, Nicolaus in particular stated that the maxim was most effective at the end; and Theon does not mention *promythia*.⁴³ Certainly they are more commonly attested at the conclusion in the compendia. By the time of our

³⁶ As Adrados (1999-2003)¹ 115-117 has argued.

³⁷ Theon. *Prog.* 75-76.

³⁸ Nicol. *Prog.* 9.

³⁹ Theon. *Prog.* 73-74; Nicol. *Prog.* 6.

⁴⁰ Theon *Prog.* 75-76.

⁴¹ On the grammatical requirements cf. Bloomer (2011) 136.

⁴² Phaed. *Fab.* 3.10, 4.11, 4.20, 5.4.

⁴³ Nicol. *Prog.* 10-11.

earliest surviving collection of *fabulae*, that of Phaedrus in the first century CE,⁴⁴ the closing maxim is regularly found as a standard part of the architecture of the fable.⁴⁵ In the biography of him by Philostratus, Apollonius of Tyana is furthermore made to treat the *epimythium* as commonplace in the fabulist's toolkit: 'for the poet, after he has told his tale (εἰπὼν τὸν ἑαυτοῦ λόγον), leaves the sane reader torturing himself to work out whether it really happened; but one like Aesop, who tells a story which we know to be false and adds the moral (ἐπαγαγὼν δὲ νοουθεσίαν),⁴⁶ shows that he has used falsehood for the benefit of his audience'.⁴⁷

These *epimythia* furthermore had their own associated language. By the time of Phaedrus, the closing maxim had commonly come to be introduced with οὕτω or οὕτως: in a single compendium from this period, 82 out of 230 fables have *epimythia* beginning with this adverb.⁴⁸ Strictly speaking this appears to have been an evolution from the earlier Classical practice: the reciter of a fable, particularly in persuasive speech, would often conclude prosphonetically, underlining the applicability of the story to their specific moment by stating 'thus you too take care that...' or similar (οὕτω δὲ καὶ σύ).⁴⁹ The conventional *epimythium* by the Imperial period, then, will be usually short, have a universal moral application, conclude a unit of narrative, and often begin with οὕτω or οὕτως. These parameters will be important in the analysis to follow in sections two and three.

Finally, in addition to the moral purpose there was a clear *persuasive* function to the fable, and this had a long pedigree. Within classical rhetoric, the *fabula* served above all as a form of illustration by example: it demonstrated the veracity of a universal truth by narrating fictitious events which valorised the argued point by analogy. Both Aristotle and Cicero recommend the fable as a form of proof by example within persuasive speech.⁵⁰ Nicolaus, praising the striking effect of the postponed *epimythium* in his treatise, furthermore states that the primary purpose of the fable was to persuade: pupils would be left more convinced of the veracity of the explicitly-stated maxim by first seeing the events

⁴⁴ The earliest known collection by Demetrius of Phalerum, mentioned in Diog. Laert. 5.580, does not survive.

⁴⁵ Perry (1940).

⁴⁶ The aorist here strikes me as important: the fabulist has *finished* the job of telling the false story and *then* adds the moral, indicating an *epimythium*, not a *promythium*.

⁴⁷ Philost. VA 5.14; cf. Luc. *Bacch.* 8, who also treats concluding morals as commonplace.

⁴⁸ Perry (1940) 397.

⁴⁹ Examples at Hdt. 1.141; Soph. *Aj.* 1146; Plat. *Phaed.* 60C; Xen. *Mem.* 2.7.13-14; Arist. *Rhet.* 2.20. For the 'prosphonetic' *epimythium* see Nicol. *Prog.* 10.

⁵⁰ Arist. *Rhet.* 2.20; Cic. *Part. Or.* 30; although Cicero does not use them in any of his extant orations.

which confirm its truth unfold.⁵¹ This exemplifying quality is the central and fundamental characteristic of the fable. As the child's first exercise in independent composition, the fable demonstrated that the truth of a moral precept he had memorised since first beginning to write could and should be valorised in narrative. The student's first experience of piecing together the components of narrative began with a maxim whose veracity it was his primary objective to prove. It was thus a moral idea made truth, and could be redeployed in persuasive speech as a form of analogy.⁵²

Even setting aside the traditional use of the *fabula* as a convincing form of illustration by example within speech, the moral dimension inherent within the fable, *sententia*, and indeed all the exercises of the *progymnasmata* was persuasive in and of itself. Nicolaus posits a direct relationship between moral probity and rhetorical credibility and authority:⁵³ a theme in which I have argued in the previous chapter Cassius Dio was especially interested. This curriculum furthermore equipped its students to a society in which the *vir bonus* and *dicendi peritus* were still related notions.⁵⁴ As Bloomer has written, the process of memorising the *sententia* and then re-elaborating it into the *fabula*, before going on to reproduce both of these drills in the later, more advanced exercises of speechwriting, involved a process of internalisation: the student would instinctively reapply his arsenal of memorised moral thoughts throughout his historiographical, political, and even private discourses.⁵⁵ If the writer or speaker was an elite individual trained in the *progymnasmata*, writing or speaking for elites raised within the same system, this had an obvious tactical value. As Clark has written,

the moral focus of compositional instruction made students more successful as adult speakers when they addressed audiences which shared those values: 'the tendency to deal with general considerations of the possible, the true, the just, the fitting, or the expedient had its value. The exercises equipped the boys with a ready command of the arguments and other amplifying material that could be adduced in support of the commoner major premises, and might easily persuade audiences of their truth'.⁵⁶

Moralising, then, was not merely a mode of sermonising – or, more charitably, of philosophical reflection – but rather served to lend authority and vim. When the student of

⁵¹ Nicol. *Prog.* 10-11.

⁵² Bloomer (2011) 129.

⁵³ Nicol. *Prog.* 21-22.

⁵⁴ Quint. *Inst. Or.* 12.1: *Orator est, Marce fili, vir bonus dicendi peritus.*

⁵⁵ Bloomer (2011) 123.

⁵⁶ Gibson (2014) 5-6, quoting Clark (1957) 210. Also Webb (2001) 313-314.

the Imperial period came later to the more advanced compositional exercises essential to historiography and oratory, he would be well-equipped from his training in the *progymnasmata* to meet these challenges with an instant recall of the socially-acceptable *mores* of the Greek and Roman elite, and argue upon that basis from truths that all present could be presumed to accept.

There is a third, and I think particularly important, aspect of the *progymnasmata* with which I close this cursory survey. I have detailed the didactic and persuasive dimension: the moralising focus which was prevalent even from the elementary level with the *sententia* and remained throughout the curriculum. This, necessarily, served a bipartite purpose, both to edify and indoctrinate the student within elite values while at the same time imparting a knowledge of the major moral premises which could sway a reader or audience. There was then the compositional aspect. This is confirmed simply by the graduated sequence of the exercises; from memorisation of the *sententia* and its re-elaboration into the more syntactically-complex *fabula*, to the writing of narrative and then all the branches of logography. But a third, and telling, application of the *progymnasmata* was their use in the teaching of history.

There is no evidence to suggest that ‘history’ existed at all as a subject in schools; ancient pupils did not study history as such or as a course in its own right. Rather, the acquisition of historical knowledge was a corollary of practicing rhetorical and compositional drills set in contexts of past time, and imitating model historical texts. Craig Gibson has recently shown the way in which each of the preliminary exercises (aside from maxim, commonplace, and law) recommended that pupils mine *details* from the works of previous biographers and historians in order to fulfil the requirements of the corresponding exercise. In Theon, for example, *fabula* brought the student to imitate fabulous passages of Herodotus, Philistus, Theopompus, and Xenophon and the historical contexts in which they were embedded.⁵⁷ For confirmation and refutation Theon mentions only historical texts as exemplars, supporting or rejecting factual narratives and myths in Herodotus, Ephorus, Thucydides, and Theopompus.⁵⁸ Later drills such as encomium furthermore required students to mine these sources, with the addition of Xenophon and Plutarch, for the biographical details of the character set.⁵⁹ The *progymnasmata* were thus as much an

⁵⁷ Theon. *Prog.* 66. Compare Hdt. 1.141; Phil. F 6; Theopomp. F 127; Xen. *Mem.* 2.7.13-14.

⁵⁸ Theon. *Prog.* 67. Compare Hdt. 2.45, 4.42-45; Eph. F 13, F 17, F 18A; Thuc. 1.20; Theopomp. F 153-54.

⁵⁹ Theon. *Prog.* 68; Aphth. *Prog.* 27; Nicol. *Prog.* 51-52. Compare Hdt. 1.107-108; Plu. *Per.* 3.2, 8.2, 39.2; Xen. *Ages.*; Theopomp. F 256; Thuc. 2.35-46.

instruction in history as they were in composition or moral rectitude. As Gibson concludes, ‘one could simply not learn to argue without learning how to argue about history’.⁶⁰

The *progymnasmata*, then, drew together compositional technique, moral didacticism, and historical knowledge in a single formative unity. This intention was certainly underlined by Theon in the preface to his manual: he wrote that he had

laid out these precepts not because I believe that all are suitable for every beginner, but in order that we may see that the practice of exercises is very necessary – not only for those who intend to become orators, but also if someone wishes to practice the art of poetry or history or any other genre’.⁶¹

The *progymnasmata* according to Theon were therefore, firstly, a means for the beginner to acquire the technical facility to practice any genre of composition; a series of *praecepta*, of received modes of conduct; and appropriate to the historian’s task as much as any other’s. The technical rudiments of narrative were taught through materials drawn overwhelmingly from the historical past and historical texts. The fable inculcated in the student an inherently moralising conception of the purpose of narrative: pupils were *first* set an ethical maxim and *then* composed a narrative to valorise its truth, often postponing that maxim to the conclusion as an *epimythium*. And those moralising *sententiae*, which had been coded into the student from childhood, provided him an arsenal of thoughts which could be redeployed in historical narrative or speech-in-character as a convincing assertion of the author’s moral probity, rhetorical art, and intellectual authority.

Whether this moralising curriculum, and especially the drills in *sententia* and *fabula*, had a profound effect upon the way in which Cassius Dio interpreted the collapse of the Roman Republic remains to be seen in the next two sections. At first sight it would be reasonable to assume that these did not. They came at the earlier stage of the student’s education, under the age of ten; and we can hardly expect an historian to continue to have been influenced by these drills many decades later. In response to this I suggest two points. Firstly, the *sententia* and *fabula* were not, as I have detailed above, intended merely for the student’s earliest years: they will have been re-elaborated throughout his compositions in school until the age of perhaps fifteen or sixteen. In consequence, the student came repeatedly into contact with these exercises throughout his most formative, retentive, and

⁶⁰ Gibson (2004) 116.

⁶¹ Theon, *Prog.* 70. The translation is that of Gibson (2004) 103.

absorptive years, at which his memory was at its best. This at least is as Quintilian described the *primum tempus, quod initia litterarum sola memoria constant, quae non modo iam est in parvis sed tum etiam tenacissima est*.⁶² Secondly (and in this connection), it is precisely *because* these exercises were elementary that they reveal ‘the lowest common denominator of training and reveal the basic conceptions of language, categories of composition, and modes of thought which informed both the production and the reception of rhetorical and other texts’.⁶³ Just as ancient rhetorical handbooks use the language of ‘moulding’ or ‘imprinting’ the student in praise of the *progymnasmata*, so too do modern scholars talk about how they trained ‘reflexes’.⁶⁴ Returning to where it all began for Imperial historians – in the schoolroom with the *progymnasmata* – indicates that even this earliest experience of composition could continue to inform historical narrative decades later.

The Mithridatic Narrative

This second section discusses Dio’s narrative of the Third Mithridatic War, the Gabinian and Manilian laws, and Pompeius’ return from the east in Books 36-37 (69-60 BCE). Unlike the earlier books of the Late Republic (25-35), this survives quite complete. My treatment of the moral dimension of the historian’s explanation of the cause of events in this section will not be exhaustive. My intention is not to give a comprehensive overview of every moral maxim or concluding γνώμη in Books 36-37. Rather, I demonstrate how Dio presented (very) important military and political events, such as the cause of Rome’s repeated failures against Mithridates and Tigranes or the motivations which led to the formation of the First Triumvirate, as precipitated by a vice or virtue.

With that in mind, we must also distinguish between three different types of moral argument in Dio. Understandably, the person or situation to which an ethical form of argument in speech or narrative applies will not always be the same. Firstly, a Late Republican speaker such as Dio’s Catulus may well argue, for example, that ‘it is neither appropriate nor of advantage to entrust affairs to any one man’.⁶⁵ But that of course is not a lesson for the monarchist-historian’s contemporary audience, who had been living under a monarchy for two centuries. It is a presentation of an argument which would have been persuasive to the *depicted* audience, in the Late Republic, not to Dio’s own contemporary

⁶² Quint. *Inst. Or.* 1.1.19.

⁶³ Webb (2001) 292.

⁶⁴ Theon *Prog.* 60, 61; [Hermog]. *Prog.* 1.1; Quint. *Inst. Or.* 1.1.36, 1.3.1, 1.3.12; Anderson (1993) 49; Morgan (1998) 259-260; Webb (2001) 290, 309; Gibson (2014) 6.

⁶⁵ Cass. Dio. 36.35.1.

reader under the monarchy. I will refer to this as Type 1 moralising: an explicit moral thought in a speech whose referent is the depicted Late Republican audience, not Dio's third-century reader. Secondly, certain moral premises in Dio's speeches of this period relate both to the depicted first-century BCE audience and to the reader of the historian's own day. An example might include a statement of Dio's Cicero in Book 38: 'it is easier to counsel others than to be strong oneself under suffering'.⁶⁶ Its force is universal, applying both to the historian's contemporary reader (didactically), and within the historical context described; indeed, as I will show in the next section, this thought is especially relevant to the rise and fall of Dio's Cicero. This is Type 2 moralising: a maxim in a speech applicable to both audiences. Third and finally, there are the ethical premises within the historical diegesis in the voice of the didactic narrator. These generally occur at the end of a narrative episode as a concluding moral before the transition to a different subject: an example may read 'for when men become reconciled after great enmity, they are suspicious of many insignificant acts done and of many coincidences; in short, they view everything through the lens of their former enmity as if it were done on purpose and with evil intent'.⁶⁷ The maxim is didactic: its purpose is to edify and instruct Dio's reader. But it additionally explains the underlying cause of an historical event, in this case the cause of hostilities between Octavian and M. Antonius. This is Type 3 moralising: a moral thought in the narrative intended to be didactic as such (to instruct the contemporary reader), but which explains an event long in the past. This has persuasive value. The educated reader of the third century, having also been trained in the *progymnasmata*, can be expected to accept already the veracity of that maxim: and by making that maxim his explanation of an historical event, Dio convinces the reader of his narrative interpretation. I will refer to these three Types in the analysis to follow.

Beginning that analysis. Some historical context is important. By 69 BCE, the Third Mithridatic War between Rome and Mithridates VI of Pontus with Tigranes II of Armenia had already been in train for four years. It was a drawn-out affair. The repeated escapes of Mithridates and Tigranes were a source of continuing frustration and embarrassment at Rome. The protracted and unsuccessful nature of the war would lead, ultimately, to the *lex Manilia* of 66 BCE, transferring supreme command to Pompeius in place of L. Licinius Lucullus. Dio treats this *lex Manilia* as a further example of discord between Senate and people: the urban plebs, seeing the Senate's rejection of further powers for their favourite

⁶⁶ Cass. Dio. 38.18.2.

⁶⁷ Cass. Dio. 45.8.3.

Pompeius, were furious (τὸ πλῆθος δεινῶς ἠγανάκτει); and the Senate for their part persisted in their opposition (ἀγανάκτησις μὲν γὰρ καὶ ἀντιλογία καὶ τότε παρὰ τῶν δυνατῶν). In the end the measure was passed, but only – as Dio interprets – after Caesar and Cicero both used the occasion to court the favour of the plebs. Cicero, the historian writes, wanted to use this opportunity in order to get control over the state (τὴν τε πολιτείαν ἄγειν ἠξίου). More significantly, Caesar supported Pompeius because he wanted to make him envied for his success and thus destroy him more quickly (τὸν Πομπήιον καὶ ἐπιφθονώτερον καὶ ἐπαχθέστερον ἐκ τῶν διδομένων οἱ ποιῆσαι).⁶⁸ The *lex Manilia* was thus, in the historian's view, an expression of fragmentation between Senate and people and of ambition and hostility on the part of Cicero and Caesar.

But this time of moral turpitude began three years earlier in Dio's interpretation, with the moral failings of the general Lucullus. The historian writes that the general's failure to keep Mithridates and Tigranes in check in one key episode owed little to strategic error, but was rather precipitated by his moral failings. He first narrates the military details: Lucullus arrived at Talaura to beseige the Pontic king, but he remained behind his walls; and news arrived that Tigranes was approaching with his army. Lucullus' army mutinied. The army followed Lucullus away from Talaura to a crossroads and then, contrary to his order, marched away to Cappadocia.⁶⁹ After recounting these historical details, Dio pauses the diegesis to interpret the cause of the disaster in his own authorial voice. It is structured in a manner remarkably like fable:

No one should be surprised that Lucullus, who had been the most skilled Roman general, first of the Romans to cross the river Taurus with an army as to war, who had previously vanquished two powerful kings and would have captured them if he had actually wished to end the war quickly, was not now able to control his men, and that they were constantly mutinying and finally deserted him. For he asked a lot of them, was unapproachable, strict in his demands of work, and unmerciful in his punishments (πολλά τε γὰρ σφισι προσέτατε, καὶ δυσπρόσοδος ἀκριβῆς τε ἐν ταῖς τῶν ἔργων ἀπαιτήσεσι καὶ ἀπαραίτητος ἐν ταῖς τιμωρίαις). He did not understand how to win someone over with persuasion or to attach him with mildness or to gratify him with gifts of money. All of these are necessary in a crowd, but especially in an army. It's for this reason (καὶ διὰ τοῦθ') that the soldiers obeyed him as long as they were doing well and obtained prizes commensurate with their risks; but the moment they encountered trouble and felt fear instead of hope, they obeyed him no longer. This is proven (τεκμήριον δὲ ὅτι) by the fact that when Pompeius

⁶⁸ Cass. Dio. 36.42.1-43.4.

⁶⁹ Cass. Dio. 36.14-15.

assumed command of this same legion – for he re-formed the Valerians - he kept hold of it without a whisper of revolt. So much does one man differ from another (τοσοῦτον ἀνὴρ ἀνδρὸς διαφέρει).⁷⁰

Dio establishes a causal framework for the mutiny after Talaria which is inherently moral: it was simply the failings in Lucullus' character which precipitated the revolt. In Dio's interpretation this revolt had farther-reaching historical consequences than merely the delay of the general's progress. Immediately after this excursus on the character of Lucullus, the historian states that directly because of the mutiny, Mithridates won back most of the territories he had lost, setting back Roman progress in the war (ὡς δ' οὖν τοῦθ' οἱ στρατιῶται ἔπραξαν, πᾶσαν τε ὀλίγου τὴν ἀρχὴν ὁ Μιθριδάτης ἀνεκτήσατο καὶ τὴν Καππαδοκίαν ἰσχυρῶς ἔλυμήνατο). Q. Marcius Rex furthermore refused to provide Lucullus assistance, on the grounds that Lucullus was unable to control his men (οὐκ ἐπεκούρησε, πρόσχημα τοὺς στρατιώτας ὡς οὐκ ἐθελήσαντάς οἱ ἀκολουθῆσαι ποιησάμενος).⁷¹ The events within the didactic pause in the narrative, then, are presented as having significant historical consequences in the immediate term.

And it is certainly a didactic narrative pause. To make this excursus on a moral theme, Dio interrupts the historical diegesis to start this new story about Lucullus' character and the mutiny. The diegesis then resumes immediately after that story. The moral that the reader is intended to refer from this stand-alone tale is postponed until the end, and has a universal application indicated by the present tense and the absence of definite articles: τοσοῦτον ἀνὴρ ἀνδρὸς διαφέρει. This closing moral message – that a man's character is everything – has of course been fully exemplified in the story which precedes it on Lucullus' vices and the revolt of the army. In this way it seems to me that Dio has, probably unconsciously, replicated the structure of the *fabula* for didactic purposes, to instruct the reader. But it additionally serves historical-explanatory purposes. By proving the veracity of his concluding maxim τοσοῦτον ἀνὴρ ἀνδρὸς διαφέρει in the story of Lucullus, Dio illustrates by example the fact that a man's character is of fundamental importance in military and political matters. This then renders his interpretation of the causes of the revolt and the consequent fallout – Mithridates' successful recapture of his land and Rex's refusal to send help – more valid and persuasive. This form of moralising (Type 3) replicates the structure of the *fabula* not only to demonstrate by example the truth

⁷⁰ Cass. Dio. 36.16.

⁷¹ Cas. Dio. 36.17.1-2.

of a moral statement in the narrative which Dio's reader will already have accepted; but, having proven it, then makes that accepted moral thought a causal factor of history.

Lucullus' poverty of good ἔθος, articulated in the *fabula*-structure with its concluding valorised moral, thus had immediate historical consequences. But it exerted further ramifications in the medium-term: the prolonging of the Mithridatic War and Rome's response to this problem in the form of the Gabinian and Manilian laws (more personalpower for Pompeius). On the one hand, Dio suggests that Lucullus prolonged the war deliberately in any case, in order to secure further authority and prestige for himself. While in 69 BCE Mithridates was negotiating an alliance with Parthia, Dio intimates Lucullus' deliberate inactivity: 'he did not follow him up, but allowed him to reach safety at his leisure; and because of this he was accused of refusing to end the war, in order to hold command longer' (ὅπως ἐπὶ πλεῖον ἄρχῃ).⁷² Lucullus was not the first general to use war to cling to power in Dio's view: in 67 BCE, Q. Caecilius Metellus attacked the Cretans in spite of their recent treaty with Rome, 'because of his eagerness for power' (δυναστείας τε ἐρῶν).⁷³ On the other hand, there can be no doubt that Lucullus' moral failings inadvertently protracted the war in the historian's interpretation, too. The ethical thought of the *epimythium*, τοσοῦτον ἀνὴρ ἀνδρὸς διαφέρει, explains why the general could not stop Mithridates from undoing Roman advances in Asia and could not draw upon Rex for assistance, thus setting back progress in that theatre: his troops were simply bound to desert him.

This inability to bring the Third Mithridatic War to a swift conclusion had political consequences at Rome in Dio's interpretation, too, in the form of the *lex Gabinia*. In his assessment of the causes of the controversial law, Dio states that *because* the Romans had been kept busy by Mithridates and Tigranes, piracy in the Mediterranean had been allowed to flourish unhindered (τῶν γὰρ Ῥωμαίων πρὸς τοὺς ἀντιπολέμους ἀσχολίαν ἀγόντων ἐπὶ πολὺ ἤκμασαν, πολλαχόσε τε περιπλέοντες καὶ πάντας τοὺς ὁμοίους σφίσι προστιθέμενοι).⁷⁴ It is hardly possible not to infer that in Dio's view the costly and distracting Roman preoccupation with Mithridates, caused on the one hand by Lucullus' deliberate prevarication for the sake of *δυναστεία* and on the other inadvertently because of his poor ἔθος, generated the desperate pirate situation of 67 BCE and Gabinius' response to it.

⁷² Cass. Dio. 36.2.1.

⁷³ Cass. Dio. 36.18.1.

⁷⁴ Cass. Dio. 36.20.4.

In the speeches of Pompeius and Catulus which follow this interpretation of Dio's, the historian uses several *sententiae* and later another *fabula*-structure to explain the moral causation of major political and military crises. I have already illustrated the historian's explanation of Pompeius' motivations in speaking in Chapter 3: he pretended not to desire the command, because he knew that appearing forced to accept it would bring him glory (δόξα), and that jealousy (τὸ ἐπίφθονον) would surely follow if he seemed to have been eager.⁷⁵ Pompeius' goal, in the historian's presentation, was therefore to secure power without incurring φθόνος; this is important.

In his speech, Dio's Pompeius employs only one *sententia*. It is of what I have called Type 2 moralising: a moral thought within a speech which has a universal force in that it applies both to the historian's third-century reader (as instructive didacticism) and to the depicted Late Republican audience (here the people in a *contio*). Superficially read, the *sententia* of Dio's Pompeius is a mere generalisation on the ethics of power. However, it in fact serves as the historian's own interpretation of one of the reasons for the speaker's success in the *contio* that year, and as his prediction, or foreshadowing, of what the historical consequences of the *lex Gabinia* will turn out to be. His Pompeius states:

And so if any of you carries on demanding this of me, consider this: **all positions of power are causes both of envy and hatred** (καὶ ἐπίφθονα καὶ μισητὰ πάντα). And although you do not care about this fact – it is shameful that you pretend to – nevertheless, it would be most grievous to me. And I confess that I am not as vexed or grieved by any one of the dangers of these wars as I am by such an attitude as that. For what man in his right mind could live happily along men who envy him (ἡδέως παρ' ἀνθρώποις φθονοῦσιν αὐτῷ ζῶη)? And what man would willingly carry out public business, if destined only to stand trial if he fails or be envied if he succeeds (ἂν δὲ κατορθώσῃ, ζηλοτυπηθήσασθαι)?⁷⁶

The trope was of course easy enough to recycle: those invested with great power ought to expect to be envied for it. In Chapter 5 I will demonstrate how Cassius Dio embedded the problem of mutual φθόνος in a startling proportion of his Late Republican speeches only for the problem to disappear after Augustus' succession, indicating its place within his interpretative framework for this period; but this is not my aim here. Rather, I am concerned with the role of the moral thought within Dio's historical explanation. When considered in conjunction with the preceding authorial statement that Pompeius had to

⁷⁵ Cass. Dio. 36.24.6.

⁷⁶ Cass. Dio. 36.26.1.

employ *recusatio imperii* to acquire his desired command without attracting φθόνος, the speaker's gnomic statement – ‘all positions of power are causes of envy and hatred’ acquires an important explanatory dimension. The *sententia* is both the motivating factor of Pompeius' *dissimulatio* and the means whereby it attains its objective. The moral thought contained within the maxim that all positions of power cause envy and hatred is so integral to Dio's interpretation of the historical situation that the speech would not be fit for purpose without it. In both his own authorial voice and in the corresponding *sententia* of Pompeius itself, Dio sets out his consistent argument: φθόνος was a real risk within the Republican framework of power-sharing in 67 BCE, and that it is precisely by manipulating those concerns – disingenuously, as I showed in the previous chapter – that Pompeius succeeded. In this way, Dio deploys the seemingly uninventive repetition of a moralising compositional unit drilled in the *progymnasmata*, both to set out the rationale behind Pompeius' actions and the cause of his success.

The response of Dio's Catulus picks up this refrain. In a fragment of what must be the end of his oration, which is lacunose, he is made to predict that ‘his position as monarch over all your possessions will not be free from envy’ (οὔτε ἀνεπίφθονον ἔσται αὐτῷ πάντων τῶν ὑμετέρων μοναρχῆσαι).⁷⁷ This thought, which of course responds to Pompeius' earlier universal *sententia* on the relationship between power and jealousy, in fact seems to me to function as the historian's own prediction, through his speaker, of the historical consequences of the extraordinary honour of the *lex*. In his account of 63 BCE Dio records Pompeius' triumphant return to Italy after four years' campaigning against pirates in the Mediterranean and against Mithridates and Tigranes in Asia. Arriving at Brundisium twenty years after Sulla had, he symbolically disbanded his forces: ‘for, because he understood that the deeds of Marius and Sulla were hateful to men, he did not wish to cause them fear, even for a few days, that they would suffer any repetition of those circumstances’.⁷⁸

According to Dio, he came to regret that decision three years later, and specifically because of φθόνος. In 60 BCE, Pompeius successfully had L. Afranius and Q. Metellus Celer appointed consuls, hoping to accomplish political matters through their influence (ἐλπίσας δι' αὐτῶν μάτην πάνθ' ὅσα ἐβούλετο καταπράξειν), and wishing especially to have his

⁷⁷ Bekk. *Anecd.* 157, 30: Δίων λς βιβλίω: “οὔτε ἀνεπίφθονον ἔσται αὐτῷ πάντων τῶν ὑμετέρων μοναρχῆσαι.” Cary's 1914-2927 edition attributes this fragment to the speech of Catulus, and almost certainly correctly.

⁷⁸ Cass. Dio. 37.20.3: ἐπειδὴ γὰρ τὰ τε τοῦ Μαρίου καὶ τὰ τοῦ Σύλλου ἐν μίσει τοῖς ἀνθρώποις ἠπίστατο ὄντα, οὐκ ἠθέλησε φόβον τινὰ αὐτοῖς οὐδ' ἐπ' ὀλίγας ἡμέρας, ὅτι τι τῶν ὁμοίων πείσονται, παρασχέειν.

territorial arrangements in the East and land for his veterans ratified.⁷⁹ Afranius and Metellus had been his *legati* under the terms of the *lex Gabinia*. In that respect, another prediction of Dio's Catulus, that the command would grant Pompeius political leverage through the appointment of *legati*, is very astute: the prediction is Dio's hindsight presented as Catulus' foresight.⁸⁰ However, Pompeius' plan backfired: according to Dio, his former legate Metellus, now consul, opposed every one of his acts. Metellus, Dio records, was so vehement in his opposition that Pompeius had him put in prison. The consul's response was simply to convene the Senate there.⁸¹ In this context, Dio then interprets that the φθόνος, which his Pompeius cited in his *sententia* as a false rejection of the *lex Gabinia* and which in response his Catulus presaged would come to claim Pompeius, was a prediction come true:

And so, since he could accomplish nothing because of Metellus and the others, **Pompeius declared that they were jealous of him** (φθονεῖσθαί ὑπ' αὐτῶν) and that he would communicate this to the people. However, as he feared that he might fail to win them over too and incur even greater shame, he abandoned his demands. Thus he realised that did not have any real power, **but only the name and the envy for the positions he had once held** (τὸ μὲν ὄνομα καὶ τὸν φθόνον ἐφ' οἷς ἠδυνήθη ποτὲ εἶχεν). In fact, he received no benefit from them, **and regretted disbanding his legions and leaving himself at the mercy of his opponents** (μετεμέλετο ὅτι τὰ τε στρατόπεδα προαφῆκε καὶ ἑαυτὸν τοῖς ἐχθροῖς ἐξέδωκε).⁸²

I have digressed far from the original universalising *sententia* of Dio's Pompeius that 'all positions of power are causes of envy and hatred'. But this has been necessary to demonstrate the sophistication with which Dio weaved that moral thought into his explanation of the rise and fall of Pompeius' power in the 60s. By having his Pompeius bring to the fore concerns about the relationship between power and envy in a universalising moral language in his *recusatio*, Dio did not merely insert a moralising commonplace. Rather, he emphasised his evaluation of the real historical problems that Pompeius had to face in the *lex Gabinia*, and the motivations which precipitated the choice of *recusatio imperii* as a tactic. Then, by having his Catulus respond to that *sententia* with a prediction about the φθόνος great powers would bring, the historian articulates his own interpretation of the risks of great authority under the Late Republic – risks which, in his take on the events of 60 BCE, turn out to be a significant causal factor in the course of

⁷⁹ Cass. Dio. 37.49.1. Cf. Steel (2006) 148-149 for a synopsis of these arrangements.

⁸⁰ Cass. Dio. 36.36.1-2.

⁸¹ Cass. Dio. 37.49.3-50.4.

⁸² Cass. Dio. 37.50.5-6.

events. Significant indeed: in Dio's view Pompeius entered the First Triumvirate with Caesar and Crassus in the very year of his embarrassment at the hands of Metellus' φθόνος precisely because he was 'not as strong as he hoped to be' (οὐτ' αὐτὸς ὅσον ἤλπισεν ισχύων).⁸³ In this way, the moral language of Pompeius' *sententia* is used to set in motion a chain of historical events which one must look beyond the speech itself to understand. This strikes me as the subtle and sophisticated development of a causal interpretation which begins with a moral thought and ends with the consequences of that thought: Pompeius' impotence at the hands of his rivals' envy, and the formation of the First Triumvirate. Cassius Dio shows considerable planning of and command over his material.

Another two *sententiae* in Catulus' oration against the Gabinian law demonstrate further Dio's tendency to embed an explicit moral dimension within his framework of historical causation. Both of these are of what I have called Type 1: explicit ethical statements within a speech which relate not to the third century, but exclusively to the depicted historical context and audience. Indeed, as I have discussed in Chapter 2, the historian seems to me to have clearly based both of these following *sententiae* on the objections of Q. Lutatius Catulus and Q. Hortensius Hortalus which he found preserved in Cicero's *De Imperio*. By virtue of that relationship with the contemporary Latin material, these *sententiae* are particularly suitable as a means of historical explanation. His Catulus' statement, which both begins and ends with gnomic maxims, is worth quoting in full:

For my part, I say that one should never entrust such great positions of power, one after another, into the hands of one man (φημι δεῖν μηδενὶ ἐνὶ ἀνδρὶ τοσαύτας κατὰ τὸ ἐξῆς ἀρχὰς ἐπιτρέπειν). For this is not only forbidden by law, but has proven to be most perilous by our experience (πεῖρα σφαλερώτατον ὄν πεφώραται). What made Marius what he became, so to speak, was nothing else than being entrusted with so many wars in a very short space of time and being made consul six times in the briefest period. In the same way, Sulla became what he was precisely because he commanded our armies for so many years in succession, and was later appointed dictator, then consul. **For it does not lie in human nature for a person – I speak not only of the young, but of the mature as well – to be willing to abide by ancestral customs after holding positions of authority for a long time** (οὐ γὰρ ἐστὶν ἐν τῇ τῶν ἀνθρώπων φύσει ψυχὴν, μὴ ὅτι νέαν ἀλλὰ καὶ πρεσβυτέραν, ἐν ἐξουσίαις ἐπὶ πολλὸν χρόνον ἐνδιατρίψασαν τοῖς πατρίοις ἔθεσιν ἐθέλειν ἐμμένειν).⁸⁴

⁸³ Cass. Dio. 37.56.3.

⁸⁴ Cass. Dio. 36.31.3-4.

Clearly the historian's agenda in inserting these two general statements on the ethics of power at the beginning and end of this excerpt is not didactic. The universality is confirmed by the language of human nature and the present tenses; but these are a representation of such ethical concerns as an optimate politician of the Late Republic would raise with his audience (and, as I have argued in Chapter 2, probably did raise). Cassius Dio, as a monarchist, did not hold these views, and probably did not expect his reader to accept them either: monarchy was a reality, and that was that.⁸⁵

Instead, these *sententiae* facilitate the historian's own evaluation of the incompatibility of the Republican system of annual magistracies with the desire of elites to wield power; and they furthermore articulate his own view of the historical cause of Marius' and Sulla's degeneration into tyranny.⁸⁶ By making explicit reference to both of these figures, and inbetween the two *sententiae* on the relationship between power and moral corruption, Dio's Catulus does not deliver simply a moralising discourse. Rather, he voices the historian's interpretation: Marius and Sulla had set a precedent for ambitious generals in a competitive Senate – a precedent being repeated by Pompeius in 67 BCE. Dio deliberately draws parallels between Pompeius' unconstitutional might and that of his predecessors in order to demonstrate that he belonged in a chain of Late Republican generals who vied for *δυναστεία*. These *sententiae* therefore seem to me, on the one hand, to look back in history, stating the cause of Marius' and Sulla's earlier corruption. But they additionally look forward, prognosticating that Pompeius, like his ancestors, will vie for control over the *πολιτεία* just as they did.

Finally, this prognostication later comes true in the *Roman History*. In a similar fashion to the foreshadowing of Dio's Catulus that the *lex Gabinia* would bring *φθόρος* to its beneficiary (which it later did), so here again does the historian use his speaker as a medium of historical explanation through moral sentiment. In his third and final *sententia*, Dio's orator states that great honours and powers magnify and then corrupt their holders. This *sententia*, again, is based upon the genuine historical arguments of the *optimates* against Pompeius' power in the early 60s which Dio found in Cicero, as I have suggested in Chapter 2. Catulus argues:

For who does not know that it is neither fitting nor of advantage to entrust all our affairs to one man, and to make one man master of all our existing

⁸⁵ Kemezis 2014, 129: 'in Dio's own world, monarchy had long ceased to be something one was for or against'.

⁸⁶ I will provide more detailed discussion of this point in Chapter 5 ('The Defence of the Republic').

possessions, even if he is the finest of all? For **great honours and excessive powers magnify and then destroy even these men** (αἶ τε γὰρ μεγάλοι τιμαὶ καὶ αἱ ὑπέρογκοι ἐξουσίαι καὶ τοὺς τοιούτους ἐπαίρουσι καὶ διαφθείρουσιν).⁸⁷

This prognostication of Pompeius' magnification, corruption, and ultimate destruction meets its confirmation in Dio's narrative of the Battle of Pharsalus long after the *lex Gabinia*, in 48 BCE. The historian first recounts the details of the battle itself: the exhortations delivered on both sides, the sound of the trumpets and the beginning of the engagement, and the rout of Pompeius' soldiers following their defeat.⁸⁸ He will shortly go on to detail Pompeius' flight to Alexandria and his assassination there.⁸⁹ But between these two narratives Dio inserts a pause to reflect on the causes of the general's defeat. In this pause, the historian stresses Pompeius' complacency and his over-confidence. He had usually always been evenly-matched with his enemy and as a result did not usually 'take his victory for granted' (προελάμβανε τῆ γνώμη τὴν νίκη); but this time, 'as he assumed that he would prove greatly superior to Caesar, he took no precautions' (τότε δὲ πολλῶ τοῦ Καίσαρος περισχῆσειν ἐλπίσας οὐδὲν προείδετο). Dio goes on to detail how: he had neither placed his camp in a sensible position nor planned a refuge in case of defeat; and rather than waiting for the upper hand, he had charged in headlong, either at the prompting of others 'or because he expected to win anyway' (ὁμως, εἴτε ἐθελοντῆς ὡς καὶ πάντως νικήσων).⁹⁰ Dio concludes his pause on Pompeius' complacency with a long and sententious closing moral:

Because of this, the moment he was defeated he was greatly terrified, and had no opportune plan nor secure hope for facing danger again. For whenever an event falls upon one unexpectedly and contrary to expectation, it humbles his spirit and shocks his reason, so that he becomes the worst and weakest judge of what should be done; for reason cannot dwell with panic, but if it occupies the ground first, it thrusts the other out boldly; but if it is last on the field, it gets the worst of the encounter.

καὶ διὰ ταῦτ', ἐπειδὴ τάχιστα ἐνίκηθη, δεινῶς ἐξεπλάγη καὶ οὔτε τι βούλευμα καίριον οὔτ' ἐλπίδα βεβαίαν ἐς τὸ ἀνακινδυνεῦσαι ἔσχεν. ὅταν γὰρ τι ἀπροσδοκίτως τέ τι καὶ μετὰ πλείστου παραλόγου προσπέση, τό τε φρόνημα αὐτοῦ ταπεινοῖ καὶ τὸ λογιζόμενον ἐκπλήσσει, ὥστ' αὐτὸν κάκιστόν τε καὶ ἀσθενέστατον τῶν πρακτέων κριτὴν γενέσθαι: οὐ γὰρ ἐθέλουσιν οἱ λογισμοὶ

⁸⁷ Cass. Dio. 36.35.1.

⁸⁸ Cass. Dio. 41.56-51.

⁸⁹ Cass. Dio. 42.2ff.

⁹⁰ Cass. Dio. 42.1.1-3.

τοῖς φόβοις συνεῖναι, ἀλλὰ ἂν μὲν προκατάσχωσί τινα, καὶ μάλα γενναίως αὐτοὺς ἀπωθοῦνται, ἂν δ' ὑστερήσωσιν, ἡττῶνται.⁹¹

This rather lengthy gnomic moral statement closes the pause in the narrative before its resumption with Pompeius' misguided flight to Alexandria, where he would subsequently die. I am again struck by the historian's choice to interrupt his historical diegesis to provide an excusus on a specific ethical theme – here the story of Pompeius' complacency – before concluding with a universal moral statement at the point of transition from the pause to a new historical diegesis. Just as with Lucullus' failings of ἔθος, the historian postpones the concluding moral, which is surely believed by the reader, to the end of the narrative reflection which exemplified it – fulfilling the function of an *epimythium*. This, again, enables didacticism, a process of instruction for the contemporary reader in values they could already be expected to share (Type 3).

But it also seems to me a clear explanatory statement, too. Dio's historical argument, developed from the third and final *sententia* of Catulus to the *fabula*-structure of the general's complacent over-confidence, is this: the extraordinary powers of the *lex Gabinia* – a confirmation and further expression of Pompeius' δυναστεία over the πολιτεία like Marius' and Sulla's – would and did magnify and then destroy him. This prediction of Dio's Catulus meets its final valorisation in the historian's interpretation of the events following Pharsalus: the general was simply too sure of his own brilliance to form a coherent plan or take precautions. The shock, moreover, at that unexpected defeat denuded Pompeius of all his φρόνημα; and as a result, he lost hope, fled to Egypt, and died. Great honours and excessive powers, as Dio's speaker presaged in his *sententia*, magnify and then destroy even great men.

We do not necessarily have to accept that this fundamentally moralising conception of historical causes goes back to the unity of composition, moralising, and historical knowledge that I have identified in the *progymnasmata*. We also do not have to accept that, in the diegetic pauses for the story of Lucullus' ἔθος and Pompeius' arrogance, with their concluding maxims illustrated by example therein, this technique necessarily goes back to the schoolroom *fabula*. I do suggest that Dio's rhetorical and compositional education was the origin of this approach to explaining the causes of past events and structuring those explanations. But it is not essential to credit this link between Dio's moral

⁹¹ Cass. Dio. 42.1.4-6.

thoughts and the *progymnasmata* in order to see the explanatory purpose of the moral dimension in his account of the Late Republic. It may simply be that the historian was lacking in the interpretations of previous authors with respect to, for example, the cause of the revolt of Lucullus' soldiers; the protraction of the Mithridatic War; Pompeius' inability to have his Eastern settlements ratified; the formation of the First Triumvirate; or the cause of Pompeius' defeat at Pharsalus.

The causes of these events, in Dio's evaluation, were fundamentally generated by a moral problem. It is indeed possible that the historian invented those ethical causes; but these would not have been unpersuasive to the contemporary perspective. What third-century reader educated in the didactic *progymnasmata* would not believe that a man's character is crucially important, or that absolute power corrupts, or that great honour brings with it also the risk of great envy? If, then, Cassius Dio lacked inspiration from his sources on the precipitation of the major events detailed above, I do not think that he compromised for this paucity in a way that was unpersuasive or even incredible. By establishing a skeleton of causation in which it is the moral and emotive aspect of human behaviour which drives forward historical action, Cassius Dio was not doing anything particularly peculiar. He formed an interpretation of the ethical failings of individual actors in the late *res publica*, and his own distinctive assessment of the historical consequences of those failings. He then communicated that assessment in a language that his reader would be predisposed, after a childhood and adolescence indoctrinated in sententious literature, to credit. Moral argument, therefore, could serve as a form of historical evidence or proof, when presented to an audience which shared the same moral values. There were worse things an historian could do.

The Exile of Cicero

Having established this principle, I aim to close with some briefer words on the lengthy *consolatio de exilio* between Cicero and an unknown philosopher, Philiscus, in Book 38.⁹² The exchange has long baffled enquiry. It has produced, to my knowledge, almost no conclusions on the role the dialogue has to play within Dio's reconstruction of the collapse of the Roman Republic. All scholars assume it to be fiction in both content and context with no parallel historical occasion or source.⁹³ I do not challenge this. I do, however,

⁹² For the identity of Philiscus, cf. Philippon (1938) *RE* 19²2384 ('Philiscus' 8); Millar (1961) 16, (1964) 50; Stekelenburg (1971) 22; Letta (1979) 158.

⁹³ Münzer (1938) *RE* 19²2379 ('Philiscus' 3); Philippon (1938) *RE* 19²2384 ('Philiscus' 8); Millar (1961) 15, 17, (1964) 50; Fechner (1986) 49. The point is now so widely accepted that it has ceased to be repeated.

again intend to examine the moral sentiments expressed within it in order to better understand Dio's explanatory purposes in writing such a piece.

Where rarely the Cicero-Philiscus *consolatio* has been studied it has been read as a mere *jeu d'esprit*, possibly written as a philosophical piece for declamation and as a further example of the historian's 'sophistic' tendencies.⁹⁴ Millar writes that it has no function within the text whatsoever, except perhaps to emphasise Dio's hostility toward Cicero.⁹⁵ Fechner, on the other hand, suggests that it in fact treats Cicero favourably as an exponent of the 'Republican' virtues of freedom, free speech, and *concordia*.⁹⁶ Although this is a welcome development which attempts to situate the exchange in relation to Dio's broader thematic ideas, Kemezis is right to state that this brings us no closer to understanding the function of the speech within the narrative context.⁹⁷ Kemezis himself has recently read the speech as the historian's own *consolatio ad Dionem*, a philosophical treatise on coping with exile to help Dio himself to come to terms with his own exile from Rome. This is very convincing: the number of clues within the Cicero-Philiscus exchange which relate clearly to the historian's own career in public and military life point in that direction.⁹⁸ I fully accept Kemezis' persuasive analysis. However, this is not the only aspect. In addition to serving as a reflection on exile to comfort the historian himself, it seems to me that the moral thoughts contained within this exchange again function as Dio's own evaluation of the historical circumstances and causes which led to Cicero's exile in 58 BCE.

Significantly, the themes that run throughout several *sententiae* in this dialogue are advocacy, favour, and public speech. The applicability of these themes to the historical character of Cicero is obvious. But they serve an important purpose in the reconstruction. To understand this purpose, a short word on the narrative context is again needed, as Dio seems to me to have deliberately paired up the content of these *sententiae* with that context.

In his record of the years 59-58 BCE Dio heavily emphasises Cicero's excessive frankness of belligerent speech. He writes, for example, that the orator defended M. Antonius over-vehemently when the latter was implicated in the conspiracy of Catiline: perceiving Julius Caesar to be responsible for the accusations against Antonius, he made an ample attack

⁹⁴ On which cf. Gowing (1998) 377-378; and, most recently, Jones (forthcoming, 2016).

⁹⁵ Millar (1964) 51.

⁹⁶ Fechner (1986) 48-58, and *passim* for these virtues.

⁹⁷ Kemezis (2014) 290 n.15.

⁹⁸ Kemezis (2014) 289-290 for the evidence.

against him (πλείστην...καταδρομήν ἐποιήσατο) and, according to Dio, resorted to personal insults (προσελοιδορήσεν).⁹⁹ Caesar, however, did not take the bait. Rather than return the salvo, he watched for his opportunity (τοῦ δὲ δὴ καιροῦ διεσκόπει), preferring instead to exact retribution secretly and where it would be least expected (ἐν οἷς ἥκιστα ἄν τις προσεδόκησε).¹⁰⁰

In Dio's assessment this opportunity for revenge came in the person of the tribune P. Clodius Pulcher. He writes that Caesar, seeing that Clodius owed him a favour for refusing to prosecute him for *incestum* a year earlier, 'set Clodius secretly against Cicero' (παρεσκεύασε κρύφα κατὰ τοῦ Κικέρωνος). After being transferred to the plebeian class and appointed tribune by Caesar's influence, Clodius courted the favour of the people and Senate in order to be able to crush Cicero all the more quickly (ταχὺ κατεργάσεσθαι); and he then brought forward his *lex Clodia*, proposing retribution for any magistrate who put a Roman citizen to death without a trial. Dio writes that, although Cicero was not mentioned *nominatim*, it was clear that Clodius' law had been conceived with the orator as its principal target.¹⁰¹

In the *sententiae* which follow both in his interpretation of the development of these events and in the Cicero-Philiscus exchange, Dio again uses a universal moral language to articulate the historical cause of the orator's downfall. The historian is not ignorant of the political details: he sketches out the significance of Clodius' *incestum* and the Bona Dea débacle, Caesar and Clodius' alleged compact and the former's support for his bid for the tribunate, and the political implications of the new tribune's programme of reforms and his currying of favour with both the urban plebs and the aristocracy. But it is again the moral dimension which Cassius Dio especially chooses to elaborate at great length in his own voice:

Clodius hoped that, if he could win over the wealthy to his side, then he would easily destroy Cicero, whose strength lay in others' fear of him rather than their good opinion (διὰ φόβον μᾶλλον ἢ δι' εὖνοιαν ἰσχύοντα). For he annoyed a great number of people with his speeches, and those who had been helped by him were nowhere near as grateful to him as those who had been harmed by him were alienated. **For people are more ready to be annoyed at what irritates them than to be grateful to anyone, and they think that they have**

⁹⁹ Cass. Dio. 38.10.4.

¹⁰⁰ Cass. Dio. 38.11.4-5.

¹⁰¹ Cass. Dio. 38.12-13.

repaid their advocates properly with their fee even when their desire is to ward off their opponents in some way or another (πρὸς γάρ τοι τῷ τοῦς πλείους τῶν ἀνθρώπων προχειρότερον ἐπὶ τοῖς δυσχερεστέροις ἀγανακτεῖν ἢ τῶν ἀμεινόνων χάριν τισὶν ἔχειν, καὶ τοῖς μὲν συναγορεύσασί σφισιν ἀποδεδωκέναι τὸν μισθὸν νομίζειν, τοὺς δ' ἀντιδικήσαντας ἀμύνεσθαι τρόπον τινὰ προαιρεῖσθαι). Furthermore, Cicero had made himself the most bitter enemies by always trying to get one-up in some way on even the most powerful men, and by always using unbridled and excessive frankness of speech to all alike (παρρησία πρὸς πάντας ὁμοίως ἀκράτῳ καὶ κατακορεῖ χρώμενος). He hunted eagerly after a reputation for being a powerful speaker and sage like no other, even in place of being thought a good person (καὶ πρὸ τοῦ χρηστὸς εἶναι δοκεῖν). As a result of this fact, and because he was the greatest boaster of all men and thought no one equal to himself, but instead in his words and his life looked down upon everyone and did not think fit to live in the same manner as others, he was boorish and hateful (φορτικός τε καὶ ἐπαχθῆς ἦν), and as such was envied and despised (ἐφθονεῖτο καὶ ἐμισεῖτο) even by those he had once pleased.¹⁰²

The thrust of the *sententia* in bold certainly has an universal application: it is a didactic lesson within the narrative to the contemporary reader (Type 3). But it again expresses Dio's own interpretation of the historical situation, and in a language of conventional morality that all audiences educated in the moralising *progymnasmata* could be assumed to accept. In his view, Cicero's excessive παρρησία and personal insults not only attracted the resentment of Caesar in Antonius' trial in 59 BCE; they additionally generated the circumstances in which Caesar was able to satisfy that resentment a year later through Clodius. The orator's failures of character – his love of being a good speaker rather than a good citizen (καὶ πρὸ τοῦ χρηστὸς εἶναι δοκεῖν), as well as his haughtiness and unbridled attacks upon others – left him bereft of defenders against Caesar's retribution in 58 BCE. There is no reason to believe that the historian himself did not believe in the message of his *sententia* or did not expect his reader to: it would not be difficult to accept the view that people more readily resent offence than appreciate kindness, and no longer feel obliged to do their benefactors a favour after paying them for services rendered.

It is only after the ratification of the *lex Clodia* and Cicero's exile, however, that Dio explicitly posits the moral thought of this *sententia* as the principal cause of the orator's banishment. For this we need to look to the dialogue of Cicero and Philiscus. According to Dio, this latter approached the orator while he was staying in Macedonia, wishing to lift his spirits with some improving sentiments. I think it significant that Philiscus focusses on

¹⁰² Cass. Dio. 38.12.4-7.

Cicero's oratory in the courts from the beginning, and that the two responding *sententiae* of Cicero also underline that intention. Dio's Philiscus first accuses his interlocutor of weeping and wailing in shameful fashion, and asks how 'one who has acted as an advocate to many could be so feeble' (ὡς ἔγωγε οὐποτ' ἄν σε προσεδόκησα οὕτω μαλακισθήσεσθαι... πολλοῖς δὲ καὶ συνηγορηκότα).¹⁰³ Cicero's response continues this reflection on his career as a public speaker, with accompanying maxims:

But it is not the same thing, Philiscus, to speak for others as it is to advise oneself (ἀλλ' οὐδέν τοι ὅμοιον ἐστίν, ὃ Φιλίσκε, ὑπὲρ ἄλλων τέ τινα λέγειν καὶ ἑαυτῷ συμβουλεύειν). For the things said on behalf of others are most useful, when they come from a solid and unshaken mind. But whenever some suffering overtakes one's spirit, the spirit becomes turbid and opaque and cannot come to reason usefully. It is for this reason, I suppose, that **it has been rightly said indeed that it is easier to counsel others than to be strong oneself when suffering** (ὅθεν πού πάνυ καλῶς εἴρηται ὅτι ῥᾶον παραινέσαι ἐτέροις ἐστὶν ἢ αὐτὸν παθόντα καρτερῆσαι).¹⁰⁴

From the opening of the episode, then, the historian shifts the reader's focus onto Cicero's oratorical career, and especially his performances in the courts – precisely what in Dio's interpretation had caused Caesar to set Clodius against him in the first place and had left him devoid of allies. When situated in the context of the preceding narrative, these *sententiae* of Dio's speaker on the theme of speaking on the part of others are particularly relevant to the historical situation of 58 BCE.

This focus on Cicero's advocacy and oratory continues throughout. As a philosophical dialogue that focus is of course couched in the language of *loci communes*, especially of the type amply represented in Plato. Philiscus compares Cicero's case to that of Hippocrates: if he were to fall ill, he would not be averse to accepting the treatment of another. Why, then, should this orator not listen too when he is in need of help? In the same way, a wordsmith such as he should be readily prepared to hear the words of another to cure his own malady of grief.¹⁰⁵ Dio's concentration on the here highly relevant theme of oratory – of words, counsel, and advocacy – is still evident here even in spite of the medical commonplace. Cicero's enthusiastic acceptance of his counterpart's medical metaphor then continues in this same vein, returning to the theme of words and speech and accepting Philiscus' comparison between the two professions: 'for words, like medicines,

¹⁰³ Cass. Dio. 38.18.1.

¹⁰⁴ Cass. Dio. 38.18.2.

¹⁰⁵ Cass. Dio. 38.18.5.

are of many properties and potencies; and so it will not be surprising if you can steep even *me* (εἰ καὶ ἐμὲ) in a little philosophy, I, who have been brilliant in the Senate, assemblies, and law-courts!’¹⁰⁶ The self-aggrandisement that the historian excoriated in Cicero’s character earlier is all there. But importantly, this allegorical focus on the orator’s legal career and the theme of words and public speech enables Dio to go on to set out explicitly, through Philiscus, the cause of his exile:

Most of your benefits did not come to you by inheritance in a way that means you should take particular personal pains over them. **No, they were acquired by your own tongue and by your own words – on account of which you also lost them** (ἀλλὰ ὑπὸ τε τῆς γλώττης καὶ ὑπὸ τῶν λόγων σου πεπόρισται, δι’ οὗς καὶ ἀπόλωλεν). You should not therefore be troubled if **your benefits have been lost in the same way they were won**. Ship-masters, for example, do not take it so badly if they suffer great losses; for I imagine that they understand how to evaluate the problem sensibly, that **the sea which gives wealth also takes it away again** (οἶμαι, φρονίμως ἐπίστανται ὅτι ἡ θάλαττα ἢ διδοῦσά σφισιν αὐτὰ καὶ ἀφαιρεῖται).¹⁰⁷

From his reading of this passage Brandon Jones suggests that the Platonist ship-metaphor, and so too the medical allegory, demonstrate Cassius Dio’s self-advertisement as a sophistic intellectual, as indeed does the dialogue as a whole.¹⁰⁸ The nautical *sententia* at the end of this excerpt certainly required little skill at invention or particularly profound philosophical outlook, and demonstrated a knowledge of classical *loci*.

But there is much more to this occasion of speech than that. The historian in the first instance formed a negative opinion of Cicero’s unrestrained and offensive *παρρησία* at the *incestum* trial of M. Antonius, and then posited this directly as the reason for Caesar’s anger and consequent desire for revenge. In an excursus on Cicero’s career in public life a moment later, Dio then found a universalising *sententia* consonant with his view that the orator’s jarring *παρρησία* and his supercilious character were remembered with greater hatred than were his services to others (τοὺς πλείους τῶν ἀνθρώπων προχειρότερον ἐπὶ τοῖς δυσχερεστέροις ἀγανακτεῖν ἢ τῶν ἀμεινόνων χάριν τισὶν ἔχειν). In that context, he was generally despised and in Dio’s view was left without allies when the time came to defend himself.

¹⁰⁶ Cass. Dio. 38.19.1.

¹⁰⁷ Cass. Dio. 38.20.3-4.

¹⁰⁸ Jones (forthcoming, 2016).

Finally, in the *consolatio de exilio* which follows, the historian brings this interpretation to its full explanatory denouement with the *sententiae* of Cicero and Philiscus. These, obviously and deliberately, centre around the theme of forensic oratory and speaking on the part of others. Dio's Philiscus, who serves *tout court* as a medium for the author's own historical interpretation, at last states explicitly that it was Cicero's career in the courts which both furthered and then destroyed him. This was certainly Dio's own view, as his narrative of Caesar's resentment of Cicero at Antonius' *incestum* trial confirms. This view, moreover, is valorised through a *sententia* on a nautical metaphor. These sententious maxims, indeed, are universalising and commonplace. But their universality ought not to blind the reader to their place within Dio's interpretation of the historical situation in 59-58 BCE, and the causal factors which precipitated Cicero's exile. The moral is, in fact, an indispensable aspect of the historian's evaluation of the relationship between character and cause in the Late Republic.

Conclusion

In view of Cassius Dio's education in the *progymnasmata* I find it unsurprising that he approached the task of evaluating and writing the past through a transparently moral lens. From his earliest experience of writing to his last declamation with the schoolroom rhetorician, the ancient elite individual – and particularly one from a wealthy governing background with ample access to education and travel – did not cease to separate the moral from the literary. The belief that when ancient historians such as Dio wrote moral sentiments, they did so in the expectation that they would appear banal or unpersuasive to their audience, ought to be abandoned. Rather, from this analysis of only two historical episodes in the *Roman History* I conclude that Cassius Dio deployed *sententiae* in both his speeches and narrative to emphasise those moral failings, and especially failures of character, which the reader could be expected to recognise from their moralising education as a genuine problem. By locating these maxims within a value-system common to both himself and his audience, Cassius Dio filled his text with thoughts that were highly persuasive to the similarly-educated reader. If modern scholars dislike to read them, that is not the important issue.

I am more surprised by the relationship between moral sentiment and historical explanation, however. For all its universality, Cassius Dio's moralising is surprisingly astute, and – to engage in some healthy speculation – strikes me as not uncreditable. It is not difficult to imagine that Cicero, who boasted *o fortunatam natam me consule*

Romam,¹⁰⁹ and more than once that he had saved the Republic,¹¹⁰ might be disliked in certain quarters: I have already mentioned in Chapter 2 that Asinius Pollio detested him and wrote amply to that effect. If Cassius Dio viewed the events of 59-58 BCE through the lens of the moral problem of Cicero's unbridled *παρρησία* and self-promotion, he was perhaps not making a misstep. This ethical argument, moreover, strikes me as complex and sophisticated: the historian develops it across half of Book 38, and it is clear that the *sententiae* of the Cicero-Philiscus dialogue on advocacy and public speech are intended to demonstrate the ultimate historical ramifications of Dio's earlier narrative *sententia*: that men are readier to remember insults and offences than they are benefactions rendered. Only by being prepared to accept the moral sentiments within the Cicero-Philiscus exchange from the perspective of the ancient reader – which involves also considering the didactic curriculum in which both the narrator and reader were trained – can its explanatory purpose within the narrative context be realised.

What is happening here is not merely a reflection of the historian's schooling. Rather, the process of learning to compose history – the genre taken so often as a model for imitation and a source of factual knowledge in school – inculcated in the writer a moralising conception of history itself. Through the *fabula*, the ancient pupil learned to approach narrative as the exemplification and validation of moral thoughts. My focus in this chapter has predominantly been on the historian's *sententiae*. But the stand-alone excursus on Lucullus' ἔθοϛ and on Pompeius' arrogance at Pharsalus, with their concluding morals exemplified and then postponed to the end, seem to me reflections of the impression that the schoolroom *fabula* continued to have upon the way in which narrative was approached and structured. In concentrating only on the Mithridatic narrative and the exile of Cicero I have had to leave aside Dio's many other *fabula*-structures, with their digressive, stand-alone explorations of a moral story and their concluding *epimythia*.

I am aware that I will appear to have attempted to subvert a consensus, which still persists, that the moralising content within Dio's speeches and indeed within his work more generally serves little purpose. The work of a number of scholars to that effect has been cited in the introduction to this chapter. However, this consensus seems to me untenable. By verbalising his evaluation of the ethical problems which underlay major military and political movements in a universal moral language – a mutinying army, the enfeeblement

¹⁰⁹ For a discussion of this line cf. Allen (1956).

¹¹⁰ E.g. Cic. *Rep.* 1.7.

of Pompeius at the hands of his envious inferiors and his consequent entry into the Triumvirate, the exile of Cicero – the historian rendered his interpretation of these events more convincing to the reader, not less.

Dio's relationship (or lack thereof) with contemporary Latin sources, with his time, and with the moralising tropes of an Imperial rhetorical education need not deter modern scholars from recognising the important role the speeches played within his work. The circumstances and methods under which Dio's work was composed have usually been received as grounds to discount the embeddedness of these orations within Dio's interpretative framework. In my discussion of these three areas I have argued, in fact, that precisely the opposite inference ought to be drawn. For a more detailed survey of Cassius Dio's six historical factors of constitutional change, however, we must move beyond the methodological considerations – which aided, rather than hindered, the use of the speeches as media of historical interpretation – and turn to the case-studies as such.

Section Two: Case-Studies

Chapter 5: The Defence of the Republic

Introduction

In this first case-study I argue that Cassius Dio placed three orations at points of major political crisis over a forty-year period to elaborate three problems he perceived as germane to the Republic. First, the increasing unviability of the dictatorship as a mode of supreme executive power and the imperative for its replacement with monarchy as such. Second, the effect of the continued prorogation of military authority abroad upon individuals' desire for absolute power (*imperii consuetudo*). And third, the inevitability of hostile emotion, and especially φθόνος, within the competitive senatorial aristocracy and the dire political consequences of such emotion. These correspond respectively to Factors 1, 2, and 3 in my overview of Cassius Dio's causation of the collapse of the Republic in the Introduction, and I organise this chapter accordingly.¹

Dio embedded his exploration of these causes of constitutional change within three 'προδημοκρατία' orations: the *dissuasio* of Q. Lutatius Catulus on the Gabinian law, which I have already discussed in some detail (36.31-35); Cicero's advocacy of a general amnesty for the Caesarian and tyrannicide factions (44.23-33); and M. Vipsanius Agrippa's argument to Octavian for a *res publica restituta* in the wake of Actium (52.2-13). These will be the focus of this study.

The historical significance of each of these occasions of speech, set in the contexts of 67, 44, and 27 BCE respectively, will be immediately apparent. Each functions as a 'defence' of the Republic and the traditional order in response to a key moment of constitutional upheaval and innovation: the controversy surrounding Pompeius' acquisition of further δυναστεία by manipulating tribunician legislation; the aftermath of Caesar's assassination and the risk of renewed strife; and Octavian's victory over M. Antonius and his position of absolute power. As I will show in the second case-study (Chapter 6: The Enemies of the Republic), these 'to democracy' orations present only one side of the debate. The historian pairs them with the opposing speeches of Pompeius and Gabinius on the *lex Gabinia* (36.25-26; 36.27-28), Antonius' *laudatio funebris* of Caesar (44.36-49), and the

¹ For a briefer snapshot of this discussion cf. Burden-Strevens (forthcoming, 2016).

monarchist speech of C. Cilnius Maecenas (52.14-40). These, in each instance, attain their objective; and their δημοκρατικός counterparts, in each instance, fail to persuade.

Although I will suggest here that all three of Dio's 'defences' of δημοκρατία articulate the historian's interpretation of the significance of the problems of the dictatorship, *imperii consuetudo*, and φθόνος – all of which recur in each oration – I do not propose that his presentation of these concerns was static. The historian's conception of the Republican dictatorship noticeably develops between his narrative of the Gabinian law and the aftermath of Caesar's *dictatura in perpetuum*. This is most clearly articulated in the speeches, in which Dio demonstrates the development of different (hostile) ideas about the dictatorship from the Republican perspective over time. In a similar fashion, Maecenas' lengthy encomium of monarchy and programme of recommendations for its implementation also returns to the problems of the dictatorship, *imperii consuetudo*, and φθόνος encountered in the earlier three speeches; but here, too, the point is different. Significantly, Cassius Dio uses his speech of Maecenas to set out his own interpretation of how those problems were overcome by the Augustan Principate.

I perform this analysis through three investigative sections – one for each of Dio's Factors of constitutional change. In the first section I explore how Cassius Dio developed a conceptual framework of the Republican dictatorship. I suggest that he used the speeches of Catulus, Cicero, and Agrippa to argue that the *dictatura* had grown impractical and needed to be replaced by a new plenipotentiary power: the monarchy. The historian embedded sentiments within these orations which, though not necessarily always his own, in each instance present the *dictatura* as unviable for two principal reasons: the increasing conflation in the Republican psychology between the dictatorship and monarchy in its degenerate form of tyranny; and the inability of that office to meet the demands of a recently-enlarged empire. In the second section (and in this connection), I argue that Cassius Dio conceived of the organisation of military power within the empire as a direct cause of the autocratic ambitions of Marius, Sulla, Pompeius, and Caesar. This, obviously, had significant historical ramifications for the *res publica*; but I additionally suggest that Dio used the speech of Maecenas to underline the solutions to that problem, which his Augustus would subsequently pursue. In the third section I argue that Cassius Dio viewed φθόνος as a distinctly Late Republican moral problem which motivated a striking proportion of political activities, and that he brought this concern to its fullest expression in the speeches – in fact, in most of them. It will be necessary here to refer briefly to

compositions other than the three δημοκρατία-orations. I will also perform a statistical analysis which demonstrates the clear preponderance of φθόνος within Dio's account of the Late Republic and its complete, and I think significant, disappearance from the Augustan books (Books 53-56).

For each section it will furthermore be beneficial to set out the theoretical framework of the historical Factor under discussion before beginning the analysis of its elaboration in the speeches. This will consider Dio's own programmatic statements on these issues and their presentation in earlier sources. It is to that, then, that I turn first in my exploration of the problem of the dictatorship in Dio's Late Republic.

Factor 1: The *Dictatura*

Cassius Dio's historical view of the Republican dictatorship must be placed within his conception of the nature and role of monarchy. There can, first, be no doubt that the historian believed that μοναρχία was the best form of government under which to live. In a long programmatic statement after Caesar's assassination, Dio compares δημοκρατία and μοναρχία. This passage expresses the historian's view of all three Factors with which this chapter is concerned: the problems of sole rule in the form of dictatorship, of the distribution of power within the empire, and of the relationship between φιλοτιμία and φθόνος. It is worth quoting in full:

Monarchy is not easy on the ear, but it is the best form of constitution (ἡ μοναρχία δυσχερὲς μὲν ἀκοῦσαι, χρησιμώτατον δὲ ἐμπολιτεύσασθαι ἐστί). For it is easier to find one good man than many of them; and even if that seems difficult to some to achieve, the other alternative [of democracy] is necessarily impossible, since not all can attain virtue anyway. And so, even if a horrid man should attain sole power, **he is preferable to the masses of the people who are like him** (ἀλλὰ τοῦ γε πλήθους τῶν ὁμοίων αἰρετώτερός ἐστιν)...Indeed, if there has ever been a strong democracy, it has only been at its best for a short time, **so long as it had neither the kind of numbers nor strength for the envy that results from ambition or the aggrandisements that result from prosperity to spring up within it** (μέχρις οὗ μήτε μέγεθος μήτ' ἰσχὺν ἔσχον ὥστε ἢ ὕβρεις σφίσιν ἐξ εὐπραγίας ἢ φθόνους ἐκ φιλοτιμίας ἐγγενέσθαι). But it was impossible for Rome, **being so large and ruling over the finest and greatest part of the world** (πόλιν δὲ αὐτὴν τε τηλικαύτην οὖσαν καὶ τοῦ τε καλλίστου τοῦ τε πλείστου τῆς ἐμφανοῦς οἰκουμένης ἄρχουσαν), and having come to rule many and diverse races of men, and having great wealth, and enjoying great fortune in every fashion both individually and collectively, **to**

ever remain moderate under a democracy (ἀδύνατον μὲν ἐν δημοκρατία σωφρονῆσαι).²

This passage is revealing and is of fundamental importance to my reading of how three problems are elaborated for the reader in Dio's 'defences' of δημοκρατία. The historian asserts, first, that the rule of one man alone will always be preferable to the rule of the mob; second, that δημοκρατία inevitably generate φιλοτιμία and that φθόνος emerges from this; and third, that Rome could not possibly continue under such a system in view of the size of its empire. Dio viewed these problems as fundamentally Republican in character, and these receive their fullest treatment in the speeches under discussion here. Sole rule, simply, was the best form of government to the historian.

Significantly, this is the interpretation that Dio applies to the appointment of the first dictator, T. Lartius (or Largius), in 501 BCE after the expulsion of the Tarquins. He writes: 'the man thought worthy of this position was called *dictator* (δικτάτωρ), and had power equal to that of kings (ἐξ ἴσου τοῖς βασιλεῦσι); for the Romans hated kingship on account of the Tarquins, but as they desired the benefit of sole rule (τὴν δ' ἐκ τῆς μοναρχίας ὠφέλειαν) because it was strong in the face of war and revolution, they chose it under another name (ἐν ἄλλῳ ταύτην ὀνοματι ἔιλοντο)'.³ Dio, then, treats the dictatorship as a form of kingship under another name.

He may not necessarily have been wrong, as it is surely significant that the appointment of the first dictator came within a decade of the expulsion of the kings.⁴ Indeed, we see similar in Latin sources from the first century BCE which Dio used. Cicero, in a rare moment of praise for M. Antonius, applauds his earlier law abolishing the dictatorship, 'which by this time had come to possess *regia potestas*, ripped out of the state by its roots'.⁵ With regard to Sulla he furthermore reflected on 'universal destruction or the dominion of the victorious and kingly power' (*dominatus ac regnum*), and that after his conquest of Marius, Sulla virtually became a king (*regnaverit*) who 'without a doubt had *regalis potestas*'.⁶ Livy, who does not explicitly equate the Republican *dictatura* with monarchy, nevertheless treats the inauguration of T. Lartius as an occasion for great fear

² Cass. Dio. 44.2.1-4. My translation.

³ Zon. 7.13. As Aalders (1983) 203 n.12 rightly notes, 'Zonaras' epitome as a rule follows Dio so closely that he may be used as evidence for Dio's ideas and attitude'.

⁴ But cf. Ridley (1979) 30, who downplays the internal political aspect: he argues that the dictatorship was merely a response to the Sabine crisis in that the *discordia ordinum* endangered the war and needed to be addressed for military success.

⁵ Cic. *Phil.* 1.2.

⁶ Cic. *Har. Resp.* 54. Detailed discussion in Hurlet (1993).

on the part of the plebs, who saw their right of *provocatio* under threat from a single unaccountable autocrat.⁷ The equation of the Republican dictatorship with monarchy began long before Dio.

My point here, however, is that Cassius Dio used his three ‘to-democracy’ orations to argue that within the Late Republican psychology, the *dictatura* had become synonymous not with monarchy as such, but with monarchy in its degenerate form: tyranny.⁸ For this reason, in the historian’s interpretation by 27 BCE such offices had to be abandoned altogether and replaced with Augustus’ enlightened despotism. In his speech of Agrippa, Dio has his orator assert that ‘tyrannies are the natural product of monarchies’ (τὰς τυραννίδας τὰς ἐκ τῆς μοναρχίας ἐκφυομένας).⁹ This of course is not the historian’s own view, given his strong approval of monarchy; rather, it is a representation of what Cassius Dio conceived of as the motivation in the Late Republic to abandon the supreme executive power of the *res publica*.

The conflation between dictatorship and tyranny had, in fact, a long tradition, beginning first in our sources with Cicero and then continuing in Greek historians. Cicero writes in a letter to Cassius that with the recent assassination of the dictator Caesar, Rome had been liberated not only from a king (*non regno sed rege liberati videmur*) but from a *tyrannus*, whose injuries against the republic had been avenged with his death (*ultra suas iniurias est per vos interitu tyranni*).¹⁰ Indeed, he compares the dictator’s power to a *τυραννίς* even from the beginning of his *de facto* monarchy in 49 BCE.¹¹ We should not put too much faith in the counter-argument to this, Cicero’s protestation in the *Pro Deiotaro* that Caesar is *non modo non tyrannum, sed clementissimum*.¹² The speech was delivered before the dictator himself. More generally, tyranny pervades the orator’s other works, and especially in connection with *crudelitas*;¹³ this will be important to remember in my analysis of the speeches.

⁷ Liv. 2.18.2. Following Humbert (1988) and Ducos (1984), Kalyvas (2007) 419-420 argues that while the *ius provocationis* was established to protect the plebeian class from the political leverage of the patricians, the dictatorship was deliberately designed as a counterweight to these increasing plebeian rights. Astutely, this is Dionysius of Halicarnassus’ interpretation at AR 5.70.3: that the office was instituted ἵνα δὲ μηθὲν ἐναντιωθεῖεν οἱ πένητες. For a discussion of the *ius provocationis* within the context of *discordia ordinum* cf. Lintott (1972a).

⁸ For this definition, cf. esp. Béranger (1935) 85-94.

⁹ Cass. Dio. 52.13.6.

¹⁰ Cic. *Fam.* 12.1.1-2.

¹¹ Cic. *Att.* 7.11.1.

¹² Cic. *Deiot.* 34:.

¹³ For example: *Cat.* 2.14; *Dom.* 75, 94; *Fin.* 4.31; *Inv.* 2, 49.144; *Cael.* 52, 89; *Phil.* 2.117, 13.18; *Rep.* 2.48; *Verr.* 1.82.

We are not beholden only to Cicero for Late Republican views of dictators as tyrants, either. Such a view is attested also in coinage. According to Dio, in 53 BCE electoral competition simmered into bribery and then boiled over into violence. Even in the seventh month the vacancies still had not been filled. Unfavourable omens furthermore prevented the *interreges* from addressing the crisis.¹⁴ Among the chaos, continually stressed in Dio's account of this year,¹⁵ Pompeius was nominated *in absentia* as dictator. The historian records that the proposal was controversial – ‘since in remembrance of Sulla's cruelty all hated that office’ – and that Pompeius accordingly declined.¹⁶ However, a silver *denarius* (overleaf, Fig. 1) minted by the son of one of the finally-appointed consuls of that year, M. Valerius Messalla Rufus, suggests that some contemporaries thought that Pompeius' tyrannical ambitions had been thwarted. The obverse features a helmeted bust of Roma with a spear; the reverse displays the curule chair of the consul Messalla subordinating a royal sceptre and a diadem,¹⁷ with the inscription PATRE COS and S C (*senatu consulto*). One interpretation reads this *denarius* as a triumphant response to Pompeius' failed manoeuvring for the dictatorship:¹⁸ the symbols of kingship are overcome by the successful resumption of Republican magistracies. If so, it would not be the first time Pompeius was compared to a tyrant. One aedile remarked upon seeing a white fillet attached to Pompeius' leg that it made little difference where on his body the *diadema* sat.¹⁹ Cicero also remarks in a letter to Atticus that *Gnaeus noster* desired *regnum* just as much as the last dictator had done.²⁰

In the forthcoming analysis I will suggest, then, that Dio used his three ‘defences’ of δημοκρατία to communicate to the reader his view that the dictatorship and monarchy, but especially monarchy in its degenerate form of tyranny, had become conflated in the Republican mindset. From the contemporary evidence this suggestion was clearly not fanciful.

¹⁴ Cass. Dio. 40.45; cf. Cic. *Att.* 4.17.

¹⁵ Cass. Dio. 40.17.2, 40.32.5, 40.44.2, 40.45.1, 40.46.1, 40.48.1.

¹⁶ Cass. Dio. 40.45.5: πρὸς γὰρ τὴν τοῦ Σύλλου ὀμότητα ἐμίσουν πάντες τὸ πολίτευμά.

¹⁷ Rawson (1975) 150. On the diadem and royalty cf. *RRC* (1974)¹ 507/2; Carson (1957) 50-52; *Phil.* 2.85.

¹⁸ *RRC* (1974)¹ 435/1; also Rawson (1975) 150, 157.

¹⁹ Val. Max. 6.2.7.

²⁰ Cic. *Att.* 9.7.3; also *Att.* 9.10.6.

Fig. 1: silver *denarius*, minted 53 BCE in: Crawford, M. *RRC* (1974)¹ #435/1, p.457



This was not Cassius Dio's only basis for problematising the *dictatura*, however, and it is not even necessarily distinctive. Earlier Greek sources had already suggested that the Republican dictatorship resembled tyranny: Dionysius describes it as 'a form of elective tyranny' (ἔστι γὰρ αἰρετὴ τυραννὶς ἢ δικτατορία),²¹ and writes of it as a medium of aristocratic control over the masses through tyrannical power.²² Appian, too, writes that Sulla 'became in truth a king, or rather a tyrant' through force (ὁ δὲ ἔργῳ βασιλεὺς ὢν ἢ τύραννος, οὐχ αἰρετός, ἀλλὰ δυνάμει καὶ βίᾳ);²³ and he twice later describes his dictatorship as a τυραννίς.²⁴ As Andreas Kalyvas has argued, Dionysius' and Appian's illustration of the dictatorship as a form of tyranny directly implicated this office in the collapse of the Republic itself.²⁵

In arguing, therefore, that the *dictatura* as a result of its relationship with tyranny was a key factor in the collapse of the Republic and the replacement of its powers by the enlightened monarchy of his Augustus, Dio was not doing anything necessarily new. He may have formed this idea from his reading of Dionysius or Appian or, just as possibly, Cicero. However, where Dio is distinctive lies in two factors: first, his use of the speeches

²¹ D.H. *AR*. 5.73.3; also 5.77.4.

²² D.H. *AR*. 5.70.3.

²³ App. *BC*. 1.98. That Appian underlines the distinction between a βασιλεὺς and a τύραννος and still applies both to Sulla indicates that he has not confused about the difference: Sulla's dictatorship was not merely a kingship, but a tyranny.

²⁴ App. *BC*. 1.99, 1.101.

²⁵ Kalyvas (2007) 414.

above all to articulate this point; and second, his bipartite problematisation of the dictatorship. Unlike his predecessors, Cassius Dio did not merely argue that the Republican *dictatura* had to be replaced with monarchy so-called solely because of its association with tyranny, especially with conventional identifiers of tyranny such as *crudelitas*.²⁶ He additionally suggests through his speeches that the office had grown unpracticable owing to the requirements of the newly-enlarged empire. Its powers therefore had to be replaced with those of the monarch. In Dio's interpretation, then, the dictatorship was not only tainted by tyranny and Sullan *crudelitas*. The legal restrictions, and especially the six-month term and the domestic prerogative over Italy, meant that it was useless in the face of drawn-out exigencies abroad. Why not, then, simply have a monarch? It is not clear whether this argument is distinctively Cassius Dio's own; to engage in a little speculation, its apparent absence from earlier sources may indicate so. Even if this is not the case, however, it is striking that Dio develops both of these vitiations of the Republican dictatorship concurrently, and – as I will show in the analysis – chooses to do so in the speeches above all.

I begin that analysis with Q. Lutatius Catulus' *dissuasio* (36.31-35). It is clear that where the historian intended the words of Pompeius and Gabinius to be mistrusted by the reader, the opposite is the case here. In a very different narrative preface to the oration, Dio writes that all present honoured and respected Catulus as one who always spoke and acted in their best interests (ἡδοῦντο πάντες αὐτὸν καὶ ἐτίμων ὡς τὰ συμφέροντά σοφισι καὶ λέγοντα ἀεὶ καὶ πράττοντα).²⁷ This is consistent with the historian's later necrology of him, too: he records that Catulus safeguarded the public interest the most conspicuously of all men alive at that time.²⁸ Accordingly, the speaker's *exordium* unfolds in the same vein: Catulus begins by stating that 'you are all clearly aware that I have always been exceedingly devoted in your behalf, Quirites'.²⁹ By design, the reader is supposed to take this assertion of patriotic cultivation of the public good at face value; and this makes Catulus an ideal voice for communicating Dio's own historical interpretations. By emphasising his speaker's commitment not to his own interests but to the state's, Cassius Dio confirms the authority of the speaker and lends persuasive value to Catulus' comments on the historical

²⁶ E.g. Plat. *Rep.* 8.566b; Cic., *Cat.* 2.14; *Dom.* 75, 94; *Fin.* 4.31; *Inv.* 2, 49.144; *Cael.* 52, 89; *Phil.* 2.117, 13.18; *Rep.* 2.26, 2.48; *Verr.* 1.82. On the synonymy of tyranny and cruelty in both Greek and Latin sources cf. ample discussion in in Béranger (1935) 85-94 and Barden Dowling (2000), especially with respect to Sulla.

²⁷ Cass. Dio. 36.30.5.

²⁸ Cass. Dio. 37.46.3.

²⁹ Cass. Dio. 36.31.1.

situation.³⁰ What we have here, as Münzer noted, is a calm and factual presentation of the scope of the proposed innovation:³¹ it was constructed to be believed.

I will discuss the comments in this speech which pertain to the problems of *imperii consuetudo* and φθόνος in the succeeding sections, but my principal concern here is Dio's problematisation of the dictatorship. In a revealing passage, the historian's Catulus first sets out why, in the context of the Mediterranean piracy situation of 67 BCE, even the supreme executive power of the *res publica*, the dictatorship, would be useless. So far from arguing against the extraordinary command of the *lex Gabinia*, Dio's orator merely verbalises the historian's interpretation of why there was no other alternative than to give Pompeius further δυναστεία:

But if it is indeed necessary to elect an official alongside the yearly magistrates, there is **already an ancient precedent, that is, the dictator** (παράδειγμα ἀρχαῖον, λέγω δὲ τὸν δικτάτορα). However, our ancestors did not establish this office for every circumstance, **nor for a period longer than six months** (οὔτε ἐπὶ πλείω χρόνον ἑξαμήνου). Therefore, if you do require such an official, it is possible for you to engage either **Pompeius or any other man as dictator without transgressing the law nor failing to deliberate carefully for the common good – on the condition that this be for no longer than the allotted time nor outside of Italy** (μήτε παρανομήσασι μήτ' ὀλιγώρως ὑπὲρ τῶν κοινῶν βουλευσαμένοις, δικτάτορα εἴτε Πομπήιον εἴτε καὶ ἄλλον τινὰ προχειρίσασθαι, ἐφ' ᾧ μήτε πλείω τοῦ τεταγμένου χρόνον μήτε ἔξω τῆς Ἰταλίας ἄρξῃ). For you are not unaware, I think, that our ancestors zealously preserved this limitation, and that **no dictator can be found who served abroad, aside from one who went to Sicily and achieved nothing**. But if Italy requires no such person, and **if you cannot bear not only the function of a dictator but even the name – as is clear from your anger against Sulla** (ὅτι τὸ ἔργον τοῦ δικτάτορος ἀλλ' οὐδὲ τὸ ὄνομα δῆλον δὲ ἐξ ὧν πρὸς τὸν Σύλλαν ἠγανακτήσατε) – how could it be right to create a new position of authority over practically everything within Italy **and outside it for three years** (ἐς ἔτη τρία καὶ ἐπὶ πᾶσιν ὡς εἰπεῖν καὶ τοῖς ἐν τῇ Ἰταλίᾳ καὶ τοῖς ἔξω πράγμασιν)? You all know what horrors come to states from such a course, and how many have often disturbed our people because of their lust for extra-legal powers and have brought innumerable evils upon themselves.³²

³⁰ As Coudry (forthcoming, 2016) has rightly observed. This, obviously, stands in stark contrast to the two disingenuous speeches which precede it.

³¹ Münzer (1927) *RE* 13² ('Lutatius' 8) 2090: 'eine ruhigen und sachlichen Darlegung der unberechenbaren Tragweite der geplanten Neuerung'.

³² Cass. Dio. 36.34.

Catulus' recapitulation on the terms of the law seems to me significant in the context of these comments on the limitations of the dictatorship. He closes this argument by stating that the proposed *lex* would provide its beneficiary with a command for three years, *and* outside Italy (ἐς ἔτη τρία καὶ ἐπὶ πᾶσιν ὡς εἶπεῖν καὶ τοῖς ἐν τῇ Ἰταλίᾳ καὶ τοῖς ἔξω πράγμασιν). This functions in direct contrast to Catulus' earlier delineation of the prerogative of the dictatorship, which must be for no longer than six months and within Italy (ἐφ' ᾧ μήτε πλείω τοῦ τεταγμένου χρόνον μήτε ἔξω τῆς Ἰταλίας ἄρξῃ). The dictatorship, obviously, was not suitable for combatting Mediterranean piracy – outside of Italy – and for a protracted length of time, which the historian's earlier comments on the magnitude of the pirate concern suggest was necessary.³³ Catulus' argument here against the proposals of the Gabinian law though his suggestion of an alternative in the *dictatura* is therefore wholly illogical.

It may be that Dio was simply quite incompetent. Perhaps he did not realise, despite citing clearly the reasons for which the dictatorship was not a suitable replacement for a lengthy overseas command, that these limitations specifically ruled out that office. This will not do: the rather neat historical detail of the only dictator hitherto sent out of Italy, to Sicily, who accomplished nothing (οὐδείς ἄλλοσε πλὴν ἐνὸς ἐς Σικελίαν, καὶ ταῦτα μηδὲν πράξαντος) is an oblique reference to A. Atilius Calatinus' despatch to Sicily in 249 BCE, almost two centuries before the depicted context. Dio had done his research.

My suggestion, rather, is that Dio made the objection deliberately nonsensical. His Catulus' statement about the importance of adhering to the established laws by applying the dictatorship to this emergency (μήτε παρανομήσασι) is ironic when it is precisely the legal constraints of the dictatorship, just mentioned by Catulus, which rendered the office unsuitable. This intention, in fact, is merely underlined by the reference to Calatinus' unsuccessful dictatorship in Sicily: it is hardly a stirring example of the utility of the office for resolving exigencies abroad. Furthermore – and as I have already stated – the transparent contradistinction between the actual requirements of the complex military problem beyond Italy's shores and the legal restrictions upon the dictatorship, articulated at the beginning and end of the excerpt, sets out quite clearly that the *dictatura* was not a viable option. There is no trace of these thoughts in Dio's source for this speech, Cicero's *De Imperio*: the material is quite probably the historian's own. Catulus' objection to the *lex Gabinia* on these grounds is, therefore, unpersuasive and ineffective, and I think

³³ Cass. Dio. 36.20f.

deliberately so. Cassius Dio's argument, through his speaker, is that yet another position of command for Pompeius was the only viable option in 67 BCE. Certainly he does not mention other alternatives, beyond the clearly impracticable dictatorship. He articulates this argument nowhere in his narrative, and only in his oration of Catulus. As I discussed in Chapter 4, the political ramifications of yet further honour for Pompeius in the form of the *lex*, including the inevitable φθόνος of his enemies and his consequent entry into the Triumvirate to regain authority, were profound indeed.

It is furthermore striking that of two *exempla* of the dictatorship cited by Dio's Catulus in support of the use of that magistracy, one is simply a failure (Calatinus); and the other, more loaded, is Sulla. This brings me onto my second point: Dio's use of the speeches to represent Late Republican anxieties about the reputational difficulty of dictatorship. Barden Dowling has argued that there is no evidence to suggest that the *exemplum* of Sullan *crudelitas* had yet entered political discourse by the time of this debate.³⁴ Our earliest citation arrives with Cicero's *In Catilinam*.³⁵ Moreover, Q. Lutatius Catulus is a poor choice of speaker to equate Sulla's dictatorship with a cruel tyranny. His father had sided with Sulla, committing suicide rather than face Marius following this latter's occupation of Rome; and the younger Catulus himself argued for the retention of the Sullan constitution during his consulship.³⁶

Nevertheless, the historical argument being made is central to Dio's exposition of the toxicity of the dictatorship and the comparative attractiveness of monarchy as an exercise of powers. The suggestion of the historian's speaker in this instance that the *Quirites* cannot bear the name, let alone the sight, of another dictator so soon after Sulla may be an exaggeration (οὐχ ὅτι τὸ ἔργον τοῦ δικτάτορος ἀλλ' οὐδὲ τὸ ὄνομα δῆλον δὲ ἐξ ὧν πρὸς τὸν Σύλλαν ἡγανακτήσατέ). But it is quite consistent with Dio's illustration of Sullan *crudelitas* as a whole. Cassius Dio conceived of Sulla as a cruel tyrant who was widely detested during and after his dictatorship.

A few examples will suffice. There is, first, the fragmentary narrative of Sulla's conquest. Prior to this time the general had in Dio's view been 'thought the foremost in humanity and piety' (φιλανθρωπία τε καὶ εὐσεβεία πολὺ προέχειν ἐνομίζετο), and only relied upon good

³⁴ Barden Dowling (2000). This seems contradicted by Cicero's presentation of Sulla at the end of *Rosc. Am.*

³⁵ Cic. *Cat.* 3.10.

³⁶ Q. Lutatius Catulus Major, suicide: Cic. *Or.* 3.9, *Brut.* 307, *Tusc.* 5.56; Diod. 38.4.2-3; Vell. Pat. 2.22.3-4; Val. Max 9.12.4; Plu. *Mar.* 44.8; App. *BC* 1.74. Q. Lutatius Catulus Minor, consulship: Sall. *Hist.* 1.47-48; App. *BC* 1.105.

associates. But following his victory at the Colline Gate, he changed, as if he had ‘left his former self outside the walls of Rome’ (μετεβάλετο, καὶ ἑαυτὸν μὲν ἔξω τε τῶν τειχῶν τρόπον τινὰ καὶ ἐν τῇ μάχῃ κατέλιπεν), and proceeded to outdo Marius in his brutality (τὸν δὲ δὴ Κίνναν καὶ τὸν Μάριον τοὺς τε ἄλλους τοὺς μετ’ αὐτὸν γενομένους πάντας ἅμα ὑπερέβαλεν).³⁷ Later, Dio writes that Caesar’s extension of the *pomerium* during his own dictatorship ‘was thought similar to the acts of Sulla’ (ὅμοια τῷ Σύλλῃ πράξαι ἔδοξεν); but he, in fact, treated the wives of those slain in his war for power with such generosity that he ‘put Sulla’s cruelty greatly to shame’ (τὴν τε τοῦ Σύλλου μαιφονίαν μεγάλως ἤλεγξε).³⁸ And Pompeius’ motivation, too, in disbanding his legions at Brundisium upon his return from the East - very shortly after Catulus’ speech - was, in the historian’s view, that he understood that ‘people regarded Marius’ and Sulla’s deeds as hateful’ (τὰ τε τοῦ Μαρίου καὶ τὰ τοῦ Σύλλου ἐν μίσει τοῖς ἀνθρώποις ἠπίστατο ὄντα).³⁹ Catulus’ citation of the Sullan *exemplum*, then, is by no means a positive reflection of the Republican dictatorship, as indeed Dio’s orator says himself (οὐχ ὅτι τὸ ἔργον τοῦ δικτάτορος ἀλλ’ οὐδὲ τὸ ὄνομα δῆλον δὲ ἐξ ὧν πρὸς τὸν Σύλλαν ἠγανακτήσατε).

I suggest, then, that Cassius Dio used his Catulus as a representation of what he conceived of as contemporary concerns about the nature of the dictatorship in the wake of Sulla; and chiefly in connection with *crudelitas*. The suggestion of Dio’s speaker that Rome turn to the *dictatura* rather than to a further extraordinary command for Pompeius is a nonsense, and deliberately so. All Catulus does is rehearse the historian’s own evaluation of the problems of that office. These, on the one hand, were clearly reputational: Catulus’ acknowledgement of the *Quirites*’ hatred of the dictatorship on Sulla’s account attests to this. There is no reason not to think that Dio believed that the conflation of Sulla’s dictatorship with a tyranny was sincerely a problem. His own narrative comments on Sulla and tyrannical *crudelitas* confirm that he perceived such concerns as genuine. On the other hand, this was additionally a practical and logistical problem. The *dictatura* was ill-suited, as an emergency power, to the requirements of an overseas empire; and this would necessitate further extraordinary commands for dynasts such as Pompeius, or, equally destructively, long periods of prorogued *imperium* abroad and far from senatorial oversight. That, as I will show in the next section on *imperii consuetudo*, had far-reaching political and constitutional consequences of its own.

³⁷ Cass. Dio. F 109.1.

³⁸ Cass. Dio. 43.50.2.

³⁹ Cass. Dio. 37.20.6.

But some words on the Amnesty-speech of Cicero (44.23-33) and the Agrippa-Maecenas debate will be helpful first. These, again, focalise Dio's interpretation of the problem of the Republican dictatorship. Cicero's Amnesty-speech, of course, follows immediately after the assassination of Caesar in Dio's account and is intended to serve as a conciliatory reflection on the constitutional flashpoint of 44 BCE.

A word on the source-material, which is important here. We may be less likely to take the speech seriously, as a medium of historical explanation, if situation, speaker, style, and argument are wholly fabricated. We find a speech of Cicero on the Amnesty in no source other than Dio. Gudeman suggested that the oration was entirely a fiction of the historian's own creation.⁴⁰ On the other hand, Sihler's hypothesis reads that, as Livy included an amnesty-speech of Cicero because he admired the orator, Dio found this in Livy and reproduced it himself.⁴¹ But there is no reference to this oration in the text or in its epitomated *Periochae*; and so we do not know, in fact, that Livy included such a composition in the first place. This theory also strikes me as somewhat problematic. If Livy drafted an amnesty-speech of Cicero because he admired him, how does it follow that Dio, who detested that orator, wrote one too? In this connection, another scholar posits that the amnesty-speech in Dio is 'a purely rhetorical product' – the implication being that it serves no purpose in the reconstruction of the historical situation – which Dio took wholesale from his source.⁴² This again should be left aside, as the source is unknown in any case and there is no record of the speech outside of Dio.

More attractive is the possibility that the historian reconstructed the speech from excerpts of Cicero found in Quintilian's *Institutio Oratoria*.⁴³ There are certainly a few parallels with Thucydidean language in the composition,⁴⁴ although this does not at all rule out that the historian found genuine Ciceronian arguments and then dressed them up in his own choice of style. I have argued in Chapter 2 that this was his practice in reconstructing Catulus and Calenus' arguments from the *De Imperio* and *Philippicae*. This seems to me an attractive possibility. Schwartz initially suggested that in writing an amnesty-speech of Cicero, Dio was indeed replicating a now-lost Ciceronian oration on that subject.⁴⁵ This is not incredible, as the orator himself suggests that he spoke publicly on March 17th 44 BCE

⁴⁰ Gudeman (1894) 147 n.3.

⁴¹ Sihler (1914) 396; also Stekelenburg (1971) 63.

⁴² Homeyer (1964) 28: 'ein rein rhetorisches Produkt, das Dio unverändert aus seiner Quelle ubernommen hat'.

⁴³ Giambelli (1881), from Millar (1961) 17.

⁴⁴ Kyhnitsch (1894) 26.

⁴⁵ Schwartz (1899) *RE* 3² 1719.

in favour of peace.⁴⁶ Velleius Paterculus and Plutarch also allude to that occasion.⁴⁷ Furthermore, Fechner has shown that Dio's version of the amnesty-speech replicates a number of genuine Ciceronian concerns, and especially the fixation with *concordia*.⁴⁸ I suggest cautiously, then, that in drafting a speech of Cicero advocating peace between the various factions in the days following the Ides of March, Cassius Dio took a genuine occasion of oratory which he could have found even in Cicero; and that he certainly composed it himself with his own stylistic choices, but with certain arguments that he found in his own readings of Cicero or reconstructed from Quintilian. If he did so, this would merely be in keeping with his use of the *De Imperio* and *Philippicae*. My intention is not to provide a conclusive source-analysis of this oration, but rather to assert that the occasion and arguments ought not to be dismissed on first sight.

And indeed – for like Catulus' oration on the *lex Gabinia* it seems a further reflection on the internal factors, among them the problem of the dictatorship, which in Dio's view precipitated the end of the Republic and the advent of new supreme powers in the monarchy. Above all, the speech elaborates the theme of tyranny at some length. This, in the immediate narrative context of Caesar's recent dictatorship, is important. It is clear from that account that the historian did not himself consider Caesar's dictatorship a tyranny. We therefore need to separate the voice of Dio and the voice of his Cicero. There are certainly negative moments in the historian's reconstruction: Caesar's affair with Cleopatra,⁴⁹ his extortion of money to finance his triumph,⁵⁰ and the profligate waste of funds at the triumph itself, are strongly criticised.⁵¹ As I outlined in Chapter 3,⁵² Dio additionally uses this narrative to underline examples of Caesarian cruelty and duplicity, especially in the administration of summary justice.

But the account of his reign is, generally, positive. The dictator's monetary reforms were important and necessary, and benefitted creditors and debtors alike.⁵³ Those who plotted against him were motivated not by his *crudelitas* – the hallmark of the *tyrannus* – but *in spite of it*, and from fear that his 'goodness' (τὴν χρηστότητα αὐτοῦ) would not last.⁵⁴

⁴⁶ Cic. *Phil.* 1.1; *Att.* 14.10, 14.14.

⁴⁷ Vell. Pat. 2.58.4; Plu. *Cic.* 42. It is not mentioned in App. *BC.*

⁴⁸ Fechner (1986) 58f.

⁴⁹ Cass. Dio. 42.36.3.

⁵⁰ Cass. Dio. 42.49.3-4.

⁵¹ Cass. Dio. 43.24.1-3.

⁵² For which cf. pp.89-94 of this thesis.

⁵³ Cass. Dio. 41.37.1-3.

⁵⁴ Cass. Dio. 42.27.4.

Further, I have already noted that Caesar's generosity 'put Sulla's cruelty greatly to shame' in the historian's view (τήν τε τοῦ Σύλλου μαιφονίαν μεγάληως ἤλεγξε).⁵⁵ The dictator was, in Dio's presentation, a scheming vulture, pleonectic and wastrel at the same time, who absolutely aspired to kingship.⁵⁶ But he was no tyrant. The following point is therefore somewhat ironic. According to the historian, Caesar's *dictatura* possessed all the trappings of monarchy: he adopted the attire of the ancient kings of Alba, and a golden chair and crown set with jewels was to be carried into theatres.⁵⁷ Regardless of the debate concerning Caesar's relationship with monarchy,⁵⁸ to the historian, in this dictator Rome had found a monarch. But this monarch did not have to be a tyrant; whereas the last dictator, Sulla, certainly had been in Dio's assessment. Augustus, too, as I show in Chapter 7, was a benevolent king in the historian's view. It is therefore paradoxical that the dictatorship, within Dio's interpretation of the constitutional framework of executive powers under the Republic, bred tyranny; while its counterpart – monarchy as such – did not. It did not with Caesar; nor too, as I show later, with Augustus.

The *exempla* and comments drawn by Dio's Cicero confirm that within the historian's interpretation the *dictatura* and tyranny had become conflated in the Republican psychology, thereby necessitating new executive powers. Like Catulus, the Cicero depicted is an ideal voice for communicating the historian's own evaluation of the situation: he is presented as authoritative and not to be at all distrusted. Although Dio transparently disliked the orator, as with Catulus he uses the *proemium* to underline the speaker's motivation for the public good on this occasion:

Senators, I have always thought it necessary to advise you sincerely and justly on all matters, but under these circumstances most of all, in which, if we can come to an agreement without going into all the details [of what has recently happened] in any way, we will not only save ourselves, but enable all other citizens to survive. However, if we wish to go over all that has happened bit-by-bit, then I fear dreadful circumstances; **but I do not wish to cause offence even at the beginning of my speech** (δυσχερὲς δ' οὐδὲν ἀρχόμενος τῶν λόγων εἰπεῖν βούλομαι).⁵⁹

The conciliatory purpose of Dio's Cicero is clear from the beginning, and there is nothing in the surrounding narrative to suggest that the historian viewed the orator's motive in

⁵⁵ Cass. Dio. 43.50.2.

⁵⁶ Cass. Dio. 44.11.1.

⁵⁷ Cass. Dio. 44.6.

⁵⁸ Carson (1957); Rawson (1975).

⁵⁹ Cass. Dio. 44.23.3.

advocating peace as self-serving. This conciliatory aspect is important: Dio's Cicero is a restricted voice. He states, in the excerpt, that he will not go minutely into detail about all that has happened – and so advises from the beginning that his point is not to rehearse the ills done by the Caesarian and anti-Caesarian factions against one another – and wishes to secure peace by offending neither side.

In keeping with that conciliatory tone, then, Dio does not have his orator make overt criticisms of Caesar or specifically equate his *dictatura* with a form of tyranny. That would contradict the irenic purpose of the speech; the historian appears to have given careful consideration to the occasion of oratory and what it required. He places an evaluation of the seriousness of the situation into the mouth of his speaker: 'nothing can save the state unless we decide on this very day and as quickly as possible to adopt a policy, or we will never be able to regain our position'.⁶⁰ This is certainly consistent with Dio's own assessment of the crisis: he stresses that the Caesarian and anti-Caesarian factions each decamped, one occupying the Capitoline and one the Forum; Antonius fled; and vehement speeches were delivered on both sides.⁶¹ Rather, to foster harmony in a manner commensurate with the magnitude of the crisis, Dio's Cicero reflects on the relationship between the Republican dictatorship and tyranny with an oblique reference:

I will offer you an example from that finest and most ancient city, from which even our ancestors were not averse to drawing their laws. For it would be shameful for us, who so far exceed the Athenians in might and wisdom, to deliberate worse than they did. I speak of something that you all know, here. **At one time, those Athenians were in a state of civil strife and because of this were vanquished by the Spartans, and were then tyrannised by the more powerful of their citizens** (στασιάσαντες ποτε, καὶ ἐκ τούτου καὶ ὑπὸ τῶν Λακεδαιμονίων καταπολεμηθέντες καὶ ὑπὸ τῶν δυνατωτέρων πολιτῶν τυραννηθέντες). And they did not drive out their ills until they came to a compact and agreement to set aside their past grievances – many and severe though these were – and to never bring forward accusations about these or bear malice toward anyone because of them. **Thus, when they had come to their senses in this way, they not only ceased to be tyrannised and revolutionary** (τοιγάρτοι σωφρονήσαντες οὕτως οὐχ ὅτι τυραννοῦμενοι καὶ στασιάζοντες ἐπαύσαντο), but even flourished in every way, and regained their state and lay claim to rule over all the Greeks.⁶²

⁶⁰ Cass. Dio. 44.24.5: καὶ ἐγῶγε τοσούτου δέω νομίζειν ἄλλο τι σῶσαι ἂν ἐν τῷ παρόντι τὴν πόλιν, ὥστ' ἂν μὴ τι τήμερον καὶ ἤδη γε ὅτι τάχιστα προβουλευσώμεν, οὐδ' ἀναλαβεῖν δυνησόμεθα.

⁶¹ Cass. Dio. 44.20-22.

⁶² Cass. Dio. 44.26.1-4.

In the context of Dio's time, one may understandably read this as a *jeu d'esprit*, a touch of classicism in an intellectual climate that frequently memorialised the Greek past.⁶³ I have shown in chapter 3 that the historian's relationship with his time is more complex than this. In fact, this *exemplum* seems more significant in the context of Dio's immediate narrative. Prior to this oration, the historian recounts the extraordinary power of the most recent dictator, the monarchical honours voted to him, the φθόνος resultant from these,⁶⁴ and the nature of his *de facto* kingship, nominally dictatorship, over Rome. Dio's Cicero cannot in this setting state that Cicero's *dictatura* was a tyranny. Rather, by using oblique references to tyranny with the Athenian *exemplum* immediately after the recent death of a Roman dictator (ὑπὸ τῶν δυνατωτέρων πολιτῶν τυραννηθέντες; τυραννούμενοι καὶ στασιάζοντες) the problem of tyranny and dictatorship is brought again to the fore in a manner that will not offend either side. The historical Cicero certainly believed that Caesar's *dictatura* was a form of tyranny;⁶⁵ and here, I suggest that Dio found a way of expressing those contemporary anxieties about the nature of the Roman dictatorship in a manner that was appropriate to the context of oratory.

This intention is furthermore underlined by Cicero's later citation of the *exemplum* of Sullan *crudelitas*. Just as in his *dissuasio* Dio's Catulus suggested that the Roman people in 67 BCE were too hostile to the dictatorship to endorse it in the wake of Sulla's reign of terror, so too here does Dio's Cicero unveil a string of negative examples of cruelty and factionalism. 'Marius prospered in times of strife, and after being driven out he gathered a force and did – well, you know what...similarly, Sulla – not to mention Cinna or Strabo or any who came inbetween – was powerful at first, and after being defeated, finally made himself master, and there was no terrible deed he did not do (ἔπειτα δυναστεύσας οὐδὲν ὅ τι οὐχὶ τῶν δεινοτάτων ἔπραξε).' ⁶⁶ The paralipses have the effect of emphasising the horror of the crimes committed in and around the time of Sulla's dictatorship. But they additionally bring again into the reader's focus Dio's evaluation of the negative reputation of the Republican *dictatura* as an exercise of powers. In view of the historian's own opinion that sole-rule is necessary, this is important. Dio argues that the traditional emergency power of the *res publica* had become tainted by tyranny – but that sole-rule was imperative all the same in emergencies.

⁶³ Although as Gelzer (1943) 327 notes thought a comparison of the two contexts, the choice of the Athenian Amnesty of 403 BCE was not a poor one in any case.

⁶⁴ For the historical implications of this, see the third section of this chapter below.

⁶⁵ Cic. *Fam.* 12.1.1-2, *Att.* 7.11.1.

⁶⁶ Cass. Dio. 44.28.1-2.

To provide a closing note on Cicero's amnesty-speech, it furthermore seems to me that the historian's problematisation of the Republican *dictatura* as a form of tyranny develops between the speech of Catulus in Book 36 and that of Cicero in Book 44. He used his Catulus to argue, first, that in the wake of Sulla the office was simply toxic; and that it was ill-suited to emergencies within the overseas empire in any case. His Cicero, as I show above, maintained the former of these, citing the negative *exemplum* of Sulla and still equating Caesar's recent tenure, obliquely, with a tyranny. But he is also used to suggest that by 44 BCE that office had grown to be associated with the forceful usurpation of power. There are obvious reasons that such an argument of Dio's would be more effective in the context of 44 BCE with Cicero than 67 BCE with Catulus: there were simply more examples. In Greek and Roman political thinking, obtaining power through military means was the hallmark of τυραννίς. The notion of tyranny had traditionally been linked to violent usurpation since Plato: what set tyrants apart from kings was the brute force by which they attained their power.⁶⁷ In the context of the recent assassination of the last dictator, then, the comments of Dio's speaker on this point seem to me telling:

Formerly – and not very long ago – those who had military power usually became masters of the government (πρότερον μὲν γάρ, οὐκ ὀλίγος ἐξ οὗ χρόνος, οἱ τὰ ὄπλα ἔχοντες καὶ τῆς πολιτείας ἐγκρατεῖς ὡς τὸ πολὺ ἐγίνοντο), so that they could dictate to you what you ought to deliberate on rather than you determining what they ought to do. But now practically everything is at such a point that affairs are in your hands and lay to your charge: whether from yourselves you should have either harmony and with it liberty, or seditions and civil wars once again **and from these a slave-master** (καὶ ἀπ' αὐτῶν καὶ δεσπότην).⁶⁸

The inference to be made from this statement seems to me clear and functions as Dio's own interpretation. Caesar, like Sulla, had seized control of Rome through the leverage offered by military power (οἱ τὰ ὄπλα ἔχοντες). Dio ensures that the reader does not miss the inference by stressing the recency of this (πρότερον μὲν γάρ, οὐκ ὀλίγος ἐξ οὗ χρόνος). It is Caesar that is designated. Importantly, application of this leverage led to political inversion, as Cicero states: generals, who ought to be at the disposal of the Senate to command, had used their might to upturn the relationship between military and government. This inversion of the relationship between the senatorial and military

⁶⁷ Arist. *Pol.* 5.10; Plat. *Rep.* 2.3, 8.19; Diog. *Pl.* 3.83; Herod. 1.8-15; Cic. *Rep.* 1.64. For discussions of the relationship between tyranny and violent usurpation presented in these texts cf. Béranger (1935); Hegyi (1965); Pleckel (1965); Labarbe (1971).

⁶⁸ Cass. Dio. 44.24.1-2.

elements begot two dictators – Sulla and Caesar – or rather, in Dio’s illustration of the contemporary perspective of Cicero, two δεσπόται.

Between the orations of Catulus and Cicero, then, it seems to me that Cassius Dio presented two different but equally negative evaluations of the nature of the Republican dictatorship as an unattractive and impractical form of sole rule: a form of tyranny, tainted by *crudelitas* and the forceful usurpation of power, and additionally ill-suited to the needs of the empire. Had Dio failed to convince his reader through these orations that the Romans of the first century BCE had grown to detest that office – and thus to be more receptive to a new form of autocracy in Augustus’ Principate – he additionally states so once (but only once) in his narrative. Recounting the *lex Antonia*, Dio states that the Romans permanently abolished the dictatorship in the wake of Caesar’s tenure

for posterity, **on the grounds that the disgrace of men’s deeds lay in their titles** (ὥσπερ ἐν τοῖς ὀνόμασι τῆς τῶν ἔργων δεινότητος οὐσης); but in fact, those misdeeds arise from their possession of armed forces and from the character of the individual office-holder, and **they disgrace the titles of authority under which those deeds happen to be done** (ἐν ἧ ποτ’ ἂν τύχη δρώμενα, προσρήσεις διαβαλλόντων).⁶⁹

Dio’s argument is not that he, the historian with hindsight, thought that the Republican dictatorship was necessarily tyrannical, tainted with *crudelitas* and the seizure of power through brute force. Rather, he shows that the Romans of the first century BCE *believed* that this was the case, and that abolishing that office would rectify these problems. This, certainly, is expressed by the historian himself at one point, above, in the authorial narrative; and he additionally has his Cassius call Caesar a tyrant in a conversation with Antonius shortly after the Ides.⁷⁰ But it is elaborated far more fully in the speeches of Catulus and Cicero. In Dio’s *History* then, from the contemporary perspective of the speeches the dictatorship had become too toxic to serve as a blueprint for sole rule. New plenipotentiary powers would need to be sought.

Coming, then, to the point at which the confirmation of those new powers becomes a reality in Dio’s history, I close this problematisation of the dictatorship with the ‘defence’ of δημοκρατία of M. Vipsanius Agrippa (52.2-13). This is set in the context of a debate *in*

⁶⁹ Cass. Dio. 44.51.3.

⁷⁰ Cass. Dio. 44.34.7: καὶ ἐπήρετο τὸν Κάσσιον ὁ Ἀντώνιος ‘ἄρά γε καὶ νῦν ξιφιδίων τι ὑπὸ μάλης ἔχεις;’ καὶ ὃς ‘μάλα’ ἔφη ‘μέγα, ἂν γε καὶ σὺ τυραννῆσαι ἐπιθυμήσης.’

camera before Octavian, on which manner of constitution Rome ought to adopt in the wake of Actium. To understand the function of this oration properly, its counterpart in the ‘monarchical’ speech of C. Cilnius Maecenas (52.14-40) is also indispensable. Both, I suggest, continue Dio’s vitiation of the Republican *dictatura*. But they additionally work in concert with the surrounding narrative to articulate the historian’s interpretation that, by specifically *avoiding* the dictatorship and its relationship with tyranny, Augustus’ regime was successful.

Agrippa has traditionally been viewed as the weaker party in the debate and has received far less scholarly attention than Maecenas. The detail of the political reforms advocated in Maecenas’ speech, compared with the romantic idealisation of δημοκρατία in Agrippa’s oration and its distinctly classical and Hellenic flavour,⁷¹ may have generated this. While Maecenas’ views have been set alongside those of Dio without question,⁷² and many studies, moreover, have examined the speech in that regard,⁷³ Agrippa’s ‘defence’ of δημοκρατία has been received as a short contrast-piece, a preliminary to the headline act of Maecenas.⁷⁴ One view suggests that the argumentation was kept deliberately weak;⁷⁵ and Millar, who also devotes substantially greater attention to Maecenas, writes in his brief analysis of Agrippa’s oration that Dio’s choice of speaker was in any case unsuitable. Millar suggests that the historian could not seriously and credibly have attributed pro-Republican sentiments to Agrippa, as he describes him in his later necrology as ‘a fervent supporter of monarchy’.⁷⁶ Stekelenburg attempts to resolve this discrepancy by suggesting that it may have been a conscious creation of Dio’s in order to demonstrate two different aspects of Agrippa’s *persona*: candour in stating honestly his love of the *res publica*, but loyalty to Augustus later as monarch.⁷⁷ While this reading is sympathetically nuanced, there is no need to resolve this discrepancy, as it does not exist. Dio does not describe Agrippa as ‘a fervent supporter of monarchy’. He writes that he ‘helped Augustus to establish the monarchy *as if he were* a supporter of it (ὡς καὶ δυναστείας ὄντως ἐπιθυμητῆς), but that he won over the people *as if he were* the most democratic of men (ὡς καὶ δημοτικώτατος)’.⁷⁸ Agrippa’s comments are not at variance with his character; we

⁷¹ On which cf. McKechnie (1981).

⁷² Usher (1969) 252; but *contra* Manuwald (1979) 23.

⁷³ Meyer (1891); Hammond (1932); Bleicken (1962); Dorandi (1985); Fishwick (1990); Smyshlyayev (1991); Kuhlmann (2010).

⁷⁴ Gabba (1955) 316.

⁷⁵ Strasburger (1977) 48. *Contra* Fechner (1986) 74, who notes that the basis of evidence upon which Strasburger makes this claim is insufficient.

⁷⁶ Millar (1964) 105-106.

⁷⁷ Stekelenburg (1971) 108.

⁷⁸ Cass. Dio. 54.29.3.

should thus be careful not to attach less meaning to his statements than is due.⁷⁹ In that direction, two more recent studies have asserted that the ‘to democracy’ oration of Agrippa had more to do with Cassius Dio’s own view of the Roman Republic than with the remote thought-world of democratic Athens which McKechnie identified.⁸⁰ These, however, do not touch upon the way in which Cassius Dio used the oration to elaborate his interpretation of the problem of power under the Republic and the challenges which, in his view, Augustus would have to face to overcome that problem.

Just as Catulus and Cicero, the speaker here again begins by underlining his commitment to the public good in the *proemium*: ‘O Caesar, I have deemed it best in this situation, just as in all others, to think not of my own interests, but of yours and the state’s.’⁸¹ As, too, with Catulus, Agrippa’s selfless concern for the good of the state is reiterated in Dio’s later necrology of the speaker.⁸² Catulus, Cicero, and Agrippa therefore form a unity of three speakers whose regard for the collective good in speaking in the depicted context is underlined by the historian himself in his own voice. This renders them authoritative orators whose views on the Republic the reader ought to trust. This functions in stark contrast to Dio’s presentation of Pompeius, Gabinius, Caesar, and Octavian, who as I have shown in Chapter 3 corrupt the fora of debate with their deceitful rhetoric and selfish concerns. Strikingly, of these two ‘types’ of Republican orator in the *Roman History* the latter, negative type are universally successful in obtaining their objectives; and the former, positive type fail to persuade. I will have further historical conclusions to draw from this in the summative Conclusion to this chapter.

Returning, however, to the dictatorship. Significantly, the theme of tyranny recurs frequently in Agrippa’s ‘defence’ of the *res publica*. This is historically important in the context of a debate on the precipice of Augustus’ monarchy. More than any other oration, Agrippa’s exhortation maintains an explicit focus on tyranny throughout. This seems to me to function as a means of establishing a simple, but important, historical problem. The historian firmly believed that in times of war and civil strife,⁸³ Rome needed the oversight of a single administrator. But with the dictatorships of the first century BCE behind it, how

⁷⁹ So Fechner (1986) 74.

⁸⁰ Adler (2012) argues that Dio, far from making his Agrippa weak, deployed him as a medium of communicating his own views; and Fechner (1986) 76-79 convincingly demonstrates *contra* McKechnie (1981) that the detail of Agrippa’s oration has far more to do with the late *res publica* than the Greek world.

⁸¹ Cass. Dio. 52.2.3: οὐ τὸ ἐμαυτοῦ ἴδιον, ὥσπερ οὐδὲ ἐν τοῖς ἄλλοις, ἀλλὰ τὸ σὸν τό τε κοινὸν προῖδέσθαι ἐδικαίωσα.

⁸² Catulus: Cass. Dio. 37.46.3; Agrippa: Cass. Dio. 54.29.3. Further on this in Chapter 7.

⁸³ Cass. Dio. 44.2.1-4; Zon. 7.13.

could the new autocratic regime of Augustus avoid the taint of tyranny and thus facilitate a secure constitutional transition? Certainly, Agrippa states, the people would punish another tyrant:

In democracies, the more men there are who are wealthy and brave, the more too do they vie with one another and magnify the state; and the state in turn makes use of them and rejoices in them, **unless one of them begins to desire tyrannical power. For the citizens severely punish this person** (πλήν ἄν τις τυραννίδος ἐπιθυμήσῃ. τοῦτον γὰρ ἰσχυρῶς κολάζουσι).⁸⁴

Dio's Agrippa, then, sets up an historical problem for the Augustan regime to overcome. In the wake of the historian's record of Caesar's dictatorship this seems to me especially significant. The reader cannot fail to think here of the recent events in Dio's narrative, in which the 'tyrant' Caesar, as the speech of Cicero illustrates him to be from the contemporary outlook, was severely punished indeed (ἰσχυρῶς κολάζουσι). There is, perhaps, a possibility that the reader may not immediately make this connection between the punishment of tyranny under δημοκρατία and the recent example of Caesar's *dictatura*. All the more reason, then, for Dio to underline through his orator that the last dictator was indeed punished for this reason, with an explicit *exemplum* of Caesar:

For it is difficult for this state, which has enjoyed a Republican government for so many years and rules so many races of men, to consent to become a **slave** (δουλεῦσαί) to anyone. You have heard that they banished Camillus when he had white horses at his triumph, and you have heard that they impeached Scipio when they had condemned him of being grasping. **And you remember how they set out against your father because of their suspicion that he was aiming at monarchy** (μέμνησαι δὲ ὅπως τῷ πατρὶ σου προσηνέχθησαν, ὅτι τινὰ ὑποψίαν ἐς αὐτὸν μοναρχίας ἔσχον).⁸⁵

I may be reading too much into the relationship between Cicero's speech, which referred to Caesar's usurpation of the dictatorship through force as begetting a slave-master from the Republican perspective (δεσπότης), and Agrippa's statement that the Roman people will never submit to the slavery of one man's absolute power (δουλεῦσαί). It may be a further reflection, particularly in the wake of Caesar's dictatorship and the abolition of this office under the *lex Antonia*, of how Dio perceived the Republican perspective on the *dictatura* by this time.

⁸⁴ Cass. Dio. 52.9.1.

⁸⁵ Cass. Dio. 52.13.3.

However, it seems clear to me from the above excerpts that, with the explicit *exemplum* of Caesar's recent dictatorship and his punishment, and in consideration of the speeches of Catulus and Cicero on the dictatorship as a form of tyranny, Cassius Dio is reaching the climax of an historical interpretation with his Agrippa. This argument relies upon us reading the speech of Agrippa *after* those of Catulus and Cicero and the narratives of Sulla's and Caesar's dictatorships. In Dio's view the problem of individual power and tyranny was a real risk to the successful ratification of Augustus' sole rule in 27 BCE. The previous model of individual power, in the form of the Republican dictatorship, had unquestionably failed, as the historian explores through his speeches of Catulus and Cicero. Moreover, throughout Agrippa's oration the terms μοναρχία and τυραννίς are used interchangeably on six occasions.⁸⁶ The speaker's fundamental thesis, that 'tyrannies are the natural product of monarchies' (τὰς τυραννίδας τὰς ἐκ τῆς μοναρχίας ἐκφυομένης),⁸⁷ is Dio's evaluation of the historical problem in 27 BCE. In view of the dictatorship's connotations of *crudelitas*, forceful usurpation of power, uselessness in the face of military problems abroad, and the negative examples of Sulla and Caesar behind it, it was simply toxic from the contemporary perspective – but in Dio's view sole rule was needed, all the same.

Through his Maecenas, Cassius Dio foreshadows precisely the measures which his Augustus will subsequently undertake to surmount that issue. The solution lay in the title the future *princeps* was to adopt, and in the outward appearance of his sole rule. In the closing section of his oration, Dio's Maecenas advises Octavian to

decline the title of king, if you really do desire the reality of monarchy but fear the name of it as an accursed thing, and rule alone under the title of 'Caesar'. But if you come to require other epithets, **then the people will give you the title of *imperator*, just as they gave it to your father** (δώσουσι μὲν σοι τὴν τοῦ αὐτοκράτορος, ὥσπερ καὶ τῷ πατρὶ σου ἔδωκαν); and they will **revere you** (σεβιοῦσι) with another way of address, so that you may reap the crop of the reality of kingship **without the odium which attaches to the name of 'king'** (ἄνευ τοῦ τῆς ἐπωνυμίας αὐτῆς ἐπιφθόνου).⁸⁸

The phrase σεβιοῦσι δέ σε καὶ ἑτέρᾳ τινὶ προσήσει is an elegant play on words on the historian's part, which looks forward to Octavian's later title of Augustus (σεβαστός). But

⁸⁶ Cass. Dio. 52.5.1, 52.9.1, 52.9.3, 52.9.5, 52.11.1, 52.13.6.

⁸⁷ Cass. Dio. 52.13.6.

⁸⁸ Cass. Dio. 52.40.1-2.

in spite of the pun, the issue of nomenclature and of appearances in general was a real one in Dio's interpretation. Here some step-by-step recapitulation is required, as Cassius Dio's argument is complex and developed over many books. Sulla, first, had been a cruel tyrant as dictator, and becomes an *exemplum* of tyranny and *crudelitas* through Dio's history and indeed in the speeches of Catulus and Cicero. By the time of Caesar's assassination in 44 BCE, the most recent dictator had unquestionably been a monarch – he is portrayed as such in the historical diegesis – and is compared by Dio's Cicero in his speech to a tyrant on the basis of his usurpation of power and his enslavement of the people, like Sulla before him. Following this, the historian states quite explicitly that the *lex Antonia* abolishing the dictatorship was ratified because the Romans believed, mistakenly, that the cause of Sulla and Caesar's misdeeds had been the *title* of dictator under which they performed them (ὥσπερ ἐν τοῖς ὀνόμασι τῆς τῶν ἔργων δεινότητος οὐσίας). Then, Dio's evaluation through Agrippa: the Roman people had assassinated Caesar because they suspected they were being tyrannised. μοναρχία and τυραννίς are, moreover, conflated throughout this oration, compounding the synonymy between kingship, even in the form of the dictatorship, and tyranny from the Republican perspective.

Finally Maecenas, by way of response, posits the solution. Looking back to cite once again the *exemplum* of Caesar's position of sole-rule (ὥσπερ καὶ τῷ πατρὶ σου ἔδωκαν), and looking forward to Augustus' title of σεβαστός and the danger of assuming any loaded or toxic titles, Dio's Maecenas advises his interlocutor of the need to find a new, uncontaminated exercise of powers. Failure to do so, he states, would arouse odium, and – the repeated *exempla* of Caesar indicate – a repetition of violent past events.

That Augustus resolved the problem of the *dictatura*, which I suggest Dio problematised and vitiated through his three 'defences' of δημοκρατία, is confirmed by the historian himself in his own voice. It is the last time Cassius Dio mentions the dictatorship in his *Roman History*, in his narrative of the year 22 BCE, five years after the Augustan Settlement of Book 53. The relevant passage is worth quoting in full:

The people in Italy were suffering as a result of pestilence and famine, for the plague was everywhere and no one worked the land. I imagine that the same was the case in other parts too. But the Romans, thinking that these things were happening to them for no reason other than that they did not have Augustus as consul, **wished to engage him as dictator** (δικτάτορα αὐτὸν ἠθέλησαν προχειρίσασθαι); and after shutting up the Senate in the *curia* they compelled them to enact this by a vote, threatening that they would burn them all inside

otherwise. After this, they took the twenty-four *fasces* and approached Augustus, **begging him to consent to be made dictator as well as curator of the grain-supply, just as Pompeius had once done** (δικτάτορά τε ἅμα δεόμενοι λεχθῆναι καὶ ἐπιμελητὴν τοῦ σίτου, καθάπερ ποτὲ τὸν Πομπήιον). Under compulsion he accepted the latter of these, and ordered that two men be chosen each year from among those who had served as praetors at least five years previously, so as to see to the distribution of grain. **But he did not accept the dictatorship, and indeed rent his clothes** (δικτατορίαν οὐ προσήκατο, ἀλλὰ καὶ τὴν ἐσθῆτα προσκατερρήξατο) when he could find no way of convincing the people otherwise, either by argument or begging. For as he already had power and honour in excess of the dictators anyway, **he rightly guarded against the envy and hatred that title would bring** (ὀρθῶς τό τε ἐπίφθονον καὶ τὸ μισητὸν τῆς ἐπικλήσεως αὐτῶν ἐφυλάξατο).⁸⁹

By studiously avoiding the dictatorship which Sulla and Caesar had borne before him, Augustus therefore warded off a repetition of the Caesarian precedent: the ἐπίφθονον καὶ μισητὸν which could, in the historian's view, have destroyed the new regime as easily as previous ones. Through his three 'defences' of δημοκρατία, Cassius Dio developed a narrative of the Republican *dictatura* which implicated that office in the collapse of the constitution itself and made its failings, perversely, an argument for the success of the Principate. No state, I outlined at the beginning of this section, could function securely without the direction of a single ruler, in the historian's opinion; but the exigencies, at home and abroad, of a fiercely competitive senatorial class and of a far-reaching Republican empire nevertheless required solerule all the same. Dio's argument, which receives its most detailed treatment in the speeches, is that the Republican *dictatura* had become completely unworkable, viewed by its contemporaries as a form of tyranny; but its extraordinary executive powers nevertheless had to be replaced. Herein lies the paradox of Dio's history of the first century BCE. Under a δημοκρατία, Rome had seen many tyrannies or regimes perceived as tyrannical by their subjects. Under the monarchy of Augustus, it could escape them.

Factor 2: Imperii Consuetudo

In this second section I return to Catulus', Cicero's, and Agrippa's defences of the old order to investigate how Cassius Dio used these to articulate his interpretation of the corrosive effect of military authority abroad upon the constitution. I argue that, just as Dio viewed the dictatorship in 67 BCE as a wholly unsuitable response to a complex and potentially lengthy military situation outwith Italy, so too did he conceive of the

⁸⁹ Cass. Dio. 54.2.1-5.

prorogation of *imperium* over protracted periods as the cause of Marius', Sulla's, Pompeius', and Caesar's decline into *cupido dominandi*. The Republican empire of Rome, then, was at an impasse. It could neither make effective use of the dictatorship, on reputational and practical grounds; nor could it safely delegate those powers to individual commanders over the lengthy periods required without risking also their decline into *δυναστεία*.

This section will necessarily be shorter than the previous one. In my discussion of the historian's use of these orations to explain the problem of the Republican dictatorship and the imperative to replace it with monarchy, I have already reviewed the literature on each particular speech, given an overview of the historical context, and discussed the possible source-material. I will not repeat these here. Moreover, Cassius Dio's interpretation of the deleterious effect of prolonged military power abroad upon the individual dynast – and by extension, upon the constitution – is somewhat less complex than his problematisation of the dictatorship. His method, certainly, is similar with both historical concerns. Just as with the *dictatura*, Dio uses the speeches of Catulus and Cicero to reflect upon the problematic distribution of power within the Republican empire; he then uses his Agrippa to state explicitly the hurdles the Augustan regime will have to overcome in this regard; and finally, his Maecenas predicts the solution to the problem, which the first *princeps* will indeed follow in the succeeding diegesis. But the problem itself is less conceptually difficult than Dio's vitiation of the Republican *dictatura*, and so will need less elaboration. A brief overview first, however, will be helpful. Here I consider the nature of the interpretation being offered by Dio through the speeches, the historian's relationship with earlier sources, and the theoretical framework he develops in his narrative.

The term *imperii consuetudo* first appears in Suetonius' *Vita Divi Caesaris*. In his *Vita*, the biographer first introduces an excursus on the causes of the Caesarian Civil War: his pretext for the war, Suetonius writes, was that the Senate were treating unfairly those tribunes of the plebs who were loyal to him (*et praetextum quidem illi ciuilium armorum hoc fuit*). But other causes of the war were also possible and variously held (*causas autem alias fuisse opinantur*), and the author proceeds to list these briefly. It is in that context that one possibility, above all, is developed at some length:

Some believe that he was **seized by his own habituation to commanding** (captum imperii consuetudine), and that after comparing his own and his enemies' strength, he made the most of that occasion to usurp supreme power;

this he had eagerly desired from his youth. **This seems to have been what Cicero thought too** (quod existimasse uidebatur et Cicero), because he writes in the third book of his *De Officiis* that Caesar always had these verses of Euripides' *Phoenissae* on his lips, which he translates thus: **'for if the law is to be transgressed, then it's to be transgressed for the sake of ruling; nurture your piety elsewhere!'** ('nam si uiolandum est ius, regnandi gratia uiolandum est: aliis rebus pietatem colas').⁹⁰

For Suetonius, then, the cause of Caesar's bid for *dominatio* was his *imperii consuetudo*, his 'habit of commanding'. If Cicero's translation of Euripides and his testimony that this was Caesar's catch-phrase are to be trusted, then the biographer's suggestion in fact originated with Caesar's contemporaries. What precisely Suetonius means by *imperii consuetudo* is unclear – and this is crucially important. Arthur Eckstein has recently explored this term, specifically with reference to Caesar, and convincingly demonstrates in his article that

the experience of governing a large province on one's own, the experience of exercising sole responsibility over large regions and great numbers of people, the experience of independence and power and control, the taste for it (and in some cases the great wealth that could be derived from it), all this sometimes created what one might call an 'imperial counterculture' to the law-ruled state existing at the centre...In the centre, politicians had to deal with many foci of power, and they had to cooperate at least minimally with one another, to be dependent upon one another to some extent. Out in the provinces, however, it was different: often one person, one superior person, made all major decisions. Out of this difference, conflict could develop.⁹¹

Imperii consuetudo then, as Eckstein elucidates in his analysis, is the phenomenon of individual habituation to personal power as the result of continued command abroad. The case of Caesar may have been as obvious to Suetonius as it is now to modern scholars. By the time of the Civil War, Caesar had been in possession of *imperium* for a period of thirteen years: praetor, governor of Lusitania, consul, and then proconsul in Gaul for eight years. Commanding had simply become his habit (*consuetudo*), and he was loath to give it up.⁹² He had become destructively habituated to power, and this was directly caused by the way that the Republic organised its empire, with frequent over-reliance upon individual commanders.⁹³

⁹⁰ Suet. *Jul.* 30.5.

⁹¹ Eckstein (2004) 280 and *passim* for the argument.

⁹² App. *BC.* 2.28 makes a similar suggestion.

⁹³ Eckstein (2004) 285.

Cassius Dio does not, of course, use the Latin expression *imperii consuetudo*, nor indeed finds a simple translation to denote ‘habituation to commanding’. But his Greek expressions, such as κατὰ τὸ ἐξῆς ἀρχὰς (‘commanding successively’) and τοσοῦτοις ἐφεξῆς ἔτεσι (‘for many years in succession’) capture the sense of the historical problem in his narrative of this period; and, as I will show, in contexts where the destructive ramifications of *imperii consuetudo* are being discussed.

At first glance, one would suppose from the comments Dio makes in his own authorial voice that there is no need to look at the speeches. It is certain – to linger a moment on the narrative – that the historian viewed the organisation of power within the Republican empire as a serious issue. In his account of Caesar’s third consecutive term as dictator and consul in 46 BCE, the historian states quite explicitly his view that the dictator’s *imperii consuetudo* had led him to desire absolute power. According to Dio, Caesar reformed the provincial administration, decreeing that pro-magistrates should not hold power for more than one or two years,

because he himself had ruled the Gauls for many years in succession and as a result of this had been led to desire absolute power (ὅτι τε αὐτὸς πολλοῖς τῶν Γαλατῶν ἐφεξῆς ἔτεσιν ἄρξας ἕς τε τὴν ἐπιθυμίαν ἀπ’ αὐτοῦ τῆς δυναστείας μᾶλλον προήχθη) and to increase his military might, he limited by law the term of propraetors to one year and proconsuls to two consecutive years, ruling that absolutely no one be permitted to hold and command for a longer time than this.⁹⁴

Two accounts of this law survive which predate Dio: Cicero’s first *Philippica* and Suetonius’ *Vita Divi Caesaris*.⁹⁵ Mention of the dictator’s previous career is absent in both. Although the historian probably read them,⁹⁶ Dio is our only ancient author who argues that Caesar’s own experience of ruling Gaul precipitated his reassertion in 46 BCE that commanders ought not to wield power over extended periods. It is clear that, in the historian’s interpretation, it was specifically as a result of the experience of commanding abroad for years at a time that Caesar’s monarchical ambitions were generated, and that he wished to prevent a repetition.

⁹⁴ Cass. Dio. 43.25.3.

⁹⁵ Cic. *Phil.* 1.9; Suet. *Jul.* 42.1-3.

⁹⁶ On the complexities of Dio’s relationship with Suetonius cf. Millar (1964) 85-87, 105; Manuwald (1979) 260-268; Rich (1989); Swan (1987); Swan (1997). I find the suggestion of an intermediate source between Suetonius and Cassius Dio unusual.

As yet there is still nothing especially revolutionary in this. Suetonius and Appian had already developed the idea, and there is, again, every likelihood that Dio had read Suetonius. Rather, in this section I demonstrate three points which seem to me more interesting. First, the historian attaches this argument about *imperii consuetudo* not only to Caesar as Appian and Suetonius had, but to all the major military dynasts of the first century BCE, including Marius, Sulla, Metellus, Pompeius, and Caesar. Second, he outlines specifically the way in which that problem was surmounted by the Augustan Principate and how the reforms passed following the Settlement of 27 BCE directly addressed this major failing of the Republican organisation of power. And third, he uses the speeches above all to elucidate these explanations.

A moment further on the narrative framework. That *imperii consuetudo* was a universal problem in the Late Republic in Cassius Dio's view – and not merely restricted to Caesar – is confirmed by his account of the electoral chaos of 53 BCE and Pompeius' stab at the dictatorship.⁹⁷ He specifically writes that a decree was passed to the effect that no one formerly invested with *imperium*, either an ex-praetor or ex-consul (μηδένα μήτε στρατηγήσαντα μήθ' ὑπατεύσαντα), should assume a command abroad without an interim of five years (τὰς ἔξω ἡγεμονίας, πρὶν ἂν πέντε ἔτη διέλθῃ). Dio's embedded focalisation of the Romans' intentions at this point is incisive and revealing: they did so 'in order that these men, by not being in a position of power immediately after holding one, would cease their craze for offices' (εἴ πως ὑπὸ τοῦ μὴ παραυτίκα ἐν δυνάμει τινὶ αὐτοῦς γίνεσθαι παύσαιντο σπουδαρχοῦντες).⁹⁸

Within this narrative framework, then, Cassius Dio clearly presented *imperii consuetudo* as an issue not only in the context of Caesar's career. He suggests that it was a more general problem. To Dio, it was specifically the lack of hiatus between periods of authority and the practice of proroguing individuals' commands – especially shortly after their terms of office – which led to acrimonious competition (σπουδαρχοῦντες) and, more gravely, the development of ἐπιθυμία τῆς δυναστείας among the governing class.

On a final historical note, successive office-tenure had been forbidden as early as the *lex Genucia* of 342 BCE, which stipulated an interval of ten years between positions of

⁹⁷ For which cf. pp.141-143 above.

⁹⁸ Cass. Dio. 40.46.1-2.

authority; and, more recently in the context of the Late Republic, the *lex Villia* of 180 BCE reasserted that interval, this time reduced to two years. The late *res publica*, naturally, saw repeated deviations from this latter law. The replacement of military crisis in Italy with military crisis abroad gave elites justification to exercise their longing for prolonged power with a disregard for the legal restrictions; and the popular assemblies, in any case, could and repeatedly did disregard those restrictions.⁹⁹ The effect of this could be profound indeed – and here I turn now to the analysis of the speeches.

I have already argued earlier in this chapter that Dio used his *dissuasio* of Catulus on the Gabinian law to illustrate his view of the conflation in the Republican psychology between the dictatorship and tyranny, and to assert the inutility of that office in the face of a Republican empire. It seems to me clear, however, that the historian additionally used the oration to set out his own historical evaluation of the cause of Marius and Sulla's descent into ἐπιθυμία τῆς δυναστείας. This, he suggests, was the phenomenon of *imperii consuetudo* as the result of continued office-holding.

After the *proemium*, in which Catulus' probity and patriotism – and thus his interpretative authority from the reader's perspective – are emphasised, Dio's Catulus moves on to the first of three argumentative sections. The first section maintains that the *lex Gabinia* is forbidden by law (36.31.3-32.3). The second, that the extraordinary new powers enshrined in it are unnecessary as long as other *imperium*-holders exist (36.33.1-34.4). And the third, that the proposed command would be better exercised by a number of generals directly answerable to the people (36.35.1-36.4). Although the title of each of these headings is debatable, this is cosmetic.¹⁰⁰ All three sections have at their heart the fundamental question of *imperii consuetudo* in Dio's history: the effect of prolonged power upon the individual and upon the *res publica*. The opening to Catulus' first section is worth quoting in full:

First and **most importantly** (πρῶτον μὲν καὶ μάλιστα), I say that we should **never entrust so many commands to a single man, one after another** (μηδενὶ ἐνὶ ἀνδρὶ τοσαύτας κατὰ τὸ ἐξῆς ἀρχὰς ἐπιτρέπειν). For this is not only forbidden by law, but has been found to be very dangerous in our experience. **Nothing else** (οὔτε γὰρ τὸν Μάριον ἄλλο τι) made Marius 'what he was', so to speak, except **being entrusted with so many wars in the shortest space of time** (ὅτι τοσοῦτους τε ἐν ὀλιγίστῳ χρόνῳ πολέμους) and **being made consul**

⁹⁹ On which cf. Williamson (2005) 101-110.

¹⁰⁰ Jameson (1970) 546 and Fechner (1986) 45-46 both define these three sections slightly differently.

six times (ὑπατος ἑξάκις) in the briefest period. Nor Sulla, except that he commanded our armies for **so many years in succession and after this was made dictator, then consul** (τοσοῦτοις ἐφεξῆς ἔτεσι τὴν ἀρχὴν τῶν στρατοπέδων ἔσχε καὶ μετὰ τοῦτο δικτάτωρ, εἴθ' ὑπατος). For it is not in human nature, not only in the youthful spirit but the elder too, to wish to abide by the customs of our ancestors **when one has been in power for a long time** (ἐν ἐξουσίαις ἐπὶ πολὺν χρόνον).¹⁰¹

According to Dio's speaker, the lust for power that led Marius and Sulla to seize control was the direct result of Rome's over-reliance upon their skills. Historically, C. Marius owed his six consulships in the period 107-101 BCE to the threat of Jugurtha in Numidia and a possible Cimbrian invasion. L. Cornelius Sulla took continual charge of the First Mithridatic War between 87-83 BCE before serving as dictator and then consul in the two following years, as Dio's Catulus outlines here.¹⁰² Catulus' assertion that such commands are forbidden in law (ἐν τοῖς νόμοις ἀπηγόρευται) may be an oblique reference to the *lex Vilia*, although it is not necessary to credit this to see that this is an important moment of historical interpretation. The problem was *imperii consuetudo*, and it is the 'first and most important' (πρῶτον μὲν καὶ μάλιστα φημι) of Dio's Catulus' arguments. Moreover, 'nothing else' made Marius and Sulla degenerate (οὔτε γὰρ τὸν Μάριον ἄλλο τι... οὔτε τὸν Σύλλαν) other than their protracted periods of authority, particularly abroad but also in domestic magistracies. It seems clear to me that this passage, within a speech, serves as Cassius Dio's first and most elaborate treatment of the problem of prolonged personal power under the Republic – and given the context we are to infer that Pompeius, too, was a further iteration of that problem.

On the other hand, Dio's narrative of Marius' and Sulla's careers is extremely fragmentary. One may reasonably question whether these words of Catulus' are the historian's own interpretation of the cause of their *cupido dominandi*, or are intended to serve merely as a representation of the 'standard optimate arguments' which would be *cum rebus tum personis accommodata*.¹⁰³

But the fragments themselves seem to suggest that this latter is quite impossible. I have already discussed in this chapter the scant vestiges of Dio's account of the Sullan Civil War and his 'transformation' into a tyrant; but returning to these here will be beneficial. In

¹⁰¹ Cass. Dio. 36.31.3-4.

¹⁰² Cf. Hinard (1999) for the debate on the date and duration of Sulla's dictatorship.

¹⁰³ Leach (1978) 68; Quint. *Inst. Or.* 10.1.101.

the aftermath of the battle of the Colline Gate, Dio describes the shift in Sulla's character following his victory over the Marians. He had, as I have already stated, been considered foremost in φιλανθρωπία τε καὶ εὐσεβεία, but then outdid Marius and Cinna in the brutal horrors he inflicted (τὸν δὲ δὴ Κίνναν καὶ τὸν Μάριον τοὺς τε ἄλλους τοὺς μετ' αὐτὸν γενομένους πάντας ἅμα ὑπερέβαλεν).¹⁰⁴ Above all, in his evaluation of this process of degeneration into tyranny the historian puts the case down to Sulla's experience of absolute conquest (τοῦ παντελῶς κρατήσῃν). It was this, in Dio's view, which corrupted the general and made him institute a tyranny over the Republic.¹⁰⁵ This, of course, followed directly after Sulla's command in the Social War (91-88 BCE) and then the First Mithridatic War (87-86 BCE), followed by further command in the east (85-83 BCE) and, as Dio's Catulus states, his dictatorship (82-81 BCE) and consulship at the end of that decade. It seems to me clear that the view of Catulus, in this first section, is the historian's own evaluation of the cause of his longing for absolute power: *imperii consuetudo*.

Dio's Catulus opens the second section of his speech by reiterating that his first argument, that power ought not to be concentrated repeatedly in one man's hands, is 'the most important of all' (πρῶτον μὲν οὖν τοῦτο καὶ μάλιστα λέγω).¹⁰⁶ The crucial connection between *imperii consuetudo* and the degeneration of Sulla is therefore deliberately underlined at both the introduction and close of that *exemplum*. In this second section, Dio's Catulus asserts that the unconstitutional powers of the *lex Gabinia* were in any case not required, as the usual system of propraetors and proconsuls functioned perfectly well. 'For why bother to elect the annual magistrates at all', Catulus asks, 'if you are not going to make use of them for such tasks? Surely not just so they can go about in purple-bordered togas?'.¹⁰⁷ It is possible, as Saylor Rodgers has observed, that Dio imitated Demosthenes in this thought; although a Demosthenic overlap is not a persuasive basis on which to bypass the historical-explanatory value of the speech.¹⁰⁸ In this section, Dio's Catulus stresses that in the context of 67 BCE – long before Caesar's *imperii consuetudo* – the continued prorogation of military authority had led already to disaster:

How can it be right that a new command be created, **and that for three years**
and over all affairs within Italy, without Italy, and, in a word, over everything?

¹⁰⁴ Cass. Dio. 30-35 F 109.1.

¹⁰⁵ Cass. Dio. F 108.1.

¹⁰⁶ Cass. Dio. 36.33.1.

¹⁰⁷ Cass. Dio. 36.33.2.

¹⁰⁸ Saylor Rodgers (2008), 315 places this passage alongside Dem. 4.26. In the context of Pompeius' power a quip about purple togas is especially neat: Cicero at *Att.* 1.18.6 jokes that 'our good pal Pompeius is protecting his *togulam illam pictam* with his silence'.

For I think that you all know how many **disasters come to states from this practice** (ἐκ τοῦ τοιούτου), and how many men have **frequently disturbed our people and wrought incalculable harm upon themselves because of their lust for extra-legal powers** (ὅσοι διὰ τὰς παρανόμους φιλαρχίας τόν τε δῆμον ἡμῶν πολλάκις ἐτάραξαν καὶ αὐτοὶ αὐτοὺς μυρία κακὰ εἰργάσαντο, πάντες ὁμοίως ἐπίστασθε).¹⁰⁹

This vein of Catulus' argument will be familiar; I have already discussed it with respect to the historian's problematisation of the Republican dictatorship. But the overlap here already existed, in Dio's historical thinking. He viewed the *dictatura*, as I set out in the previous section, as unviable in 67 BCE not only on reputational grounds, but on constitutional and practical grounds: the legal restrictions rendered it unsuitable for addressing military crisis abroad. Here Dio seems to me also to articulate a different, but very much related, problem. The dictatorship was unable to remedy the complex and drawn-out pirate situation outwith Italy; but someone necessarily had to. The proposed command, of three years, with many *legati*, away from the capital and senatorial oversight, was in the historian's view anathema to the contemporary Republican; but if there were other viable alternatives, Dio is unaware of them and presents the contemporary political class as equally nonplussed. The *lex Gabinia* was quite inevitable in that context, particularly in view of the *populus'* adoration of Pompeius in the historian's assessment.¹¹⁰ This, as I discussed in Chapter 3, was necessarily a chance for Pompeius to acquire further δόξα and δυναστεία; and Dio's Catulus here both reflects and prognosticates. Disasters, he states, have 'many times already' (πολλάκις) been wrought upon Rome specifically from 'a practice such as this' (ἐκ τοῦ τοιούτου): that of entrusting individual generals with too much power. Dio has his Catulus state immediately before this excerpt – and I think quite deliberately – that the system of annual magistrates ought to be maintained.¹¹¹

What we have here, therefore, is a calm reflection on the Republican practice of entrusting individual commanders with military authority over long periods, and on the disastrous consequences of this practice. There seems little doubt to me that this reflection is the historian's own. One need only compare these statements of Catulus to the narrative framework of views expressed in Dio's own voice to perceive that the historian regarded

¹⁰⁹ Cass. Dio. 36.34.3-4.

¹¹⁰ Cass. Dio. 36.23.5.

¹¹¹ Cass. Dio. 36.33.2.

imperii consuetudo as a genuine concern in the late *res publica*, and not merely with respect to Caesar as Suetonius argued. It originated much earlier with Marius and Sulla.¹¹²

I close my analysis of Dio's use of Catulus to elaborate the historical problem of *imperii consuetudo* with a brief recapitulation of an earlier point. This is the suggestion of Dio's orator in the third section of his speech that great honours and powers exalt, and then destroy, even the best men (αἱ τε γὰρ μεγάλοι τιμαὶ καὶ αἱ ὑπέρογκοι ἐξουσίαι καὶ τοὺς τοιούτους ἐπαίρουσι καὶ διαφθείρουσιν).¹¹³ I have already shown, in Chapter 4,¹¹⁴ the way in which Dio uses his orator as a means of prognostication. The historian judged the ramifications of the *lex Gabinia* in markedly moral terms. He set out in this speech, first, a prediction of the φθόνος which would indeed later result from the prestige of that command, rendering Pompeius politically impotent and driving him into the Triumvirate; and, second, a foreshadowing of Pompeius being exalted and then destroyed by μεγάλοι τιμαὶ καὶ ὑπέρογκοι ἐξουσίαι, realised at Pharsalus in 48 BCE, when Pompeius' complacency after an exceptional military career left him defeated and, ultimately, ruined.

But Dio also seems to me to use this third section to make a more general argument about the deleterious effects of prolonged personal power, especially military, upon individual ambition.

Who does not know that it is neither remotely appropriate nor advantageous **to entrust all our business to one man** (τὰ πράγματα προστάσσεσθαι καὶ ἓνα τινὰ), or for any one man to be master of all our possessions, even if he is the most excellent? Great honours and **excessive powers exalt, and then destroy**, even such excellent men as these (μεγάλοι τιμαὶ καὶ αἱ ὑπέρογκοι ἐξουσίαι καὶ τοὺς τοιούτους ἐπαίρουσι καὶ διαφθείρουσιν).¹¹⁵

Dio's reader has already observed the truth of this statement in the earlier accounts of Marius' and Sulla's degeneration into brutality. In Dio's assessment, the character of Sulla in particular was exalted by his great and continual power, and then destroyed by that same agency. Dio's argument in this passage is that granting Pompeius yet another position of great authority, enshrined in the *lex Gabinia*, would make him as habituated to his own power as his predecessors, exalting and ultimately destroying him. The Republic would again suffer as a result.

¹¹² For which cf. pp. 166-169 above.

¹¹³ Cass. Dio. 36.35.1

¹¹⁴ For which cf. pp. 121-123 and 124-127 above.

¹¹⁵ Cass. Dio. 36.35.1.

This is precisely what the later consequences of Pompeius' *imperii consuetudo* turn out to be. In his prefatory comments before Pharsalus, Dio outlines that both Pompeius and Caesar were ambitious for dominion.¹¹⁶ 'Both', he writes, 'were reaching after absolute power (παντὸς κράτους), and were greatly influenced by innate ambition (φιλοτιμία ἐμφύτῳ) and also by great acquired rivalry...their temperaments only different in so far as Pompeius desired to be second to no man, and Caesar to be first of all'.¹¹⁷ The historian's reflection on their respective careers at this point is interesting, and highly relevant. He envisages the pair enumerating their former commands; Pompey thinking of Africa, Sertorius, Mithridates, and his pirate command; and Caesar of Gaul, Spain, the crossing of the Rhine, and the expedition to Britain. 'And thinking, indeed, that all those achievements were at stake, and each being eager to appropriate the other's glory, they were most excited'.¹¹⁸ The pair were thus incited to battle, and indeed to the civil war, by their long and glorious military careers. Caesar, Dio states, had no intention of becoming a private citizen again 'after commanding for such a long time' (ἐκ χρόνιου ἡγεμονίας);¹¹⁹ but Pompeius, too, had been similarly corrupted by his *imperii consuetudo*. Dio places Pompeius in a continuum of ambitious generals whose lengthy tenure of military authority corrupted and destroyed both them and the *res publica*.

How, then, to prevent *imperii consuetudo* among the commanders of the regime that followed the Republic? I argue that the solution can be found again in the Agrippa-Maecenas debate. In the previous section I explored the way in which Cassius Dio used the exhortations of his Agrippa and Maecenas as a means of historical explanation. He set up, through Agrippa, a final reflection on the Republican *dictatura*. In the narrative context, after the accounts of Sulla's and Caesar's dictatorships and the speeches of Catulus and Cicero likening these to tyranny, the speaker outlined a key challenge the Augustan Principate would have to overcome: the people proceeded against Caesar for his aspirations to *regnum*, and could do so too with Augustus (μέμνησαι δὲ ὅπως τῷ πατρί σου προσηνέχθησαν, ὅτι τινὰ ὑποψίαν ἐς αὐτὸν μοναρχίας ἔσχον). Moreover, men who aspired to tyranny were punished severely by citizens (πλὴν ἄν τις τυραννίδος ἐπιθυμήσῃ: τοῦτον γὰρ ἰσχυρῶς κολάζουσι); and this, certainly, was no empty threat after the fate of the last

¹¹⁶ Cass. Dio. 41.53.2.

¹¹⁷ Cass. Dio. 41.53.2-54.1.

¹¹⁸ Cass. Dio. 41.56.2-3: Πομπήιος μὲν τῆς τε Ἀφρικῆς καὶ τοῦ Σερτωρίου τοῦ τε Μιθριδάτου καὶ τοῦ Τιγράνου καὶ τῆς θαλάσσης, Καῖσαρ δὲ τῆς τε Γαλατίας καὶ τῆς Ἰβηρίας τοῦ τε Ἰήνου καὶ τῆς Βρεττανίας, ἀναμνησκόμενοι, καὶ κινδυνεύειν τε καὶ περὶ ἐκείνοις ἡγούμενοι καὶ προσκτῆσασθαι τὴν ἀλλήλων δόξαν σπουδῆν ποιούμενοι, ὤρων.

¹¹⁹ Cass. Dio. 40.60.1.

dictator. The response of Maecenas, however, outlined the historian's evaluation of the means whereby Augustus could bypass the toxicity of the titles of *dictator* and *rex*, and the importance of adopting a new, uncorrupted title: *σεβαστός*. This recommendation of the studious avoidance of old titles proposed was, of course, followed by Dio's Augustus later in the diegesis.

In a similar fashion, the historian seems to me to have used the δημοκρατικός speech of Agrippa and its monarchist counterpart to reflect upon the problem of *imperii consuetudo* in the Late Republic, and then to outline the means of addressing this. To Dio, the key to halting the corrosive issue of the distribution of power, and particularly over lengthy periods within the empire, lay within the first *princeps*' reforms to the provincial administration.

But before the solution comes Dio's clear reiteration of the problem. Marshalling his arguments for a *res publica restituta*, Agrippa outlines a weak argument for rejecting monarchy. An emperor, he states, would need to have many helpers – helpers sent out to the corners of the empire, far from his superintendence. Yet so far from serving as a grounds to reject monarchy, this merely elaborates, more fully, what has by this point in the narrative proven to be such a fundamental flaw of Dio's Republic:

Then again, apart from those who are guilty of wrongdoing, there are many men who pride themselves, some on their birth, others on their wealth, and still others on something else, who, though in general not bad men, are yet by nature opposed to the principle of monarchy. **If a ruler allows these men to become strong, he cannot live in safety** (καὶ αὐτοὺς οὐτ' αὖξασθαί τις ἐὼν ἀσφαλῶς δύναται ζῆν), and if, on the other hand, he undertakes to impose a check on them, he cannot do so justly. What, then, will you do with them? How will you deal with them?...For **if you allow these various classes to grow strong, you will not be able to deal with them easily** (ἂν δὲ ἐάσης ταῦθ' ὡς ἕκαστα αὖξειν, οὐκ ἂν ῥαδίως αὐτὰ διάθοιο). True, if you alone were equal to carrying on the business of the state and the business of warfare successfully and in a manner to meet the demands of each situation, and needed no assistant for any of these matters, it would be a different matter. As the case stands, however, **since you would be governing this vast world, it would be quite essential for you to have many helpers** (πᾶσά σε ἀνάγκη συναγωνιστὰς πολλοὺς, ἅτε τοσαύτης οἰκουμένης ἄρχοντα, ἔχειν); and of course they ought all to be both brave and high-spirited. **Now if you hand over the legions and the offices to men of such parts, there will be danger that both you and your government will be overthrown** (κίνδυνος ἔσται καὶ σοὶ καὶ τῇ πολιτείᾳ καταλυθῆναι)...If, on the other hand, you entrust nothing to these men, but put common men of

indifferent origin in charge of affairs, you will very soon incur the resentment of the first class, who will think themselves distrusted, and you will very soon fail in the greatest enterprises... **And yet I need not explain to you all the evils that naturally result from such a condition, for you know them thoroughly** (ὄσα ἐκ τούτου κακὰ γίγνεσθαι πέφυκε, τὰ μὲν ἄλλα οὐδὲν δέομαί σοι σαφῶς εἰδῶτι διηγεῖσθαι); but this one thing I shall say, as I am constrained to do — that if a minister of this kind failed in every duty, **he would injure you far more than the enemy** (πολὺ πλείω ἂν σε τῶν πολεμίων βλάψειεν).¹²⁰

Of course this applies to the Late Republic more than any other period in Dio's narrative. These comments arrive at a point of major transition in Dio's work between Republic and Principate. The historian deliberately draws the reader's attention to this transition by a programmatic statement at the beginning of Book 52, a moment before Agrippa's speech, stating that 'these were the achievements of the Romans and these their sufferings under the monarchy, under the Republic, and under the dominion of a few, over a period of 725 years'.¹²¹ These comments thus seem to me as much a reflection on the history of what has come before, which the reader has to this point seen played out at great length, as on the problems of monarchy as such.

In this context, Dio's audience cannot fail to think upon reading this passage of Marius, Sulla, Pompeius, and Caesar. I am at a loss as to what other generals in the empire who, entrusted with its legions and its governance as Agrippa states, could pose a risk of overthrowing the government (οὐκοῦν ἂν μὲν τοιοῦτοις τισὶ τά τε στρατεύματα καὶ τὰς ἀρχὰς ἐγχειρίζης, κίνδυνος ἔσται καὶ σοὶ καὶ τῇ πολιτείᾳ καταλυθῆναι). Dio's Agrippa later uses the precise *exempla* of Marius, Sulla, Pompeius, and Caesar in a survey of generals of the Republic, thus bringing them directly to the forefront.¹²²

Agrippa's argument, like Catulus' earlier on the dictatorship, certainly seems illogical. He is made to dissuade Augustus from becoming a monarch on the grounds that he would require numerous helpers abroad in administering his empire (πᾶσά σε ἀνάγκη συναγωνιστὰς πολλούς, ἅτε τοσαύτης οἰκουμένης ἄρχοντα, ἔχειν). These, too, would have to be entrusted with armies and positions of power; and they would have to be brave and high-spirited (ἀνδρείους καὶ φρονίμους), able to carry out their commands with distinction. Yet, Dio's Agrippa states, if the *princeps* allows these men to prosper and become strong

¹²⁰ Cass. Dio. 52.8.

¹²¹ Cas. Dio. 52.1.1: ταῦτα μὲν ἐν τε τῇ βασιλείᾳ καὶ ἐν τῇ δημοκρατίᾳ ταῖς τε δυναστείαις, πέντε τε καὶ εἴκοσι καὶ ἑπτακοσίους ἔτεσι, καὶ ἔπραξαν οἱ Ῥωμαῖοι καὶ ἔπαθον.

¹²² Cass. Dio. 52.13.2-4.

with their legions within the empire, he cannot possibly enjoy security himself (αὐτοὺς οὐτ' αὐξέσθαι τις ἔων ἀσφαλῶς δύναται ζῆν). Indeed, such men would injure the emperor more than his enemies abroad could (πολὺ πλείω ἂν σε τῶν πολεμίων βλάβειεν), and posed the risk of ultimately overthrowing the government. Is this not Dio's history of the Late Republic?

Agrippa's argument on the danger of monarchy and the benefit of δημοκρατία is therefore deliberately illogical and unpersuasive. This, however, is not because the speech acted as a cosmetic prelude to the main feature of Maecenas,¹²³ or was poorly composed. Rather, Dio deliberately presents the impasse through his orator: *imperii consuetudo* would always be an issue when the strong are given military authority far from the city of Rome, regardless of the constitution. It certainly had been under the δημοκρατία, which Dio's Agrippa idealises into unpersuasive fantasy while simultaneously rehearsing one of the reasons for its collapse. In the historian's assessment, then, *imperii consuetudo* remained a very real risk indeed to the new monarchical regime, as it had been, fatally, under the Republic.

In his Maecenas, Cassius Dio delineates his interpretation of the measures necessary to rectify the destructive organisation of military power under the *res publica* and to secure viable constitutional change. Dio's Maecenas proffers three suggestions which, I argue, relate fully to the historical problem of *imperii consuetudo* in the first century BCE. After suggesting that these will make it both possible and easy for the new *princeps* 'to rule well and without danger', he outlines his plan (καὶ δυνατὸν καὶ ῥάδιον τῷ γε ἔμφορον τὸ καὶ καλῶς καὶ ἀκινδύνως ἄρξαι).¹²⁴

Dio argues through his Maecenas, first, that the new *princeps* ought to cleanse the Senate of any unsavoury figures, 'since some, on account of our civil strifes, have become senators who are not worthy' (ἐπειδὴ τινες οὐκ ἐπιτήδειοι διὰ τὰς στάσεις βεβουλεύκασι). He should then hand-pick their replacements himself, selecting candidates to join the governing class not on the basis of their wealth – indeed, he should donate the required monies if necessary – but those who are of good birth and good character (ἀντὶ δὲ δὴ τῶν ἄλλων τοὺς τε γενναιοτάτους καὶ τοὺς ἀρίστους). This, the speaker suggests, will solve the problem of assistants to rule the empire posed earlier by Agrippa: 'for in this way, you will have many assistants and secure the loyalty of the leading provincials; and the provinces,

¹²³ Pace Gabba (1955) 316; McKechnie (1981) 150.

¹²⁴ Cass. Dio. 52.18.7.

having no leaders of distinction, will not cause political revolutions’ (οὔτε ἐκεῖνα νεοχμώσει τι μηδένα ἐλλόγιμον προστάτην ἔχοντα).¹²⁵

Secondly, Augustus should appoint magistrates and imperial governors himself. The historian’s analysis here is incisive, and again has everything to do with his history of the Late Republic. All appointments, Maecenas states, should be made by the emperor, and should certainly not be entrusted to the plebs or the citizen body to fill. The reasoning behind this argument of Dio’s Maecenas is revealing: ‘for the people will cause civil strife (στασιάσουσι) because of those offices, and the senators will use them to further their ambitions (διασπουδάσονται)’. One cannot help but think here of the *lex Gabinia* episode, in which the mendacity and self-interest of Pompeius and Gabinius in Dio’s reconstruction succeeded in winning over the *populus* and securing further *δυναστεία* for the former. To ensure, furthermore, that the Republican magistracies and pro-magistracies abroad are shorn of their potential to overthrow the government, Augustus should additionally deprive them of their traditional powers and make them titular, ‘so that the same things do not happen all over again’ (ἵνα μὴ τὰ αὐτὰ αὖθις γένηται).¹²⁶ In this way, those in receipt of the honour of those positions *domi militiaeque* will continue to enjoy the prestige of their titles, but will be unable to ‘cause another revolution’ (μήτε τοῦ ἀξιωματός τι αὐτῶν ἀφαιρήσει καὶ τοῖς νεωτερίσαι τι ἐθελήσουσι μὴ ἐπιτρέψει).¹²⁷

Finally – and crucially – Maecenas insists on a long hiatus between a magistrate’s tenure in the city and his position of command abroad. Pro-magistrates should not go out immediately after their urban office, but should wait; and, even more importantly, they should not be under arms during this period:

So **deprive the magistracies of their power** (τῆς δ’ ἰσχύος παράλυσον) to such an extent that, although you will not be taking away any of their prestige, you will give **no one who wishes it the chance to cause another revolution** (καὶ τοῖς νεωτερίσαι τι ἐθελήσουσι μὴ ἐπιτρέψει). This is how it will be, then, if you **assign them mainly to domestic affairs** (ἐνδήμους). And do not allow any of them to have **armed forces during their term nor immediately afterward** (μήτε ἐν τῷ τῆς ἀρχῆς καιρῷ ὅπλα τινὶ αὐτῶν ἐγχειρίσης μήτε εὐθύς). Rather, you should allow them **only after a lapse of some time** (ἀλλὰ χρόνου διελθόντος), as much as seems sufficient to you in each instance. For in this way, none of them will stir up **revolutions, since they will never be put in**

¹²⁵ Cass. Dio. 52.19.3.

¹²⁶ Cass. Dio. 52.20.3.

¹²⁷ Cass. Dio. 52.20.3.

command of legions while still enjoying the prestige of their titles, and they will be **more peaceable after they have been private citizens for a time** (οὔτε τινὲς νεοχμώσουσι, στρατοπέδων κύριοι ἐν τῷ τῶν ὀνομάτων φρονήματι γενόμενοι, καὶ χρόνον τινὰ ιδιωτεύσαντες πεπανθήσονται).¹²⁸

This important passage seems to me a persuasive analysis of all that Dio perceived as defective in the allocation of *imperium* under the Republic. The connection, here, between the protracted tenure of military authority and the capacity for revolution is spelled out plainly and repeatedly indeed. Maecenas' statement here that office-holders will be 'more peaceable after a spell as private citizens' (χρόνον τινὰ ιδιωτεύσαντες πεπανθήσονται) overlaps with the historian's own narrative interpretation of the Senate's attempt in 53 BCE to reassert the principle forbidding successive office-holding, particularly with regard to ex-praetors and ex-consuls (μηδένα μήτε στρατηγήσαντα μήθ' ὑπατεύσαντα). They hoped that these men, 'by not being in a position of power immediately after holding one, would cease their craze for offices' (εἴ πως ὑπὸ τοῦ μή παραντίκα ἐν δυνάμει τινὶ αὐτοὺς γίγνεσθαι παύσαιντο σπουδαρχοῦντες).¹²⁹ In this important context, there is additionally Maecenas' distinction between those assigned to domestic affairs (τά τε ἄλλα καὶ ἐνδήμους αὐτοὺς ἀποφήνης) and those in possession of armed forces, either during their term or immediately after it (μήτε ἐν τῷ τῆς ἀρχῆς καιρῷ ὄπλα τινὶ αὐτῶν ἐγχειρίσης μήτε εὐθύς). Through his orator here in 27 BCE, Cassius Dio lays out his interpretation of the appropriate remedy to a distinctly Late Republican issue he raised through Catulus four decades earlier: that no individual should be entrusted with many positions of command, one after another (μηδενὶ ἐνὶ ἀνδρὶ τοσαύτας κατὰ τὸ ἐξῆς ἀρχὰς ἐπιτρέπειν).¹³⁰ This, in short, is the problem of *imperii consuetudo*; and through Maecenas, the historian articulates his solutions to that problem. The speaker's statements seem to me constructed, quite deliberately in the context of the preceding narrative, as a direct response to the Late Republican problem of individual commanders growing habituated to their own authority by long periods in power.

This is exactly the interpretation that the historian applies to Augustus' reforms to the provincial administration in 27 BCE in Book 53. As I detailed in Chapter 3, Dio writes first that the new *princeps* feigned a reluctant acceptance of the absolute power offered to him by the Senate. In the narrative which follows that *recusatio imperii*, Dio outlines a series of Augustan reforms which strike me as particularly important in relation to Catulus' and

¹²⁸ Cass. Dio. 52.20.4.

¹²⁹ Cass. Dio. 40.46.1-2.

¹³⁰ Cass. Dio. 36.31.3-4.

Agrippa-Maecenas' comments on *imperii consuetudo*, and indeed in relation to the historian's own authorial comments cited at the start of this section more generally. According to Dio, wishing to appear 'Republican' (δημοτικός),¹³¹ Augustus declared that he would not govern all the provinces himself. Instead, he made some senatorial, and others imperial, entrusting to the Senate 'the weaker provinces on the pretext that they were safer and peaceful and not at war' (τὰ μὲν ἀσθενέστερα ὡς καὶ εἰρηναῖα καὶ ἀπόλεμα ἀπέδωκε τῇ βουλῇ), but to himself the stronger imperial provinces, on the grounds that they were more dangerous and troublesome, thus sparing the Senate bother (τὰ δ' ἰσχυρότερα ὡς καὶ σφαλέρὰ καὶ ἐπικίνδυνα).¹³² Dio's analysis here seems to me significant:

He said that he was taking this course so that the Senate might enjoy the best of the empire without fear while he himself would have all the hardships and dangers. In reality, it was **so that under this pretext the senate would be unarmed and feeble, while he alone would have arms and maintain troops** (ἵνα ἐπὶ τῇ προφάσει ταύτῃ ἐκεῖνοι μὲν καὶ ἄοπλοι καὶ ἄμαχοι ᾤσιν, αὐτὸς δὲ δὴ μόνος καὶ ὄπλα ἔχη καὶ στρατιώτας τρέφῃ).¹³³

In the historian's view, then, it was by imposing direct imperial control over the allocation of legions *qua* provinces that Augustus curbed the capacity of the senatorial class – that is, the governing and commanding class – to make 'the same things happen all over again' (τὰ αὐτὰ αὐθις) as Maecenas stated. The actions of the first *princeps* are constructed as a direct response to the issues outlined in Catulus' and Agrippa's orations and the solutions posited in Maecenas. The historian, moreover, provides an embedded focalisation which lays bare his evaluation of the emperor's true intentions: to keep the governing class – the 'imperial counterculture – weak, and himself – the 'centre' – strong.¹³⁴

To complete the package, Augustus furthermore decreed that the governors of his own, imperial provinces be selected by the *princeps* himself; but that those of the senatorial provinces be chosen at random, by lot. The historian provides no analysis of the historical ramifications of this measure here. However, he certainly labours Augustus' duplicity in pretending to be guarding the best interests of the governing and senatorial class while in fact keeping the lion's share of military power within the provinces for himself. The conclusion seems to me implicit: the element of chance – the random allocation to

¹³¹ Further discussion in Chapter 7.

¹³² Cass. Dio. 53.12.2.

¹³³ Cass. Dio. 53.12.3.

¹³⁴ Eckstein (2004) 280 for the quotations.

commands abroad by lot – for the senatorial class weakened the *ordo*, while in inverse proportion the direct oversight of the *princeps* kept the centre strong:

This, then, was the appointment of the provinces. But as **Caesar wished – naturally!** – **to lead the Romans far away from thinking that he had monarchy in view** (βουλευθεῖς δὲ δὴ καὶ ὡς ὁ Καῖσαρ πόρρω σφᾶς ἀπαγαγεῖν τοῦ τι μοναρχικὸν φρονεῖν δοκεῖν), he undertook to rule the provinces given to him for only ten years; for he promised to bring them into good order within this time, and **proclaimed boastfully that, if they were pacified sooner, he would return them all the more quickly to the Senate** (προσενεανιεύσατο εἰπὼν ὅτι, ἂν καὶ θᾶπτον ἡμερωθῆ, θᾶπτον αὐτοῖς καὶ ἐκεῖνα ἀποδώσει). He therefore first of all appointed the senators themselves to govern both types of province, except Egypt. This one alone he assigned to an *eques*...then he decreed that **the governors of senatorial provinces should be annual magistrates, chosen by lot** (τοὺς μὲν καὶ ἐπετησίους καὶ κληρωτοὺς), except when a senator had special privilege because of having many children or a good marriage. **But the other governors were to be chosen by the emperor himself** (ὑπὸ τε ἑαυτοῦ αἰρεῖσθαι) and to be called his emissaries and propraetors, even if they were consulars. For thus, of the two titles which had been long established under the Republic, he gave that of praetor to those chosen by him.¹³⁵

Augustus' boastful proclamations and wish, 'of course' as Dio intones ironically (δὴ),¹³⁶ to obfuscate his manoeuvres to secure absolute power are presented, deliberately, as a means of clothing Augustus' reforms to the provincial administration as a means of cementing power within the empire behind a veneer of Republicanism. Against the backdrop of Maecenas' detailed focus on the necessary practical reforms to prevent ambitious commanders from growing habituated to their own power by long periods of authority in the empire, this interpretative moment of Dio's seems important. By addressing the issue of *imperii consuetudo* – a key focus in Catulus' and Agrippa's 'defences' of δημοκρατία – in a manner consonant with the recommendations of Maecenas, the new *princeps* avoided a repetition of the precedents of Marius, Sulla, Pompeius, and Caesar.

The speeches of Catulus and Agrippa in defence of the old order, and the programmatic counterpart to this latter in the detailed exhortation of Maecenas, thus seem to me to form a logical unity. Cassius Dio was not the first narrator of the past to posit the cause of Caesar's megalomania as his *imperii consuetudo*. Where Dio is more of interest, however, lies in his use of the speeches: to develop a sophisticated and sustained narrative of the

¹³⁵ Cass. Dio. 53.13.1-5. For the relationship between the princeps and the promagistrates, see Hurlet (2006).

¹³⁶ On the ironic use of δὴ cf. Denniston (1954)¹ 229-236.

problem of *imperii conseutudo* under the Republic, and to outline his interpretation of the measures the Augustan regime took to address that problem. The issue, the historian argues through his Catulus, long predated Caesar in any case. The orator's reflection on Marius and Sulla's long periods of military power and the disastrous consequences of those can only be the historian's view, particularly in comparison with his account of Sulla's reign of terror. Pompeius, furthermore, belonged within that series of generals corrupted by great authority ruling the provinces in Dio's assessment; and the *lex Gabinia* was a further extension of this. In Agrippa's encomium of a fantasy-Republic, which does not exist in the historian's preceding narrative, the historian then lays out a series of reflections on the problem of the organisation of military power under monarchies. This reflection, in fact, merely brings into sharper focus the historian's evaluation of *imperii consuetudo* in the first century BCE. Within the narrative context, Agrippa's admonishments on the risk of generals of distinction thriving in the provinces has nothing, so far, to do with monarchy and everything to do with Dio's Late Republic. But in Maecenas, the historian delineates a series of measures he viewed as necessary directly to combat that problem; and these, subsequently, are implemented by the first *princeps*. Cassius Dio viewed *imperii conseutudo* as a cause of the Sullan and Caesarian Civil Wars, certainly, and of the end of the *res publica*. By attacking that fatal flaw of the Republic, as the historian articulates through his Maecenas, Augustus could and did secure beneficial and long-lasting constitutional change. This argument, it seems to me, would be threadbare, unpersuasive, and almost imperceptible without the speeches.

Factor 3: Φθόνος

To close, I turn in this third section to the distinctively emotive element that Cassius Dio brings to his causation of the collapse of the Roman Republic. This again receives its fullest treatment in the set-piece orations. I discuss again, here, the historian's three 'defences' of the Republic; but the theme of *φθόνος* is so pervasive in almost all of Dio's speeches of this period and indeed in his account of the late *res publica* as a whole that it will be important to consider several other of these compositions in addition. I suggest that Cassius Dio perceived *φθόνος* as a defining characteristic of Late Republican political culture and interpreted this as the cause of major, and destructive, constitutional movements. He accordingly elaborated this in some detail and with great frequency in his speeches of this period, confirming their embeddedness within his framework of historical causation. Moreover, as I will show shortly, the problem of *φθόνος* practically disappears from the *Roman History* after Augustus' accession in 27 BCE.

It was not, of course, unprecedented to conceive of envy as a motivating factor in the hostile actions of elites. As both Harrison and Rees have shown of Herodotus and Thucydides respectively, φθόνος often causally underpinned the cynical manoeuvres of individuals.¹³⁷ In that context, it would be simple to assume that Dio's incorporation of this emotive aspect into his causation of the collapse of the *res publica* was merely a reflection of his classicising tendencies. Certainly much scholarship has been devoted to the historian's admiration for the language and thinking of Thucydides,¹³⁸ although less has been said about his relationship with Herodotus.¹³⁹

Cassius Dio's development of the theme of φθόνος could, certainly, be seen simply as a case of belletristic imitation if that aspect recurred consistently throughout his work. But it does not. The vast majority of instances of φθόνος occur in Dio's Late Republic. It is furthermore 'reinvented' as a positive force in public life under the Augustan regime, and occurs but infrequently in the account of the later Principate. In view of this, the historian clearly saw the spiteful emotion of φθόνος, as a portmanteau both of *invidia* and *odium*,¹⁴⁰ as a characteristic feature of Late Republican political life. Envy, therefore, was not a mere trope to be recycled at any point, but was deeply embedded within Dio's conceptual skeleton of the first century BCE. Again – as I discuss later in Chapter 7 – this emotion is reinvented as a (bizarrely) positive force in political life in Dio's account of the Augustan regime, and is comparatively absent in the history of the Principate as a whole.

Some statistics will elucidate this point more clearly and establish a theoretical basis for looking at the speeches. In the half-millennium period prior to the Gracchi in the *Roman History* – preserved in the fragments and epitomes of Books 5-22 – there are only eight instances of an historical character acting because of their φθόνος in the historian's interpretation.¹⁴¹ Clearly there are transmissional issues: Dio's Regal- to Mid-Republican narrative is quite lacunose. However, as Kemezis has convincingly argued, the fragments suggest that the historian conceived of this period as something of a golden age, and

¹³⁷ Harrison (2003); Rees (2011) 30-35.

¹³⁸ Melber (1891) 290-7; Litsch (1893); Kyhntzsch (1894); Schwartz (1899) 1690-1; Millar (1964) 42; Manuwald (1979) 280-284; Aalders (1986) 294; Lintott (1997) 2499-2500; Parker (2008) 77; Rees (2011) 62-86.

¹³⁹ Brandon Jones (forthcoming, 2016) has recently likened the Agrippa-Maecenas debate to the 'constitutional debate' in Hdt. 3.80-82 as an example of Dio's 'sophistic' tendencies.

¹⁴⁰ Kaster (2003) *passim*; Rees (2011) 30.

¹⁴¹ Cass. Dio. 5 F 19; 11 F 43.1-2; 14 F 57.20; 17 F 57.54; 17 F 57.62; 19 F 63; 21 F 70.9; 22 F 74.

certainly in comparison with the corruption which followed in the first century BCE.¹⁴² In this regard Dio locates himself in a long tradition of Roman historiography, including Sallust and Livy, which dichotomised the turpitude of the Late Republic and the probity of earlier periods. It is therefore a speculation, but not an unjustified one, to suggest that identifiers of moral decline and aristocratic discord such as φθόνος will have necessarily been less prevalent in the historian's account of that earlier age.

In the century between the Gracchi and the reign of Augustus, however, φθόνος becomes significantly more pronounced, especially as the catalyst for hostile individual action. All told, in the century between the controversial tribunes and the death of the first *princeps* (Books 25-55) there are eighty-two instances of the morpheme -φθον-, indicating envy.¹⁴³ It is telling that eight of these occur in the narrative of Caesar's assassination and funeral.

This intense focus upon φθόνος as a causal force in history is particular to Dio among our Imperial Greek historians of this period. Causal participles of the verb φθονεῖν, the phrase 'because of envy' (ὕπὸ τοῦ φθόνου), and the dative of cause (φθόνῳ) appear frequently, but much less so in Plutarch and Appian, who place far less emphasis on envy as a factor of history. Indeed, the morpheme -φθον- occurs only twenty-one times in Appian's entire history of the Sullan and Caesarian civil wars,¹⁴⁴ and only once in his *Mithridatica*.¹⁴⁵ Cassius Dio thus applies a framework of historical causation to the late *res publica* in which the emotive aspect, the jealous begrudging of another's success, plays a central role in aristocratic discord above and beyond his Greek predecessors or indeed any predecessors. The historian accordingly made his orations of the Late Republic consistent with that framework.

A word on Dio's programmatic statements regarding this emotion. As Kuhn-Chen has mentioned, φθόνος in the *Roman History* occurs especially between former equals who begrudge the advancement or enrichment of their former peer of comparable status.¹⁴⁶

¹⁴² For a comparison of Dio's presentation of these two periods, see Kemezis 2014, 104-112.

¹⁴³ Cass. Dio. 25.85.3; 26.89.3; 27.91.1; 27.91.1; 29.98.2; 30-35 F 109.10; 36.14.3; 36.24.6; 36.26.1; 36.26.2; 36.29.2; 36.43.4; 37.23.4; 37.50.6; 38.11.2; 38.11.4; 38.12.7; 38.21.2; 38.36.4; 38.39.2; 39.25.4; 39.26.1; 39.26.2; 39.37.4; 40.8.1; 40.51.1; 41.28.1; 42.1.3; 42.20.5; 43.12.1; 43.18.3; 44.1.1; 44.2.3; 44.3.1; 44.7.3; 44.29.3; 44.36.5; 44.36.5; 44.39.2; 44.43.1; 45.4.3; 45.8.1; 45.11.4; 46.8.3; 46.17.2; 46.55.2; 47.15.4; 47.33.2; 47.38.3; 48.45.6; 49.7.5; 49.18.7; 49.21.1; 49.23.2; 49.41.6; 51.12.7; 52.2.2; 52.2.2; 52.11.3; 52.15.3; 52.25.4; 52.26.4; 52.30.8; 52.31.4; 52.31.4; 52.33.8; 52.33.9; 52.33.9; 52.40.2; 53.3.1; 53.6.2; 53.8.6; 53.10.3; 53.23.3; 53.29.6; 54.1.5; 54.12.2; 54.29.3; 54.31.1; 55.15.1; 55.18.5; 55.24.9.

¹⁴⁴ App. *BC*. 1.1.11; 1.3.22; 1.5.35; 1.6.48; 1.8.71; 1.9.79; 2.1.21; 2.2.9; 2.2.14; 2.9.57; 2.14.99; 2.18.127; 2.18.134; 2.19.140; 2.19.142; 3.1.5; 3.7.44; 3.8.60; 3.13.89; 4.2.10; 5.9.78.

¹⁴⁵ App. *Mith.* 557.

¹⁴⁶ Kuhn-Chen (2002) 179.

This, in fact, is underlined by Cassius Dio even in the earliest books of his history, in conclusion to his account of the death of Remus at Romulus' hands. Summarising that episode with a closing *epimythium*, the historian states that φθόνος is simply a dormant aspect of human nature, which will surface whenever one of two equals tries to surpass the other: 'for thus it is that by its nature the human condition cannot bear to be ruled by what is similar and familiar to it, partly from envy and partly from contempt'.¹⁴⁷ In consequence, φθόνος in the historian's assessment was the natural result of a system – such as Romulus' and Remus' coregency – in which individuals of equal status attempt to compete. This of course applies to the Late Republic. As Fechner has shown, this principle of equality was a fundamental characteristic of Dio's view of the *res publica*: he conceived of δημοκρατία as underpinned especially by equality of opportunity and equality before the law (ἰσομοιρία, ἰσονομία).¹⁴⁸ It was therefore inevitable, in Cassius Dio's assessment, that φθόνος must proliferate under the Republic, just as in all δημοκρατία:

For indeed, if there had ever been a strong democracy, it had only been at its best for a short time, so long as it had neither the kind of numbers nor strength for the **envy that results from ambition** or the aggrandisements that result from prosperity to spring up within it (φθόνους ἐκ φιλοτιμίας ἐγγενέσθαι).¹⁴⁹

This revealing passage, which I quoted more fully with its surrounding context at the start of this chapter, is fundamental to Cassius Dio's reconstruction of the collapse of the Roman Republic and the role of the speeches within that reconstruction. Aside from brief comments,¹⁵⁰ there has been remarkably little work on the significant role played by jealousy as a factor of history in Dio's account of the first century BCE; nor, for my purposes here, the historian's use of speeches to develop an historical explanation of that factor.

The orations themselves – to turn now to these – certainly demonstrate that Cassius Dio aligned these compositions with his own theoretical conception of the problems inherent in δημοκρατία. I have already set out in Chapter 4 how Dio perceived of φθόνος as integral to the historical situation in 67 BCE,¹⁵¹ and so only a brief repetition of his three speeches on the *lex Gabinia* here will suffice.

¹⁴⁷ Cass. Dio. F 5.12.

¹⁴⁸ Fechner (1986) 37-39.

¹⁴⁹ Cass. Dio. 44.2.3.

¹⁵⁰ For which cf. Kuhn-Chen (2002) 178-179; Rees (2011) 30-34; Kemezis (2014) 110-115; Coudry (forthcoming, 2016).

¹⁵¹ See pp. 121-123 above.

In his narrative comments prior to Pompeius' false *recusatio*, the historian states without equivocation that the motives that underlay the speaker's choice of *dissimulatio* were, above all, to accrue greater honour by appearing to have been forced to accept the command; and to avoid the φθόνος that seeming to have deliberately sought out those powers would generate.¹⁵² These concerns, accordingly, are repeated by Dio's Pompeius, who pretends to reject the honours of the *lex* on the grounds that all positions of power are causes of envy and hatred (ἀλλ' ὁρᾶτε ὅτι καὶ ἐπίφθονα καὶ μισητὰ πάντα τὰ τοιαῦτά ἐστιν).¹⁵³ No man, moreover, could happily live among those who envy him (τίς μὲν γὰρ ἂν εὔφρονων ἠδέως παρ' ἀνθρώποις φθονοῦσιν αὐτῷ ζῶη;).¹⁵⁴ In the context of speech this is presented as part of the misleading, but persuasive, value of the *recusatio*: Pompeius in the depicted situation is all the more successful with the people – and Catulus, in contrast, fails to persuade – because he capitalises on very real concerns about φθόνος which the historian in the preceding narrative has already stated were a genuine problem. To continue labouring Dio's point, the exhortation of Gabinius which follows then encourages the general not to fear the jealousy of his opponents, but rather to aim to succeed all the more for this reason and thus spite his traducers (πείσθητι οὖν καὶ ἐμοὶ καὶ τούτοις, μηδὲ ὅτι τινὲς φθονοῦσι φοβηθῆς, ἀλλὰ καὶ δι' αὐτὸ τοῦτο μᾶλλον σπούδασον).¹⁵⁵ And, finally, Catulus' defence of the traditional *status quo* rounds off this thought about envy by predicting, on the historian's behalf, that the honour of the Gabinian law cannot fail but to bring jealousy to its beneficiary (οὔτε ἀνεπίφθονον ἔσται αὐτῷ πάντων τῶν ὑμετέρων μοναρχῆσαι).¹⁵⁶

The problem of φθόνος is thus significantly emphasised through all three speeches of 67 BCE. It seems clear that the historian particularly wished to bring this concern to the fore in that episode. Understandably so, as I argued in Chapter 4: for Dio's Catulus serves as a means of historical explanation by virtue of his prediction of the later consequences of the *lex*. Catulus' foreshadowing of the φθόνος that extraordinary powers under a competitive senatorial system would bring Pompeius comes true, I showed earlier, with the envy of the consul Metellus. This latter would not ratify the general's military and political arrangements in Asia Minor:

¹⁵² Cass. Dio. 36.24.6.

¹⁵³ Cass. Dio. 36.26.1.

¹⁵⁴ Cass. Dio. 35.26.2-3.

¹⁵⁵ Cass. Dio. 36.29.2.

¹⁵⁶ Bekk. *Anecd.* 157, 30.

And so, since he could accomplish nothing because of Metellus and the others, **Pompeius declared that they were jealous of him** (φθονεῖσθαί ὑπ' αὐτῶν) and that he would communicate this to the people. However, as he feared that he might fail to win them over too and incur even greater shame, he abandoned his demands. Thus he realised that he **did not have any real power, but only the name and the envy for the positions he had once held** (γινούς ὅτι μηδὲν ὄντως ἴσχυεν, τὸ μὲν ὄνομα καὶ τὸν φθόνον ἐφ' οἷς ἠδυνήθη ποτὲ εἶχεν).¹⁵⁷

This φθόνος, then, emerged in the historian's interpretation from the honour of the *lex Gabinia* and the general's other commands, and left him at the mercy of his opponents. But it had further and more significant political consequences. Moments after this reflection on Metellus' φθόνος, which in Dio's view had resulted directly from Pompeius' many positions of honour and left him 'without any real power' (μηδὲν ὄντως ἴσχυεν), the historian interprets Pompeius' motives for joining the First Triumvirate. 'For Pompeius was not himself as strong as he hoped to be (ὅσον ἤλπισεν ἰσχύων); and, seeing that Crassus was in power and that Caesar's influence was growing, he feared that he might be destroyed by them; and he hoped that, by sharing in their present advantages, he could regain his former authority (τὴν ἀρχαίαν δι' αὐτῶν ἐξουσίαν ἀναλήψεσθαι)'.¹⁵⁸ Dio thus frames Pompeius' entry into the Triumvirate as a direct response to his own lack of political might at the hands of Metellus and his jealousy (μηδὲν ὄντως ἴσχυεν) and as an attempt to recoup some of his lost prestige and cachet (τὴν ἀρχαίαν δι' αὐτῶν ἐξουσίαν ἀναλήψεσθαι). In this way, through his three speeches on the Gabinian law – but especially Catulus' 'defence' of δημοκρατία and his prediction of the φθόνος that such honours would bring – Cassius Dio sets into motion a chain of political events which began with envy; and which ended, ultimately, with the destructive alliance between Crassus, Caesar, and Pompeius.

The historian's amnesty-speech of Cicero reflects some of these concerns about the political ramifications of φθόνος. These statements on envy seem to me to take on an especial explanatory significance when situated within the context of the preceding narrative, which must be turned to first. In his account of the assassination of Caesar immediately prior to Cicero's defence of the *res publica*, Cassius Dio details his own interpretation of the auspicious state of the constitution under the dictator's leadership and of the factors which precipitated the end of this period of stability. He writes:

¹⁵⁷ Cass. Dio. 37.50.5-6.

¹⁵⁸ Cass. Dio. 37.56.3.

A terrible frenzy fell upon certain men **because of jealousy of his advancement and hatred of his position of honour above them** (φθόνῳ τε τοῦ προήκοντος καὶ μίσει τοῦ προτετιμημένου σφῶν προσπεσῶν). They murdered him unjustly, giving a new definition to sickening infamy; and their deed scattered [Caesar's] decrees to the wind and **brought revolutions and civil wars to the Romans once again after a time of harmony** (ἐξ ὁμονοίας καὶ πολέμους ἐμφυλίους τοῖς Ῥωμαίοις παρεσκεύασεν). For they said that they were both the murderers of Caesar and so the liberators of the people; but in truth, they plotted impiously against him and **threw the state into revolution again when it at last had a stable government** (τὴν πόλιν ὀρθῶς ἤδη πολιτευομένην ἐστασίασαν).¹⁵⁹

This passage certainly seems, on the one hand, to feed more broadly into Cassius Dio's positive conception of monarchy, especially in comparison with δημοκρατία. Immediately after this excerpt the historian launches into his long constitutional excursus, with which I began this chapter, praising monarchies and delineating the fatal flaws of republics and democracies.

On the other hand, this programmatic dimension is not the only aspect of Dio's narrative excursus at the opening of Book 44. The historian states here, quite plainly, that it was the envy and odium that resulted from Caesar's meteoric advancement beyond his former state of relative equality with his peers which precipitated their action (φθόνῳ τε τοῦ προήκοντος καὶ μίσει τοῦ προτετιμημένου σφῶν). This is the only cause that he cites, anywhere, for this major political event. Major indeed; for Dio then sets out his view of the effect this φθόνος exerted on the state, renewed at last into stability and harmony: more civil war, violence, and revolution. The historian suggests that this φθόνος was the deliberate creation of the Senate in any case: in his view, almost all voted him ever more extravagant honours not in order to gratify him, 'but in order that he might be the more swiftly destroyed, wishing to make him envied and resented all the sooner' (καὶ οἳ γε πλείους, ἕξ τε τὸ ἐπίφθονον καὶ ἐς τὸ νεμεσητὸν προάγειν αὐτὸν ὅτι τάχιστα βουλόμενοι τοῦτ' ἐποίουν, ἵνα θᾶσσον ἀπόληται).¹⁶⁰ Dio therefore presents a Late Republican political class perfectly aware of the capacity of extraordinary honour to bring its holder into disrepute; but additionally states clearly his view that the result of this φθόνος was merely further disaster for Rome.

¹⁵⁹ Cass. Dio. 44.1.1-2.

¹⁶⁰ Cass. Dio. 44.7.3. For the distinction between φθόνος and νέμεσις cf. Kaster (2003).

Dio's Cicero makes a similar argument shortly after this explanation of the historical causes, and results, of the dictator's assassination. In this immediate narrative context, I find the comments of the historian's orator on competition and factional disunity and fragmentation significant. He exhorts the Romans to

give up our mutual enmities, or jealousies (πρὸς ἀλλήλους ἔχθρας ἢ φιλονεικίας), or whatever else one should call them, and **return to our former state of peace and friendship and harmony** (εἰρήνην καὶ φιλίαν καὶ ὁμόνοιαν); and we should remember, if nothing else, that as long as we conducted our government in this latter way, we acquired wealth and fame and territories and allies. But **since we have been led into injuring one another...we have become decidedly worse off** (ἀφ' οὗ δὲ ἐς τὰ πρὸς ἀλλήλους κακὰ προήχθημεν...πολὸν χεῖρους ἐγενόμεθα). And I for my part think that nothing can save the state at this time unless we adopt a policy this very day and with all possible speed, **or else we will never be able to regain our former position** (οὐδ' ἀναλαβεῖν δυνησόμεθα).¹⁶¹

The vocabulary in this instance is slightly different to the *lex Gabinia* speeches: φιλονεικία, rather than φθόνος, is the undesirable aspect of Republican political culture most to be abandoned. But while reading Cicero's reflection upon senatorial competition the reader cannot fail to think of the assassination of Caesar which occurred a few chapters before; nor indeed of the historian's reflection on the harmony and stability which his regime brought, dashed utterly by the φθόνος of his competitors. This seems to me an important reflection on what Dio describes as a crucial moment of στάσις, in which the historian uses his orator to set out his explanation: competition among the Roman aristocracy had bred φθόνος, leading to Caesar's murder and to renewed strife. Only by abandoning that course could the Republic be saved.

This point is furthermore made implicit by the list of *exempla* which Dio's Cicero relays later in the oration. Citing Marius, Sulla, Cinna, Strabo, Pomeius, and Caesar as proof of 'all the time we have spent wearing ourselves away fighting one another' (πόσον μὲν χρόνον κατατετρίμμεθα πολεμοῦντες ἀλλήλοις), the historian's message is that the same was of course happening yet again in 44 BCE; and this resulted directly from the φθόνος of Caesar's enemies, his former equals in the senatorial class.¹⁶² Dio seems to me to have made a conscious and deliberate choice in the amnesty-speech to bring forward the theme of φιλονεικία; and predicates this upon an immediately preceding narrative in which

¹⁶¹ Cass. Dio. 44.24.3-5.

¹⁶² Cass. Dio. 44.27.4-28.5. Shortly after this at 44.29.3 Dio's Cicero raises the topic of envy again.

φθόνος takes centre-stage as a key motive in dynastic power-struggles and renewed internecine conflict.

The ‘envy that results from ambition’ (φθόνους ἐκ φιλοτιμίας) therefore seems to me to have been elaborated not only in Cassius Dio’s three speeches of 67 BCE at a time of major constitutional crisis, but additionally a further time by Cicero in 44 BCE.¹⁶³ These, of course, are not the historian’s only explorations of the destructive problem of envy in a speech of the Late Republic; and it will be worthwhile to sketch out other iterations before moving on to Agrippa and Maecenas. There is, first and quite ironically, the example of Julius Caesar in his exhortation to the mutinying troops at Vesontio (38.36-46). I have already set out the programmatic statements in the narrative: Dio’s comments on Romulus’ murder of Remus, and his excursus on the inevitability of envy in a competitive δημοκρατία theoretically underpinned by equality of opportunity. In view of this, the (transparently disingenuous) comments of Dio’s Caesar to his troops seem significant, and are surely the historian’s own opinion on the problem of φθόνος. Encouraging his men to protect what they have against the ‘aggressor’ Ariovistus, the orator states the historian’s own belief that in a system in which two parties are equal, those left behind will inevitably envy their new superiors:

Many are plotting against [the Romans’] prosperity, since **everything that lifts people above their peers arouses both emulation and jealousy** (πᾶν γὰρ τὸ ὑπεραῖρόν τινας καὶ ζηλοῦται καὶ φθονεῖται); and **in consequence of this** eternal warfare is waged (κάκ τούτου πόλεμος αἰδιός) by all inferiors against those who excel them in any way...For it is impossible for men who have advanced to such distinction and to power so vast to live quiet lives without danger.¹⁶⁴

The intentions of Dio’s orator here, as I discussed in Chapter 3, are certainly not to be trusted. The historian has ensured that already in his narrative preface to the speech. Nevertheless, the view of Dio’s Caesar that those whose peers have excelled them must envy their new superiors is entirely consistent with the historian’s evaluation of the cause of Caesar’s assassination, the consequent discord, and, ultimately, the circumstances under which Octavian came to power and permanently abolished the *res publica*. Moreover, this oration arrives only shortly after the three speeches on the *lex Gabinia* in Book 36 and, later, the diegetic material of Book 37. That narrative of Pompeius’ exalted position and the φθόνος which (as Catulus prognosticated) would inevitably stem from it

¹⁶³ Cass. Dio. 44.2.3.

¹⁶⁴ Cass. Dio. 38.39.2-3.

culminated in him, too, incurring the envy of a former equal: Metellus. Like the assassination of Caesar, Pompeius' impotence in 60 BCE as a result of envy had grave consequences for the Republic in the historian's interpretation.

Antonius' *laudatio funebris* of Caesar, too, continues to focalise the problem of φθόνος in Dio's late *res publica*. I will discuss this oration in far more detail in Chapter 6, where a close reading will be required to explore Dio's presentation of the corrosive nature of Late Republican imperialism. But this speech, too, has explanations to offer on the historian's evaluation of the effect of φθόνος on the state, and these merit brief consideration here. There is, first, a short antithetical comment on Caesar's character: he neither neglected those in bad fortune nor envied those in good fortune (οὔτε γὰρ δυστυχήσαντά τινα αὐτῶν ὑπερεῖδεν οὔτε εὐτυχήσαντί τινι ἐφθόνησεν).¹⁶⁵ There seems to me little in this by way of historical explanation, and it may merely have been inserted to enhance the panegyric character of the funeral oration. More of interest, however, are Antonius' comments on the cause of Caesar's recall from his campaigns to Rome by his opponents in 50 BCE. After a reflection on the general's adventures in Gaul and Britain in that decade, Antonius summarises the reason for Caesar's order by the Senate to return to Rome:

If certain persons had not begun to stir up revolution and compelled him to return home before the appropriate time, **because they envied him** (φθονήσαντες αὐτῷ τινες) – or rather, envied you – then he would have subdued all Britain along with the other islands surrounding it and all Germany up to the Arctic Ocean.¹⁶⁶

In order to perceive the historical importance of φθόνος in Dio's vitiation of the Republic, we do not need to accept that Cassius Dio is here using his Antonius to reiterate his view of the historical cause of Caesar's recall to Rome. This caused discord within the Senate, some taking Caesar's side and others Pompeius'.¹⁶⁷ It is striking, however, that in his narrative of 50 BCE the historian does present the motives of those who worked for the recall in a manner equally unfavourably as his Antonius. He writes, for example, that M. Marcellus instigated the measure because he desired 'the immediate downfall of Caesar, since he was of Pompeius' faction' (πάντ' εὐθὺς ἐπὶ τῇ τοῦ Καίσαρος καταλύσει 'τῆς γὰρ τοῦ Πομπηίου μερίδος ἦν' ἔπραττε). Furthermore, Marcellus wished to have Caesar replaced as commander 'before the appointed time' (πρὸ τοῦ καθήκοντος χρόνου). This

¹⁶⁵ Cass. Dio. 44.39.2.

¹⁶⁶ Cass. Dio. 44.43.1.

¹⁶⁷ On which see Cass. Dio. 40.61.

close overlap with Antonius' reflection in his speech upon Caesar being recalled 'before the appropriate time' (πρὸ τοῦ προσήκοντος καιροῦ) indicates that Antonius is expressing views consonant with the historian's own interpretation. In Dio's view, moreover, Pompeius in 50 BCE had C. Marcellus made consul in order to use him against Caesar, seeing that Marcellus was hostile to this latter in spite of their relation by marriage (ἐπειδὴ τῷ Καίσαρι καίπερ ἐξ ἐπιγαμίας προσήκων ἐχθρὸς ἦν). It is not difficult, in this context and in the context of Dio's presentation of envy in this period as a whole, to imagine that Cassius Dio did believe that the φθόνος of Caesar's enemies precipitated their manoeuvres against him in 50 BCE as Antonius states.

This of course had dramatic political ramifications. Immediately after narrating these plots at Rome, the historian writes that the general 'was on no account inclined to become a private citizen again after holding such an important command for such a long time; and he was especially afraid of falling into the hands of his enemies'.¹⁶⁸ The emphasis on the length of Caesar's time with military authority abroad and the cachet of this again reflects the centrality of *imperii consuetudo* to the historian's conception of the downfall of the Republic: Caesar had simply become habituated to his own power, and had no intention of becoming a private citizen again. In consequence, Dio writes, the general courted favour at Rome, drew more senators to his side, and collected further money and troops.¹⁶⁹ The φθόνος of the general's opponents, then, merely strengthened his position and caused a rift in the Senate. Caesar would, of course, cross the Rubicon the next year. None of this, however, necessarily explains the comparative absence of φθόνος, which in Dio's record of the late *res publica* proves to be so destructive, in the Augustan account. Indeed, as I will show in Chapter 7, Dio presents the first *princeps*' monarchy as a moral corrective to precisely this problem. In this later narrative envy only occurs, peculiarly, in connection with the envy of another's virtue and patriotism – a volte-face of considerable proportion.

I suggest that, just as with the problem of the toxicity of the dictatorship as an exercise of sole power, and with the destructive issue of *imperii consuetudo*, Cassius Dio used the Agrippa-Maecenas debate to reflect a final time upon the problem of Late Republican φθόνος, and to outline his interpretation of the solutions to this. Paradoxically, in the historian's assessment it was the absolute power of a single monarch in Augustus which

¹⁶⁸ Cass. Dio. 40.60.1: ὁ οὖν Καίσαρ μήτ' ἄλλως ὑπομένων ἕκ τε τηλικαύτης καὶ ἕκ χρονίου ἡγεμονίας ἰδιωτεῦσαι, καὶ φοβηθεὶς μὴ καὶ ἐπὶ τοῖς ἐχθροῖς γένηται,

¹⁶⁹ Cass. Dio. 40.61-62.

broke the cycle of competition and envy, restoring the elite to relative harmony. In a similar fashion to his reflection on the danger of *imperii consuetudo* to the sole ruler – which served only to rehearse what had so often been a defect of Dio’s Republic – Agrippa again posits in his *proemium* that as a monarch, Augustus will attract only φθόνος:

O Caesar, do not be surprised if I try to turn you away from monarchy, even if under that system I would acquire many benefits from it – or at least if you held it. For if it were to be in your interest, I would of course desire it very much. But since monarchy does not offer the same benefits to rulers as to their friends, **but the friends can reap the fruit of all the benefits they wish safely and unenvied and the rulers on the other hand get only the jealousies and dangers** (ἀλλ’ οἱ μὲν καὶ ἀνεπιφθόνως καὶ ἀκινδύνως πάνθ’ ὅσα ἐθέλουσι καρποῦνται, τοῖς δὲ καὶ φθόνοι καὶ κίνδυνοι συμβαίνουσιν), I have decided as usual to look not to my own interests, but to yours and the common good.¹⁷⁰

This statement of Dio’s Agrippa is, again, a deliberately weak and illogical admonishment of the dangers of monarchy. To this point, the reader has seen time and again the deleterious effects of φθόνος; but certainly not in a monarchy. The grave threat of envy has been played out, quite recently in the narrative, in the example of Caesar’s assassination, precipitated in Dio’s view by the φθόνος of his enemies. Other figures, such as Pompeius, furthermore suffered seriously as a result of their enviable positions and took the Republic down with them as a result. Envy as a motivating factor in hostile senatorial action furthermore pervades Dio’s account of this period more generally.¹⁷¹ These opening lines of Agrippa on the danger of φθόνος certainly seem to me a summary of Dio’s view of the challenges the Augustan regime would have to face; but they clearly rehearse a key factor in the collapse of the Republic.

I may be reading too much into Dio to suggest that the orator’s focus on jealousy is especially significant in view of its placement: it is among the opening lines of the speech. And yet the closing lines of Maecenas’ response, too, also discuss the historical problem of φθόνος. In this way, the Agrippa-Maecenas debate is book-ended by jealousy. This is especially significant given the location of the exchange within the *Roman History* at a point of major constitutional transition between Republic and Principate. Envy has hitherto been a significant aspect of Late Republican political culture in the historian’s presentation,

¹⁷⁰ Cass. Dio. 52.2.2-3.

¹⁷¹ For the statistics, see pp.181-182 above.

brought repeatedly under the reader's gaze in speeches and narrative. Now, at this diegetic pause, Dio's Agrippa prognosticates that it poses an equally substantial risk to the new order to come.

But Dio interpreted the solution through his Maecenas. I repeat, here again, the concluding lines of that oration. I analysed these earlier in this chapter to demonstrate the historian's use of Maecenas to explain how Augustus overcame the reputational difficulty of dictatorship and kingship, and instead secured power by assuming a new title less odious to the contemporary perspective. The key, Cassius Dio states, to avoiding φθόνοϛ lay again in the self-presentation of the Augustan Principate:¹⁷²

decline the title of king, if you really do desire the reality of monarchy but fear the name of it as an accursed thing, and rule alone under the title of 'Caesar'. But if you come to require other epithets, **then the people will give you the title of *imperator*, just as they gave it to your father** (δώσουσι μὲν σοι τὴν τοῦ αὐτοκράτορος, ὥσπερ καὶ τῷ πατρὶ σου ἔδωκαν); and they will **revere you** (σεβιοῦσι) with another way of address, so that you may reap the crop of the reality of kingship **without the odium which attaches to the name of 'king'** (ἄνευ τοῦ τῆς ἐπωνυμίας αὐτῆς ἐπιφθόνου).¹⁷³

As I have already written in this chapter, Dio's Augustus followed this recommendation. The Romans, the historian states, 'hated the name of monarchy so much that they called their rulers neither dictators nor kings, nor any other such name'. But since monarchy was in any event necessary, they chose the name *imperator*, even for rulers who had not conquered in battle, 'in order that the rulers might seem to have their power not from domination, but from the laws'. Accordingly, Augustus assumed the title.¹⁷⁴ In the historian's assessment it is precisely by doing so that the new *princeps* avoided the φθόνοϛ which had killed his adoptive father, the last dictator. Dio's account of the abortive dictatorship grant of 22 BCE, which I explored earlier,¹⁷⁵ is revealing in this regard. Suffering famine and pestilence, the people offered Augustus the *dictatura*, wishing for an end to their problems: but he rejected the title: 'for since he already had power and honour well superior to the dictators anyway, he rightly staved off the jealousy and the hatred of that title' (ὁρθῶς τό τε ἐπιφθονον καὶ τὸ μισητὸν τῆς ἐπικλήσεως αὐτῶν

¹⁷² Further on this in Chapter 7.

¹⁷³ Cass. Dio. 52.40.1-2.

¹⁷⁴ Cass. Dio. 53.17.2-4.

¹⁷⁵ See pp. 161 above.

ἐφυλάξατο).¹⁷⁶ In Dio's view – and as his Maecenas recommends – Augustus' avoidance of the appearance of kingship remedied the problem of φθόνος. The fora in which the Republican elite had attempted to compete – the Senate floor, popular elections and assemblies, and the provinces – were not only brought under monarchical control, as Dio explains in Book 53. They were brought under the control of a monarch who, by avoiding the trappings of kingship which had brought fatal φθόνος to Caesar, avoided φθόνος himself, and secured the transition from Republic to Principate. The historian not only posits this hostile emotion, time and again, as the underlying factor in the cynical advances of the senatorial elite in his narrative. In his three 'defences' of the *res publica*, Cassius Dio constructs a narrative of the disastrous consequences of φθόνος in the first century BCE; and again, uses the speech of Maecenas to set out his solutions to that problem.

Conclusion

Cassius Dio conceived of overarching and consistent historical factors which in his interpretation undoubtedly precipitated the collapse of the Roman Republic. These, certainly, appear in his narrative on occasion. But their treatment is far more detailed in the speeches, in which the historian sets out his impression of what the contemporary response would have been to these factors at major points of constitutional difficulty.

It seems to me clear that Dio composed these speeches in such a way as to mirror, quite deliberately, the interpretative framework sometimes expressed in his own voice in the narrative. These orations are fully embedded in the historian's conception of constitutional change. In reflecting through his Catulus and Agrippa on the problem of individual commanders growing habituated to their own authority, the historian unveils a view which we find unexpressed elsewhere in his history: that *imperii conseutudo* had been a problem many decades indeed before the Caesar of Suetonius' biography, and that this was directly responsible for Marius', Sulla's, Pompeius', and Caesar's degeneration into *cupido dominandi*. He furthermore used his Maecenas to delineate his own interpretation of the measures necessary to counter this problem. Speech precipitates action: and Dio's Augustus will later follow precisely these measures. The historian's problematisation of the Republican *dictatura*, moreover, strikes me as highly sophisticated. Developed in the orations of Catulus, Cicero, and Agrippa, this problematisation shows that in the historian's view the conflation between the dictatorship and tyranny, as a form of

¹⁷⁶ Cass. Dio. 54.2.4-5. In this Dio captures the self-justifying tone of Aug. RG 5.

degenerate monarchy, grew increasingly acute in the Republican psychology. Moreover, this conflation in the historian's view was developed on different bases. In the context of 67 BCE one had the recent example of Sullan *crudelitas*, a conventional *locus* of tyranny. By 44 BCE, Dio's argument has developed: given the recent marches both of Sulla and Caesar upon the *urbs*, the dictatorship had additionally become associated with the forceful usurpation of power. It was, in any case, unsuitable for the needs of an overseas empire, as the historian elaborates through his Catulus; yet sole power in some form was necessary all the same. There was, finally, the pervasiveness of φθόρος in political life. A trope, yes, and not difficult to conceive of. But I can see no reason to doubt that the historian did indeed conceive of this emotion as having grave and far-reaching historical consequences, and the gravity of this problem is accordingly reflected in the speeches.

There remains the historical problem of speech itself. In Chapter 3, I argued that Cassius Dio retrojected his own contemporary anxieties about the probity of rhetoric onto the Late Republic, and indeed only onto that period. He conceived self-interested deception as a fundamental characteristic of political oratory in the first century BCE; and presents such deception as universally successful in commandeering the fora of debate. This, then, approximates with Factor 4 in my survey in the Introduction of Cassius Dio's explanation of the failures of the *res publica*. In inverse proportion, however, it is striking that Dio's 'defences' of the Republic are universally *unsuccessful*. All three orators – Catulus, Cicero, and Agrippa – are presented by the historian as working sincerely for the public interest, as advocates of the *status quo*. In the case of Dio's Catulus and Agrippa, their arguments are often transparently illogical and unconvincing, and I think intentionally on the historian's part. Catulus, by arguing for the importance of sticking to the law and electing a dictator to address the pirate issue overseas, merely rehearses all the reasons, reputational and constitutional, for which the dictatorship was wholly unsuitable to the task. Agrippa, too, presents *imperii conseutudo* and φθόρος as inevitable within monarchies as a basis for rejecting that constitution; but in doing so he merely rehearses the defects of Dio's Republic.

Herein lies the subtlety. Cassius Dio's 'defenders' of the Republic defend the indefensible, in both ethical and practical terms, and fail miserably. The *lex Gabinia* was ratified, contrary to the altruistic patriotism of Dio's Catulus. In the wake of Cicero's speech on the amnesty, M. Antonius – as I show in the next chapter – delivers a highly emotive *laudatio funebris* of Caesar, thereby enraging the plebs and generating renewed conflict. Agrippa,

obviously, argues for an idealised Republic which bears no semblance to the reality of the preceding narrative; and Dio's Augustus is left unpersuaded. In Cassius Dio's view, it was dishonest dynasts – Pompeius, Gabinius, Caesar, Antonius, Octavian – who could command the floor in the Late Republic. Attempts to preserve the traditional order and traditional institutions – represented in Catulus, Cicero, and Agrippa – proved empty and unconvincing. The gulf between the ideal of the δημοκρατία and the grim reality had simply grown too vast.

Chapter 6: The Enemies of the Republic

Factor 5: Introduction

In this second case-study I demonstrate the way in which Dio deployed his speeches on imperial policy and military conflict more generally to argue that imperialism, too, was a causal factor in the decline of the Republic. I suggest that Cassius Dio conceived of the expansion of the *finēs* as the catalyst for the resurfacing of negative but previously dormant aspects of human nature which are played out in his narrative of Republican imperialism. In the aftermath of this narrative, the historian places speeches into the mouths of major military dynasts which entirely contradict the ‘true’ nature of their foreign policies as illustrated in the diegesis. Such orators, again, are presented as successful; and by obfuscating the true nature of Late Republican imperialism, they misdirect and prevent careful planning of imperial policy, hoodwinking Senate, people, and military into permitting the empire to become a space in which their personal *δυναστεία* can be cultivated. Military improbity abroad, therefore, generated rhetorical improbity at home – represented in the speeches. In Cassius Dio’s interpretation, this misdirection of sound debate directly enabled the Republican empire to become a space in which yet further *φιλοτιμία*, *πλεονεξία*, and *ἐπιθυμία* could be satisfied, and further *δυναστεία* acquired. This vicious cycle persisted until the imposition of competent superintendence by a single authority – Augustus – broke that cycle.

Cassius Dio was not the first historian to suggest that the expansion of the Roman *imperium* precipitated moral decline, especially after the disappearance of *metus hostilis*. As Fechner has argued, the view that security and freedom from fear precipitated moral degradation was a commonplace of Roman historiography which Dio too reflected.¹ Sallust wrote that it was only after barbarous nations, great kings, and *Carthago aemula imperii Romani* were crushed that moral decline took root in the *urbs*: *superbiam, crudelitatem, deos neglegere, omnia venalia habere edocuit; ambitio multos mortalis falsos fieri subegit*. The empire, he writes, was changed *ex iustissimo atque optumo* into a thing *crudele intolerandumque*.² But Sallust speaks of the problem as if of a sudden and unexpected change; he does not suggest that the vices of *ambitio* and *avaritia* were ever-present in human φύσις and were waiting for the catalyst which would unleash them. In this respect, then, the kernel of Cassius Dio’s thinking is closer to Tacitus, who suggests

¹ Fechner (1986) 136-154.

² Sall. *Cat.* 10.1-6.

that corruption is inherent in human nature, but can be triggered by external factors. I discuss this further in the next section.

The connection between republican imperialism and ethical collapse, then, was a well-furrowed field, and may have left Dio little room to be distinctive. But it seems to me striking – as I shall show in this chapter – that the historian went to particular lengths to examine the effect of these immoral foreign policies upon political rhetoric. The historian gives, as far as I can see, no overarching programmatic statement on the nature of Late Republican imperialism and the effects of this, as one finds in Sallust and Tacitus among others. Rather, he judged the deleterious impact of foreign policy in the first century BCE upon the Republican constitution in terms of its effect on public speech, and used the speeches to set out that explanation. In Dio, then, we find a problematisation of Late Republican imperialism which, certainly, built upon existing ideas about expansion and ethical decay. But this problematisation seems to me predominantly articulated to the reader in an unconventional way, through the speeches, and argues that Republican imperialism negatively affected deliberative oratory first of all. The degeneration of political culture and the constitution, then, emerged not in direct consequence of foreign policy, but rather in direct consequence of the *effect* of foreign policy on political rhetoric. To perceive this, we need the speeches.

But I am begging the question. To investigate Cassius Dio's conception of the effect of inherently corrupt φύσις upon debates on foreign policy and by extension upon the constitution, I must first show that he *did* conceive of φύσις as inherently corrupt. Therefore, in the first section of this case-study I briefly survey the historian's presentation and view of human nature, his relationship with his predecessors, and the recent scholarship on this question. In the second section I set out how the historian presented this conception of φύσις, and particularly the problems of φιλοτιμία, πλεονεξία, and ἐπιθυμία, as endemic within Late Republican imperialism in his narrative. Then, in the third section I turn to the speeches of Pompeius and Gabinius (36.25-28), Caesar at Vesontio (38.36-46), and Antonius' *laudatio funebris* (44.36-49). I suggest that these orations delivered by Dio's 'enemies' of the *res publica* elaborate the historical problem of the corrosive effect of morally bankrupt foreign policy, and the necessarily dishonest rhetoric it generated, upon political decision-making.

Dio and Φύσις

Until recently, two opposing theories prevailed in modern scholarship on Cassius Dio's presentation of the relationship between Republican imperialism and moral decline. The first, that of Fechner, suggests that like Sallust and Livy, Cassius Dio conceived of ethical decay as contingent upon imperial expansion and the removal of *metus hostilis*. In that regard, then, human nature altered along with the circumstances.³ Under such a conception, negative modes of behaviour, including φιλοτιμία, πλεονεξία, and ἐπιθυμία, emerged in direct consequence of the augmentation of the empire. In contrast, Martin Hose has argued that such an idea of moral development would be quite impossible, because like Thucydides, Cassius Dio believed that φύσις was a fixed and unaltering quality.⁴

Dio's history of the Republic, therefore, was not conceived according to a framework of moral decline (*Dekadenzmodell*). This would be inconsistent with the conception of man which Dio inherited from Thucydides. For, if human nature remains the same, then the notion of a *populus Romanus*, which is *pulcher, egregius, pius, sanctus atque magnificus* up to a certain point in time and only then morphs into the opposite as a result of empire and security, is unthinkable. In a 'Thucydidean' impression of mankind, man may be driven by ambition and the pursuit of profit at, indeed, any time.

According to Hose, then, it cannot be imagined that Cassius Dio believed in a degeneration of φύσις in the Late Republic as a result of increased wealth and security, because like Thucydides he regarded φύσις as constant. While Hose is surely right to account for Dio's often-attested admiration for that historian,⁵ this argument seems somewhat circular. He suggests that Dio could not have adopted one view of human nature on the premise that he adopted another. But that premise itself is not evidenced. The fact alone that Dio admired Thucydides does not prove that he endorsed his interpretation of a fixed and unaltering human nature, particularly in contrast to other Roman historians of the period such as Sallust and Livy. Moreover, Rees has recently written that from his narrative of the Corcyrean crisis it is legitimate to ask whether Thucydides did not believe that aspects of φύσις could alter or emerge according to political developments in any case.⁶

³ Fechner (1986) 136-154.

⁴ Hose (1994) 381-383. For the quote, 405. My translation.

⁵ Melber (1891) 290-7; Litsch (1893); Kyhnitzsch (1894); Schwartz (1899) 1690-1; Millar (1964) 42; Manuwald (1979) 280-284; Aalders (1986) 294; Lintott (1997) 2499-2500; Parker (2008) 77; Rees (2011) 62-86.

⁶ Rees (2011) 40-41.

In fact, Rees' recent suggestion strikes me as the most plausible. He argues that 'Dio believed that the moral decline and imperial augmentation of Rome caused an acceleration in the problems inherent in Republican politics, caused by human nature...constitutional change could affect human nature, either suppressing its worst elements or exaggerating and altering its effects'.⁷ According to this argument, Cassius Dio conceived of moral problems that were always inherent and dormant in φύσις, but which could be made to manifest themselves, or indeed to disappear, according to circumstances. This is attractive, and it is moreover suggested by Tacitus. Tacitus writes of an 'ancient and inherent' desire for power among mortal men, which exploded with the growth of the empire (*vetus ac iam pridem insita mortalibus potentiae cupido cum imperii magnitudine adolevit erupitque*). This explosion of immorality furthermore occurred when the world had been subdued and rival nations defeated (*ubi subacto orbe et aemulis urbibus regibusve excisis*). From that security, civic fragmentation and ultimately civil war emerged (*modo turbulenti tribuni, modo consules praevalidi, et in urbe ac foro temptamenta civilium bellorum*).⁸ In this chapter, then, I will accept with Rees that Dio took a Tacitean view of human nature, in which particular vices are *vetus ac insita mortalibus*; and that these only manifested themselves when the enlargement of the empire gave individual dynasts greater opportunities for satisfying their φιλοτιμία, πλεονεξία, and ἐπιθυμία.

In the next section I show that Cassius Dio presented these vices as rampant in the newly-enlarged empire, and used his speeches in a novel way: to explore the effect of this corruption upon political oratory and thus upon the Republican constitution. But it will first be worthwhile to define some of these terms and assess their centrality to the historian's conception of φύσις. I have already discussed φθόνος in the previous chapter. Although the historian believed, in connection with Romulus and Remus, that man is by nature predisposed to envy and scorn those who are equal to him and yet seek to surpass him,⁹ Dio nevertheless saw φθόνος as a problem of the Late Republic above all and as the inevitable result of a δημοκρατία based upon equality.¹⁰ This vice in human φύσις, then, could clearly manifest itself differently or to a greater extent in the historian's interpretation depending upon external factors, even if the vice itself was inherent. All φθόνος required, Dio suggests, was the catalyst – here theoretical equality and the resultant competition. In the next chapter I will show that the imposition of Augustus' benevolent and virtuous rule

⁷ Rees (2011) 53; 12-55 for a thorough discussion of Dio's treatment of φύσις, which it is not my aim to repeat here.

⁸ Tac. *Hist.* 2.38.

⁹ Cass. Dio. F 5.12.

¹⁰ Cass. Dio. 44.2.3.

precipitated the disappearance of negative φθόνος from political life in the *Roman History*. This inherent vice, then, both manifested itself and then receded according to the political circumstances.¹¹

The jealous begrudging of another's success was not, of course, the only ethical flaw pronounced especially in Dio's late *res publica*. Most commonplace of all in narratives of the decline of the Republic was πλεονεξία, and this accordingly takes a central position in Dio's vitiation of Republican imperialism. Although the Regal and Mid-Republican accounts are fragmentary, as I remarked in my discussion of φθόνος in the previous chapter, πλεονεξία occurs only twice in the surviving material of that period.¹² But it appears seventeen times in the Late Republic,¹³ and only once in the twenty-five books which succeed the Augustan era. The grasping desire to acquire more – πλεονεξία – was thus fundamental to the moral character of the first century BCE in Dio's view.¹⁴ The historian often expresses in gnomic language that πλεονεξία is inherent in human nature. In his account of Mithridates' and Tigranes' attempts to induce Arsaces of Parthia to join their alliance and declare war on Rome, he writes that the kings warned Arsaces to strike before the Romans should secure the opportunity: 'for every victorious force, by nature (φύσει), is insatiable for success, and sets no limit to its greed (μηδένα ὄρον τῆς πλεονεξίας ποιεῖσθαι).'¹⁵ Similarly, in the later speech of Cicero on the Amnesty, Dio has his orator declare that limitless greed and arrogance is the natural result of good fortune (τό τε γὰρ εὐτυχῆσαν ὕβρει τε πλεονάζει καὶ οὐδένα ὄρον τῆς πλεονεξίας ποιεῖται).¹⁶ M. Antonius, moreover, was greedy by his very nature in the historian's view and was accordingly detested by Brutus (ὕπ' ἐμφύτου πλεονεξίας ὀρῶν ὄντα, οὐχ ὑπεῖξεν αὐτῷ).¹⁷ Cassius Dio therefore appears to have viewed πλεονεξία as a vice *insita mortalibus*, but especially acute in the first century BCE.

Ambition, too, was a problem. As Rees has observed, φιλοτιμία was not a universally negative notion, particularly among Dio's recent predecessors of the Greek *poleis* such as Plutarch and Dio of Prusa.¹⁸ In these authors it could signify competition among local elites

¹¹ Pace Hose (1994), quoted above.

¹² Cass. Dio. F 40.38, F 73.4.

¹³ Cass. Dio. 36.1.2, 37.57.3, 39.26.2, 39.42.4, 41.28.2, 41.35.4, 41.55.4, 42.53.2, 43.38.1, 44.21.1, 44.29.2, 44.47.1, 45.14.1, 45.24.2, 45.26.1, 45.26.3, 46.41.2. Unlike my statistics on φθόνος, this data here was collected by Rees (2011) 18 n.40.

¹⁴ For further definition cf. Kuhn-Chen (2002) 165-167.

¹⁵ Cass. Dio. 36.1.2.

¹⁶ Cass. Dio. 44.29.2.

¹⁷ Cass. Dio. 45.14.1.

¹⁸ Rees (2011) 16; cf. Dio. *Or.* 4.4, 44.5; Plu. *Pol. Prag.* 798C, 819F.

to surpass one another in their euergetism toward the *polis* and thus to acquire individual prestige by way of serving the community. Dio clearly recognised this positive form of φιλοτιμία: he has both his Catulus and Agrippa assert in their ‘defences’ of δημοκρατία that entrusting power into the hands of many, rather than one man alone (here Pompeius *qua* commander and Octavian *qua* monarch), will lead men to vie and compete with one another not to further their own interests, but to magnify the Republic (ἀλλ’ ὅσῳ ἂν πλείους καὶ πλουτῶσι καὶ ἀνδρίζωνται, τόσῳ μᾶλλον αὐτοὶ τε φιλοτιμοῦνται καὶ τὴν πόλιν αὖξουσιν).¹⁹ In this way, φιλοτιμία could serve the community at large rather than the individual. But it is striking that, as I detailed in the previous chapter, this positive form of φιλοτιμία occurs only in the speeches of Catulus and Agrippa in Dio’s Late Republic:²⁰ that is, in two idealisations of a fantasy *res publica* which no longer exists and which fail to persuade the audience. These, indeed, merely serve to illustrate by contrast the proliferation of destructive ambition in the Late Republic, which Dio’s Maecenas twice states is germane to δημοκρατία.²¹

For ambition in Dio’s account of the first century BCE is an overwhelmingly negative force, and Catulus’ and Agrippa’s lone daydreams merely emphasise that truth. There is, first, Dio’s clearly-expressed view that envy emerges naturally (ἐγγενέσθαι) from φιλοτιμία and indeed inevitably under a δημοκρατία – and this φθόνος killed Caesar and threw the state into turmoil and civil war once again.²² Earlier, the historian writes that Tiberius Gracchus’s φύσις, among other external factors, only led him all the more readily into ambition (καὶ φύσει ἀξία αὐτοῦ χρώμενος, τά τε τῆς παιδείας ἔργα ἐν τοῖς μάλιστα ἀσκήσας, καὶ φρόνημα μέγα ἔχων...μᾶλλον ἔς τε φιλοτιμίαν ἀπ’ αὐτῶν προήχθη).²³ Dio’s assessment of his younger brother Gaius is quite similar. The former tribune had been led both away from and as a result of his natural excellence onto the path of ambition (ἐκεῖνος μὲν ἀπ’ ἀρετῆς ἔς φιλοτιμίαν καὶ ἐξ αὐτῆς ἔς κακία ἐξώκειλεν), whereas this Gaius pursued that path simply by his nature and his nature alone (οὗτος δὲ παραχώδης τε φύσει).²⁴ I have already outlined in Chapter 3 that Cassius Dio interpreted Caesar’s campaign against Ariovistus as a quest to satisfy his own φιλοτιμία and placed this accusation into the mouth

¹⁹ Cass. Dio. 36.36.1; 52.9.1.

²⁰ In this, then, I agree with Kuhn-Chen (2002) 168, who writes that Cassius Dio does not present ambition positively in the Late Republic. Rees (2011) 16 suggests otherwise, but it is striking that of his three examples of positive ambition, two are from the fourth and third centuries BCE and the other is from Dio’s Agrippa.

²¹ Cass. Dio. 52.15.4, 52.37.10. This is unquestionably the historian’s own view.

²² Cass. Dio. 44.2.3.

²³ Cass. Dio. 24 F 83.1.

²⁴ Cass. Dio. 25 F 85.1.

of his soldiers,²⁵ and will discuss this in more detail in the following two sections. So too with Dio's interpretation of Pompeius' manoeuvres to secure the *lex Gabinia*: he was spurred on to grasp after further power ὑπό τε τῆς ἑαυτοῦ φιλοτιμίας, but this was merely in accordance with his natural practice in the historian's view.²⁶ Like *πλεονεξία*, then, Cassius Dio viewed *φιλοτιμία* as an aspect of human φύσις which was quite inherent but which could be exacerbated by external factors, such as the character of the constitution – δημοκρατία, to which Dio writes explicitly that *φιλοτιμία* was germane – or increased opportunities for exercising it.

Then, finally, there is covetousness and desire in general (ἐπιθυμία). Quoting a programmatic passage of Dio, Rees has very deftly written that the historian 'sees ἐπιθυμία as an integral, if corrupt, part of human nature, but believes that it can be sublimated'.²⁷ He quotes an important passage on the reconciliation of the third king of Rome, Tullus Hostilius, and the Alban dictator Mettius Fufetius, which I translate here:

And so because of these things they each gave up that quarrel; but they disputed instead about the leadership. For they saw that it is impossible for two peoples to form an alliance on a basis of equal sovereignty, **because of the inherent desire of men to compete with their equals and to desire to rule others** (ἐκ τῆς ἐμφύτου τοῖς ἀνθρώποις πρὸς τε τὸ ὅμοιον φιλονεικίας καὶ πρὸς τὸ ἄρχειν ἐτέρων ἐπιθυμίας).²⁸

There are obvious similarities here with Cassius Dio's conception of the character of δημοκρατία: the historian believed that any system theoretically founded on equality, be that between citizens competing for distinction or equal allies ever seeking to be the stronger, would generate strife. As Rees has convincingly written, the historian did believe that such ἐπιθυμία could be controlled and made into a positive force.²⁹

But this is not my interest here. Rather, I am concerned with how Dio believed this inherent aspect of φύσις could manifest itself or become more pronounced according to the circumstances, particularly within the context of a large and wealthy Republican empire. In the second section of Chapter 5, I explored how Dio used his speeches to develop a problematisation of the Republican system of distributing power. I have suggested that he

²⁵ Cass. Dio. 38.35.2.

²⁶ Cass. Dio. 36.25.2.

²⁷ Rees (2011) 21.

²⁸ Cass. Dio. 2 F 7.2-3.

²⁹ Rees (2011) 21; for further on ἐπιθυμία cf. also Sion-Jenkins (2000) 80.

argues, through his speeches of Catulus and Agrippa, that *imperii consuetudo* became a fundamental problem in the Late Republic: individual commanders were too heavily relied-upon for exigencies abroad in lieu of a useless dictatorship, and developed a taste for their own control. The desire of individuals for *δυναστεία*, therefore, emerged directly from the organisation of power within the empire, and the empire helped them on the way to that goal. In that context, it is striking that Dio so often presents *δυναστεία* as the object of *ἐπιθυμία* in the Late Republic. As Kuhn-Chen has shown, Dio explicitly states that a number of individual dynasts – including Pompeius, Caesar, Octavian, Antonius, and less importantly Brutus, Cassius, and Cicero – were driven by their own *ἐπιθυμία τοῦ ἄρχειν*.³⁰ As I show in the next section, *ἐπιθυμία* could additionally serve as grounds for declaring war: Dio presents Caesar's manoeuvres deliberately to provoke the Herminians and then Ariovistus into war as precipitated by his own *ἐπιθυμία* for further power. Covetous desire can additionally be cognate with *πλεονεξία* in Dio's history of the Late Republic.³¹ In the historian's interpretation, Marius proscribed leading citizens in his consulship 'because of his desire for their money' (*ἐπιθυμία χρημάτων*);³² Sulla killed 'some because of envy, and others because of money' (*τοὺς μὲν φθόνῳ, τοὺς δὲ διὰ τὰ χρήματα*);³³ and the proscriptions undertaken by Antonius, Octavian, and Lepidus were each equally driven to act 'according to his own *ἐπιθυμία* and his private advantage' (*οἷα γὰρ οὐχ ἑνὸς ἀνδρὸς ἀλλὰ τριῶν πρὸς τε τὴν ἐπιθυμίαν τὴν ἑαυτοῦ ἐκάστου καὶ πρὸς τὸ ἴδιον συμφέρον πάντα ποιοῦντων*).³⁴ In Dio's history of the Late Republic, then, covetous desire is an especially manifold and destructive vice which, though always inherent in human nature (*ἐμφύτου τοῖς ἀνθρώποις*), proliferated in a manner commensurate with the increased opportunities to satisfy it through war and civil strife in the Late Republic.

Φιλοτιμία, *πλεονεξία*, and *ἐπιθυμία* therefore seem to me quite integral to Cassius Dio's conception of *φύσις*. These had occurred in the earlier sections of the *Roman History*, certainly, as aspects of human nature which in the historian's view were ever-present. But, just as *φθόνος*, these negative manifestations of the human condition appear markedly more pronounced in Dio's account of the Late Republic. It is difficult to escape the conclusion, with Rees, that Cassius Dio took a Tacitean conception of *φύσις* which understood that particular vices, *vetus ac insita mortalibus*, resurfaced or receded

³⁰ Kuhn-Chen (2002) 169-171. Cf. also Sion-Jenkins (2000) 80, who treats the phrase *ἐπιθυμία τοῦ ἄρχειν* as a Greek translation of the Latin *cupido dominandi*.

³¹ Kuhn-Chen (2002) 165-167; although cf. Rees (2011) 18 n.39 on the need to keep these two vices distinct.

³² Cass. Dio. 30-35 F 102.9.

³³ Cass. Dio. 30-35 F 109.10.

³⁴ Cass. Dio. 47.9.2.

according to the application of external stimuli. These vices, I go on to show briefly in the next section, are presented by Dio as rife within the theatre of Late Republican imperialism above all, where opportunities for glory through war and enrichment through subjugation were plentiful. In Dio's interpretation, this in turn generated a corruption of deliberation on foreign policy at home, enabling individual dynasts to convince Senate, people, and soldiery to continue to allow them to exercise their φιλοτιμία, πλεονεξία, and ἐπιθυμία within the empire. But that latter point is for section three, where we will again see the fundamental importance of the speeches within Cassius Dio's explanation of the collapse of the Republic. It will be helpful to first give an overview of Dio's presentation of Late Republican imperialism as a lens for shortly analysing the speeches.

Dio and Late Republican Imperialism

My intention here is not to give in this short space a comprehensive overview of the study of Roman foreign policy or of Dio's place within that field. This would be a worthy thesis in itself. Nor is it my intention to argue that Cassius Dio's hostile narrative of Roman military activity in the first century BCE is distinctive among our sources in and of itself – that is, without the speeches as a medium of explanation. For one, I have already recognised his debt to Sallust and Tacitus. However, two points do seem of interest here and point to the historian's originality of thought: his characterisation, first, of Republican imperialism as a form of slavery, striking from the Roman perspective; and second, his deliberate subversion of and attack upon the Thucydidean-Carneadic theory of 'defensive imperialism' through the speech of Caesar at Vesontio.³⁵ I will discuss here the three φύσις-themes of φιλοτιμία, πλεονεξία, and ἐπιθυμία; and Dio's presentation of Late Republican foreign policy as δουλεία. To 'defensive imperialism' I turn in the discussion of Caesar's exhortation at Vesontio in section three. My intention above all is to locate a narrative of first-century military activity in Dio which the speeches are transparently and deliberately made to contradict, and to sketch out Dio's distinctiveness in using his speeches in this way to implicate imperialism in the collapse of the Republic. If points emerge at which the narrative presentation itself of Late Republican foreign policy appears striking or distinctive, however, then that is a further welcome development.

I turn to πλεονεξία first. I have already noted the assertion of Roman greed which Dio places into the mouth of Mithridates and Tigranes as grounds to encourage Arsaces of

³⁵ I briefly review the literature on 'defensive imperialism' in the next section ('Degenerative Debate'), as an overview will serve no purpose here.

Parthia to enter their war: ‘for every victorious force is by nature insatiable for success and sets no limit to its greed, and the Romans, having already conquered many indeed, would not then choose to leave Parthia be’ (μηδένα ὄρον τῆς πλεονεξίας ποιῆσθαι).³⁶ While these, clearly, are the arguments that the historian imagined Mithridates and Tigranes might proffer, it is striking that he presents the two kings on the defensive here against Roman πλεονεξία and encouraging Arsaces also to act defensively, pre-empting a Roman attack to protect his borders. Dio is perhaps more hostile to Rome here than other sources. Appian suggests that Mithridates had long been preparing for the conflict and was by no means on the defensive.³⁷ Cicero additionally presents Mithridates as an aggressive expansionist in the *De Imperio*,³⁸ although his testimony is unreliable given his immediate political objective of magnifying the scale of the Mithridatic problem to justify further commands for Pompeius.

There was of course nothing new, and in this episode specifically, in Dio attacking Roman πλεονεξία from the enemy perspective: consider the letter of Mithridates in Sallust.³⁹ Nevertheless, this moment in Dio begins a sustained and consistent attack on the πλεονεξία of Late Republican imperialism which will persist throughout his narrative up to Augustus’ reign. Shortly afterward, Dio records that Lucullus rejected the propraetorship of Sardinia out of scorn for the endemic corruption among Roman provincial governors in general (μισήσας τὸ πρᾶγμα διὰ τοὺς πολλοὺς τοὺς οὐδὲν ὑγιᾶς ἐν τοῖς ἔθνεσι δρῶντας).⁴⁰ We do not hear of Lucullus’ hatred for the corrupt actions of Roman generals ἐν τοῖς ἔθνεσι elsewhere, and it is legitimate to believe that this embedded focalisation is Dio’s own reflection upon a more general problem. Certainly it does not apply only to Sardinia, but to the *provinciae* more broadly and the πολλοὺς who governed them in their own interest. The historian presents Late Republican imperialism as similarly pleonectic in his assessment of the sufferings of the Cretans at the hands of Metellus: ‘in addition to many other injuries’, Dio writes, Metellus took Eleuthera by treachery and then extorted money from the inhabitants (ἄλλοις τε οὖν πολλοῖς ἐκεῖνος ἐλυμήνατο, καὶ Ἐλευθέραν τὴν πόλιν ἐκ προδοσίας ἐλὼν ἠργυρολόγησε).⁴¹

³⁶ Cass. Dio. 36.1.2.

³⁷ App. *Mith.* 68-69. However, consider also that Appian suggests that Rome deliberately provoked the war by encouraging Nicomedes IV of Bithynia to launch an unprovoked attack upon Mithridates in 89 BCE, narrated in App. *Mith.* 11-14 and discussed also in Sherwin-White (1984) 108-120. Here Appian and Sallust *Hist.* 4.67.9 agree. On Appian’s sources for this incident cf. Kallet-Marx (1995) 250-254.

³⁸ Cic. *Man.* 4.

³⁹ Sall. *Hist.* 4.67.

⁴⁰ Cass. Dio. 36.41.1.

⁴¹ Cass. Dio. 36.18.2.

Dio's account of Crassus' proconsulship and *quinquennium* in the east from 54 BCE unfolds similarly. Crassus, he writes, wanted to achieve something which would bring him financial gain along with military glory (δόξης τε ἅμα καὶ κέρδους ἐχόμενον πρᾶξιαι). But finding his own proconsular province of Syria deficient in booty (μηδὲν ἐν τῇ Συρίᾳ τοιοῦτό τι εἶδεν), he began a long, and ultimately quite fruitless, engagement with Parthia: 'he had no complaint to bring against them; but he had heard that they were extremely wealthy (παμπλουσίους) and that Orodes would be easy to capture'.⁴² This hostile interpretation of Crassus' Parthian campaign seems to me naturally coloured by two factors. Firstly, Dio's belief that this action represented the beginning of centuries of hostility between Rome and Parthia,⁴³ which were still in train in Dio's own time and which the historian viewed as a fruitless waste of effort and resources.⁴⁴ And secondly, Plutarch's own presentation of Crassus, who writes that the general got the greater part of his wealth from warfare, making his profit from the miseries of the state.⁴⁵ Crassus, like Merellus, is nevertheless a further example of Cassius Dio's clear belief in the prominent role played by πλεονεξία in the Republican empire.

There was then the Egyptian débacle of 58-53 BCE, a further elaboration of the greed inherent in Roman foreign policy in this period. Following the deposed Ptolemy XII's flight to Rome, Dio describes Ptolemy's ability to corrupt the Senate at some length: his money was so effective (τοῖς χρήμασι κατεκράτει) that his often successful attempts to assassinate his political opponents went unmentioned in the Senate, and those within that body who worked most assiduously to restore him to this throne were those who had been paid the most. When Ptolemy had the leader of an Alexandrian embassy hostile to him assassinated too, he remained in favour through an alliance with Pompeius.⁴⁶ At this point the historian transitions to an account of the omens seen within the *urbs* that year and links these explicitly to senatorial corruption: 'and so while mortals undertook these affairs under the influence of money (ὕπὸ τῶν χρημάτων), the deity at the very beginning of the year struck the statue of Jupiter Albanus with thunder, and so delayed the restoration of Ptolemy for a while'.⁴⁷ Dio thus implicates the corruption of foreign policy by πλεονεξία in the manifestation of divine disfavour in the city.

⁴² Cass. Dio. 40.12.1.

⁴³ Cass. Dio. 40.14.1.

⁴⁴ Cass. Dio. 75[74].3.2-3.

⁴⁵ Plu. *Crass.* 2.3.

⁴⁶ Cass. Dio. 39.12-14.

⁴⁷ Cass. Dio. 39.15.1.

In that context, the historian's comments on A. Gabinius – the tribune of the *lex Gabinia* who Cassius Dio believed was a κάκιστος ἀνὴρ – are equally symbolic of his view of Late Republican foreign policy. During his proconsulship in Syria, like Crassus, Gabinius had been eagerly extorting the local population (πολλὰ μὲν καὶ τὴν Συρίαν ἐκάκωσεν), but again like Crassus was dissatisfied with the minimal profit to be gained from harrying this particular province (πάντα δὲ δὴ τὰ αὐτόθεν λήμματα ἐλάχιστα εἶναι νομίσας). Initially, Dio writes, he too planned an invasion of Parthia to gain their wealth for himself (τόν τε πλοῦτον αὐτῶν στρατεύσων).⁴⁸ However, distracted from this pleonectic venture by a large bribe from Ptolemy, he invaded Egypt in contravention of provincial law and the Sibylline books, and restored Ptolemy to his throne.⁴⁹ Again, Dio records that this infiltration of πλεονεξία had far-reaching political consequences at Rome: after recounting several unfavourable omens, Dio writes that ‘the Romans were distressed at these, and expected that worse ones still would occur because of the anger of the gods at the restoration of Ptolemy’.⁵⁰

There are of course numerous other examples. M. Antonius during his governorship of Macedonia ‘inflicted many injuries upon the subject nations and even upon territories allied to Rome...ravaging the possessions of the Dardanians and their neighbours’.⁵¹ The historian Sallust, in Dio's view, was entrusted by Caesar with the province of Numidia ‘ostensibly to manage, but in reality to harry and plunder’ (λόγῳ μὲν ἄρχειν ἔργῳ δὲ ἄγειν τε καὶ φέρειν ἐπέτρεψεν), and during this time took many bribes and confiscated the inhabitants' property (ἀμέλει καὶ ἐδωροδόκησε πολλὰ καὶ ἤρπασεν). Dio's criticism of Sallust's hypocrisy in this regard is especially satisfying: ‘after writing such treatises as he had, and making many bitter remarks about those who fleeced others, he did not practice what he preached. Therefore, even if he was completely exonerated by Caesar, yet in his history, as upon a tablet, the man himself has chiselled his own condemnation all too well.’⁵²

Cassius Dio's is therefore a consistent, albeit conventional, presentation of πλεονεξία in Late Republican foreign policy. The relationship he constructs between the greed rampant

⁴⁸ Cass. Dio. 39.56.1.

⁴⁹ Cass. Dio. 39.56.4-6.

⁵⁰ Cass. Dio. 39.61.3-4.

⁵¹ Cass. Dio. 38.10.1.

⁵² Cass. Dio. 43.9.2-3. Cary's 1914-1927 *LCL* translation. For an evaluation of this passage and the evidence for Sallust's corruption cf. Barr (2012) 58-63. However, cf. Syme (1964) 34, who observes that corruption charges were a convenient means of removing political opponents from power and may often have been false.

in the Egyptian *déba*cle and the manifestation of divine anger in the form of omens in the *urbs* is neat; and I see no reason not to accept that Dio believed that *πλεονεξία* may indeed have been the cause of inauspicious portents, heralding disaster for the state. More important for our purposes, however, is the narrative backdrop of endemic *πλεονεξία* on the part of individual commanders, onto which Dio will later superimpose his orations of the ‘enemies’ of the Republic: Pompeius, Gabinius, Caesar, and Antonius. It is telling that *πλεονεξία*, as a negative and inherent aspect of human φύσις in the historian’s view, is most frequently exercised within the theatre of the provinces. Dio’s implicit argument is that the breadth of the empire offered many new routes to satisfying individual greed, thus awakening the *πλεονεξία* which was *vetus ac insita mortalibus*. It is also telling that the period covered in Books 36-40, from which I have drawn the examples here, is the same period in which four of these five speeches fall. The contrasts between the improbability of the narrative and the idealised, patriotic imperialism of these mendacious speeches will be fresh in the reader’s mind.

The historian presents covetous desire or *ἐπιθυμία* as equally widespread within the empire. To return briefly to Crassus’ campaign against Parthia, Dio writes that it was not only financial gain that the general desired, but glory (Κράσσος ἐπιθυμήσας τι καὶ αὐτὸς δόξης τε ἅμα καὶ κέρδους ἐχόμενον πρᾶξαι),⁵³ and of *ἐπιθυμία* of this type there are many examples. Dio’s interpretation of Caesar’s motivation for provoking the inhabitants of the Herminian Mountains into war, during his proconsulship in Lusitania in 58 BCE, is highly similar. He writes that Caesar ignored the problem of banditry which was plaguing the province, and instead wished to use his position as a stepping-stone to the consulship through δόξα: ‘he desired glory (δόξης τε γὰρ ἐπιθυμῶν), emulating Pompeius and others before him...in fact, he hoped, if he should accomplish something here, to be chosen consul immediately’.⁵⁴ Accordingly, in Dio’s assessment Caesar ordered the inhabitants of the Herminian Mountains to move into the plain, giving as his pretext (πρόφασιν) the need to prevent further banditry, but in truth knowing that they would disobey and thus give him grounds for war (καὶ τούτου πολέμου τινὰ ἀφορμὴν λήψεται).⁵⁵ After crushing them, Dio writes, Caesar believed he had achieved enough for the consulship and left his province to canvass for the office even before his successor had arrived.⁵⁶

⁵³ Cass. Dio. 40.12.1.

⁵⁴ Cass. Dio. 37.52.1-2.

⁵⁵ Cass. Dio. 37.52.3.

⁵⁶ Cass. Dio. 37.54.1: πρᾶξας δὲ ταῦτα καὶ νομίσας ἰκανὴν ἀπ’ αὐτῶν ἐπιβασίαν πρὸς τὴν ὑπατείαν εἰληφέναι σπουδῆ πρὸς τὰς ἀρχαιρεσίας, καὶ πρὶν τὸν διάδοχον ἔλθειν, ὤρμησε.

Dio's presentation of Caesar's deliberate provocation of Ariovistus, the king of the Suebi, into war is almost identical. He writes that the Sequani and Aedui perceived the general's ἐπιθυμία for another war (τὴν τε ἐπιθυμίαν αὐτοῦ ἰδόντες), and accordingly offered him an excuse to war with Ariovistus as a 'favour' (εὐεργεσία). Caesar, in turn, was not concerned for the king's allied status, and indeed thought nothing of it in comparison with the δόξα to be got from a further victory, provided that he could provoke Ariovistus and thus secure a plausible pretext (πρὸς δὲ δὴ τὴν ἐκ τοῦ πολέμου δόξαν καὶ τὴν ἀπ' αὐτῆς ἰσχὺν οὐδὲν τούτων ἐφρόντισε, πλὴν καθ' ὅσον παρὰ τοῦ βαρβάρου πρόφασιν).⁵⁷ Dio's focus is again on Caesar's ἐπιθυμία τῆς δόξης.

In accordance with Dio's interest in the effect of the corruption inherent in φύσις upon Late Republican foreign policy – and, in turn, upon public debate on that policy, as we shall soon see – the historian seems here to concentrate on the moral aspect, on ἐπιθυμία, rather than on the legal problems. Dio has little to say about Caesar's legal position in crossing the Rhine and thus campaigning beyond the borders of his province of Gaul in 58 BCE. Clearly he recognised the issue: he writes that the mutiny at Vesontio occurred because 'all the soldiers were saying that they had no business with this war and that it had not been decreed (προσήκοντα οὔτε ἐψηφισμένον), but was merely being fought because of Caesar's private ambition (διὰ τὴν ἰδίαν τοῦ Καίσαρος φιλοτιμίαν)'.⁵⁸ He is, moreover, fully aware that Gabinius' incursion into Egypt in 55 BCE was forbidden by law: provincial governors, he writes, were forbidden from leaving their province or declaring war outwith its boundaries.⁵⁹ But he chooses to emphasise the φύσις aspect, of ἐπιθυμία. Certainly Caesar attempted to justify his attack on Ariovistus by this latter route, invoking a senatorial decree from 61 BCE which stipulated that *quicumque Galliam provinciam obtineret...Haeduos ceterosque amicos populi Romani defenderet*.⁶⁰ Caesar thus presented his attack on Ariovistus, ostensibly in defence of the Aedui (*Haeduos*), as a legitimate action.⁶¹ The *lex Vatinia* certainly gave Caesar a *quinquennium* over Cisalpine Gaul and Illyricum, to which a further senatorial decree added Narbonensian Gaul; and the terms of

⁵⁷ Cass. Dio. 38. 34.1-3. Consider also Suet. *Jul.* 24.3.

⁵⁸ Cass. Dio. 38.35.2. The exceptionality of the detail has been noted by Hagendahl (1944) 26: 'Dio is the only classical author who gives the remarkable piece of information that Caesar within his own army had been accused of starting a war on his own with no authority from the senate and the general assembly'. This detail, however, is already in Caesar's account of the mutiny, as Gabba (1955) 301 has noted, at *BG* 1.40: *primum quod aut quam in partem, aut quo consilio ducerentur, sibi quaerendum aut cogitandum putarent*. Dio could easily have found it there.

⁵⁹ Cass. Dio. 39.56.4.

⁶⁰ Caes. *BC.* 1.35.4.

⁶¹ On which cf. Hagendahl (1944) 12: 'this is the only place...where Caesar tries to corroborate the justness of a warlike undertaking by a reference to powers granted to him...Caesar had no other legal justification for his undertaking than the decree of the Senate three years earlier'.

all were extended by the *lex Trebonia* of 55 BCE.⁶² Tentatively, I am inclined to suggest that Dio chose to explore the problem of ἐπιθυμία in this instance, rather than the legal issues, not because he did not understand them; his own comments suggest he probably did. Rather, Dio treated the occasion as a further iteration of the destructive effect of an aspect of human φύσις upon foreign policy in the Late Republic because that is simply what he saw as the important issue. This, of course, will come to be elaborated in the speech of Caesar, which I analyse in the next section.

Other examples of ἐπιθυμία being satisfied within the empire are of course legion. One may consider Metellus' attack upon Crete, whose motive in Dio's interpretation was a 'desire for δυναστεία' (δυναστείας τε ἐρῶν);⁶³ like Caesar, he wished to use military success as the springboard to his own political cachet at home. Pompeius, in seeking after his controversial pirate command over the Mediterranean, thoroughly desired the extraordinary honour of the *lex Gabinia* (ὁ Πομπήιος ἐπιθυμῶν μὲν πάνυ ἄρξαι); and in Dio's reconstruction he pretended more than ever in this instance not to desire what he truly wanted (ἦν μὲν γὰρ καὶ ἄλλως ὡς ἥκιστα προσποιούμενος ἐπιθυμεῖν ὧν ἠθελε: τότε δὲ καὶ μᾶλλον). His aim, above all, was to secure glory (τὸ εὐκλεές) by appearing forced to accept his truest desire.⁶⁴ Equally, Dio presents Caesar's first expedition to Britain in 55 BCE in a similar light. He writes that he was particularly eager to cross over to the island (ἐπεθύμησε διαβῆναι), since opportunities for war - and thus further δόξα - were less abundant now that Gaul had been pacified.⁶⁵ The historian writes that very little was achieved, and Caesar sailed back to the continent. But his ἐπιθυμία τῆς δόξης had been fulfilled, all the same:

So he sailed back to the mainland and put an end to the disturbances. From Britain he had won nothing for himself or for the state except the **glory of having conducted an expedition** against its inhabitants (τοῦ ἐστρατευκέναι ἐπ' αὐτοῦς δόξα); but on this he prided himself greatly and **the Romans at home likewise magnified it to a remarkable degree** (οἱ οἴκοι Ῥωμαῖοι θαυμαστῶς ἐμεγαλύνοντο).⁶⁶

⁶² For the legal question cf. Hagendahl (1944); Ramage (2001); Also Mommsen (1874)³ 1088: 'wenn ein mit Rom befreundeter Staat gegen einen anderen mit Rom nicht im Bündniss stehenden dessen Hilfeleistung erbittet, so bedarf der Feldherr... der Autorisation des Senats.'

⁶³ ἔρως and ἐπιθυμία seem synonymous in this case.

⁶⁴ Cass. Dio. 36.24.5.

⁶⁵ Cass. Dio. 39.51.1.

⁶⁶ Cass. Dio. 39.53.1.

So ἐπιθυμία, both for wealth and glory through military conquest, seem to me fundamental hallmarks of Dio's illustration of imperial policy in the Late Republic. The inference to be drawn from the prominence of covetous desire, especially as a motivating factor in the selfish actions of individual dynasts within the *provinciae*, seems to me quite implicit. The enlarged physical space of the empire – Spain, Gaul, Britain, Syria and Parthia, Egypt – created also a moral space in which ἐπιθυμία, like πλεονεξία, could be exercised. These vices, certainly, were inherent aspects of human φύσις which lay dormant; but the proliferation in opportunities to satisfy these led naturally, in Dio's view, to a proliferation of occasions on which precisely that happened. ἐπιθυμία τῆς δόξης, in particular, occurs almost universally in connection with military activity. Commanders, such as Crassus, Pompeius, and Caesar are driven to campaign, often illegally or unconstitutionally, because of their desire to use conquest as a stepping-stone to δόξα and thus political power, as with Caesar's unjust campaign against the Herminians. Once again, all of these examples of ἐπιθυμία are drawn from Books 36-40, throughout which the four speeches of Pompeius, Gabinius, and Caesar are interwoven. They are an exceptionally negative narrative backdrop before which to place these speeches on foreign policy.

Finally, I close this section with some further words on φιλοτιμία and on Dio's presentation of Republican imperialism as a form of δουλεία. Rees has described φιλοτιμία as 'the dominant and most destructive vice in Dio's history',⁶⁷ and it is fully embedded within the historian's presentation of Late Republican military activity. There is, first, Dio's necrology of Scipio Africanus, who through his military career 'indulged his ambition more than was fitting or compatible with his virtue in general' (Σκιπίων ὁ Ἀφρικανὸς φιλοτιμία πλείονι παρὰ τὸ προσήκον τό τε ἀρμόζον).⁶⁸ Pompeius' attempts to secure the extraordinary powers of the *lex Gabinia* – which as I have discussed in earlier chapters had grave political consequences of their own in the historian's view – was generated not only by his ἐπιθυμία for τὸ εὐκλεές, but 'certainly by his own ambition' (γε ὑπὸ τε τῆς ἑαυτοῦ φιλοτιμίας) in Dio's evaluation.⁶⁹ One can equally recapitulate here on Caesar's campaign against Ariovistus. In addition to being a further extension in the historian's interpretation of the general's ἐπιθυμία τῆς δόξης, it also seems to me clear that the embedded focalisation Dio places into the mouth of Caesar's mutinying troops is very much the historian's own: 'all the soldiers were saying that they had no business with this war and that it had not been decreed (προσήκοντα οὔτε ἐψηφισμένον), but was merely

⁶⁷ Rees (2011) 15.

⁶⁸ Cass. Dio. 24 F 84.1.

⁶⁹ Cass. Dio. 36.24.5.

being fought because of Caesar's private ambition (διὰ τὴν ἰδίαν τοῦ Καίσαρος φιλοτιμίαν).⁷⁰ I have suggested that Dio may have found the legal detail – the suggestion that the campaign into Germania had been neither voted nor approved by the Senate (ἐψηφισμένον) – in the *BG* itself.⁷¹ But these comments on Caesar's φιλοτιμία are consistent with Dio's authorial presentation of the circumstances surrounding the general's calculated hostility to Ariovistus in 58 BCE. It is quite safe to conclude that the historian uses this quotation of the soldiers' objections to articulate his own interpretation of the historical factor which drove Caesar on campaign: φιλοτιμία.

Furthermore, such ambition exercised within the empire clearly engendered hostility between Pompeius and Caesar in Dio's view, particularly regarding each other's military achievements. In his account of the year 56 BCE, Dio writes of Pompeius' anger at Caesar's overshadowing his own achievements in Gaul:

The fact, however, that **Caesar's influence was increasing and the people admired his achievements so much** (αὐξανόμενος, καὶ ὁ δῆμος τὰ τε κατειργασμένα αὐτῷ θαυμάζων) that they dispatched men from the senate, on the supposition that **the Gauls had been completely subjugated**, and that they were so elated by their hopes based on him as to vote him large sums of money, was a cruel thorn in Pompey's side. He attempted to persuade the consuls not to read Caesar's letters immediately but to **conceal the facts as long as possible, until the glory of his deeds should win its own way abroad** (μέχρις ἂν αὐτόματος ἢ δόξα τῶν πραττομένων ἐκνικήσῃ, συγκρύπτειν), and furthermore to send some one to relieve him even before the regular time. **He was so ambitious** (τοσαύτη γὰρ φιλοτιμία ἐχρῆτο) that he undertook to disparage and undo all that he himself had helped to gain for Caesar, and that he was **displeased with him both because he was greatly praised and because he was overshadowing his own exploits** (καὶ ἐκείνῳ τε ἄλλως τε μεγάλως ἐπαινουμένῳ καὶ τὰ ἑαυτοῦ συσκιάζοντι ἄχθεσθαι).⁷²

This passage is revealing. Unquestionably φιλοτιμία was in Dio's evaluation a negative constant of human φύσις which could be satisfied within the theatre of the empire: I have just delineated the historian's comments on Pompeius' φιλοτιμία and the *lex Gabinia*, and Caesar's φιλοτιμία in the case of Ariovistus. But such ambition, exercised within the

⁷⁰ Cass. Dio. 38.35.2. Cf. Hagendahl (1944) 26: 'Dio is the only classical author who gives the remarkable piece of information that Caesar within his own army had been accused of starting a war on his own with no authority from the senate and the general assembly'. This detail, however, is already in Caesar's account of the mutiny, as Gabba (1955) 301 has noted, at *BG* 1.40: *primum quod aut quam in partem, aut quo consilio ducerentur, sibi quaerendum aut cogitandum putarent*. Dio could easily have found it there.

⁷¹ On p. 90 n.105 and in more detail at pp.210-211 above.

⁷² Cass. Dio. 39.25.1-3. Cary's 1914-1927 *LCL* translation, slightly modified (Cary translates φιλοτιμία as 'jealous', but this is not what Dio means).

provinces, clearly manifested itself in the form of aristocratic discord, too. Dio, I have already written, viewed envy as the natural result of competition among equals, which must inevitably occur in a δημοκρατία. Here Dio sets out plainly the corrosive relationship between ambition, satisfied through military activity within the empire, and the fatal rift between Pompeius and Caesar. To ensure that we get the point, Dio furthermore mentions Caesar's successes in Gaul – which were precipitated by his own φιλοτιμία – his *commentarii* to the Senate, and Pompeius' own φιλοτιμία, overshadowed by these recent successes.

But such ambition in Dio's view was simply an innate characteristic of both generals. Both, he writes, were spurred on to civil war by their innate ambition and their competition to satisfy it (ὅτι τοῦ τε παντὸς κράτους ἀμφοτέροι ἐφιέμενοι, καὶ πολλῇ μὲν φιλοτιμία ἐμφύτῳ πολλῇ δὲ καὶ φιλονεικία ἐπικτήτῳ χρώμενοι).⁷³ Φιλοτιμία was simply an aspect of their φύσις in Dio's view; and this aspect of course meets its fullest gratification within the sphere of the empire and military activity abroad.

It seems to me hardly possible to escape the conclusion that, in Dio's reconstruction of the Late Republic, these three foci of the corruption inherent in human nature - φιλοτιμία, πλεονεξία, and ἐπιθυμία – were made possible by, and were exercised predominantly within, the augmentation of the empire. To Dio, imperial expansion was the canvas on which to paint the moral turpitude of the Late Republic. Cassius Dio's was not, of course, the only history to illustrate Late Republican imperialism in this way; although Fechner is surely right to suggest that Dio's is the most hostile, brutal account of expansion in the first century BCE among our surviving ancient authors.⁷⁴ Perhaps that alone should give us pause. But Dio seems to me to have developed turbulence within the city and within the Republic at large in relation to military developments abroad. His use of omens in the Egyptian crisis, for example, implicates divine anger at the πλεονεξία surrounding Ptolemy in the manifestation of that anger in the political sphere, in the *urbs*.⁷⁵ In a similar fashion, Dio manipulates the annalistic structure – transitioning between military matters and then domestic matters by citing standard annalistic material, such as omens – to implicate the disaster of Crassus' Parthian campaign, presented in terms of ἐπιθυμία, within the chaos in

⁷³ Cass. Dio. 41.53.2.

⁷⁴ Fechner (1986) 216.

⁷⁵ Cass. Dio. 39.15.1; 39.61.3-4.

the city in 53 BCE.⁷⁶ Military and political, as shown in my quotation of Pompeius' and Caesar's φιλοτιμία in the excerpt above, exert a mutually catastrophic effect. Perhaps this is why Cassius Dio explicitly calls Late Republican imperialism a form of δουλεία.⁷⁷

Cassius Dio presented Late Republican foreign policy in an exceptionally hostile light. It was on the one hand the space in which φιλοτιμία, πλεονεξία, and ἐπιθυμία could be satisfied and, in consequence, further δυναστεία acquired. On the other hand (and in consequence of these vices), it was a form of δουλεία. Imperial expansion brought with it, in the historian's interpretation, a proliferation of those negative dimensions of φύσις which directly enabled individual dynasts to secure further δυναστεία – and thus end the Republic – by using it as a field in which to cultivate their ambition, wealth, and longing for prestigious glories. The intensity of Dio's hostility to Late Republican imperialism may be grounds to give us pause. But where the historian is more of interest, I think, lies in his use of this unfavourable narrative of Republican foreign policy as a backdrop before which to place his speeches. Dio deployed these, I argue now, to explore the effect of this degenerate imperialism upon political rhetoric at home, and the disastrous consequences of this for the *res publica*.

Degenerative Debate

In this third section I turn to the speeches themselves: those of Pompeius and Gabinius (36.25-28), Caesar at Vesontio (38.36-46), and Antonius' *laudatio funebris* for the dictator (44.36-49). All of these reflect upon Late Republican foreign policy; but not in a way that necessarily gives a radical re-evaluation of imperialism *per se* in this period. That is not their purpose. Rather, I suggest that against the unfavourable narrative backdrop I outlined in the previous section, Dio uses these orations to set out his interpretation of the corrosive effect of Late Republican expansion upon political oratory. I argue that through the speeches of these four self-interested dynasts, the historian articulates for the reader his view that corrupt foreign policies in the Late Republic necessarily generated a corruption of debate surrounding those policies. Individual commanders such as Pompeius, Gabinius, and Caesar, were able in Dio's reconstruction to misdirect decision-making by obfuscating the true character of their involvement in military matters. As I have elaborated in Chapters 3 and 5, such deceptive rhetoric is universally effective in Dio's Republic. In consequence,

⁷⁶ Cass. Dio. 40.17. On these standard urban annalistic elements, which include omens and portents as well as laws and elections, cf. Swan (1987) (1997); further here too on Dio's use of the annalistic structure more generally.

⁷⁷ E.g. Cass. Dio. 36.19.3; 38.38.4; 39.22.3; 39.54.2; 40.14.4; 41.13.3; 43.20.2. As Fechner (1986) 223 notes, this is not positive.

the *imperium Romanum* became a space in which power-hungry dynasts continued to exercise the immorality inherent in their φύσις unchecked, because the barriers which could otherwise impede them – Senate, people, soldiery – were under their control. This, naturally, precipitated further δυναστεία and thus the collapse of the Republic.

It will be worthwhile to discuss these in the order in which they appear; that is, in the order in which Cassius Dio expected his audience to encounter them. By virtue of their succession, and their embeddedness within Dio's account of immoral imperialism in Books 36-40, these form a logical unity which culminates in Antonius' long reflection on the character of Republican expansion in his *laudatio* of Book 44. This latter functions particularly as a retrospect on Caesar's career and on the role of imperialism within the collapse of the *res publica* as a whole, before a further narrative of renewed civil war between Antonius and Octavian.

Beginning, then, with Pompeius and Gabinius. Both transparently misrepresent the character of Late Republican military activity in order to satisfy the former's ἐπιθυμία τῆς δόξης and φιλοτιμία, and thus secure further δυναστεία. The historian states explicitly immediately before the speech that these were Pompeius' objectives.⁷⁸ I have already discussed, in Chapter 3, the historian's method of laying bare the true, self-interested intentions of the orators in his narrative prefatory comments; and Dio applies a similar authorial frame to the exhortation of Caesar at Vesontio, which I discuss shortly.

The gulf between the actual truth of Pompeius' involvement in the empire as presented in the historical diegesis and the misrepresentation of this in the *recusatio imperii* is made apparent to the reader by the disingenuously patriotic statements contained within it. This tone is established from the beginning. In his *exordium*, Dio's orator begins by asserting that all men, by their very nature, delight in having benefits conferred upon them by their fellow-citizens (φύσει τε γὰρ πάντες ἄνθρωποι καὶ ἐγκαλλωπίζονται ταῖς παρὰ τῶν πολιτῶν εὐεργεσίαις). Continuing in this vein, Dio's Pompeius repeatedly stresses that he is exhausted from a lifetime of devoted service to the state: these have left him wearied before his years (μηδ' ὅτι ἔτη τόσα καὶ τόσα γέγονα ἀριθμεῖσθε), and expressions of exhaustion recur several times in the short speech (κέκμηκα; κατατέτριμμαι; πεπόνημαι) as well as assertions that Pompeius has faced extraordinary dangers for the good of the people

⁷⁸ Cass. Dio. 36.24.5.

(ἐκινδύνευσα; πολλοὺς δὲ κινδύνους).⁷⁹ To complete this image of selfless devotion to the public welfare, Dio's orator closes by stating that he, surely, cannot be the only general who loves the *Quirites*, and that there must be other competent commanders of comparable patriotism (οὐ γάρ που ἐγὼ μόνος ὑμᾶς φιλοῦ ἢ καὶ μόνος ἐμπείρως τῶν πολεμικῶν ἔχω).⁸⁰

Thus far this serves only to demonstrate the speaker's duplicity: Pompeius was an habitual liar and used this effectively, in Dio's view of the late 60s, to secure further power for himself (ἦν μὲν γὰρ καὶ ἄλλως ὡς ἥκιστα προσποιούμενος ἐπιθυμεῖν ὧν ἤθελε: τότε δὲ καὶ μᾶλλον).⁸¹ However, two other points seem more of interest here: first, Pompeius' rehearsal of his many campaigns; and second – directly in this connection – the historian's interpretation of the *populus'* crazed love for the general. In Chapter 3 I have already noted the way in which Dio's Pompeius reflects upon his engagements in Sicily and Africa against the Marians and then in Spain against Sertorius. The historian's narratives of both are lost; but I have argued that it is likely that these engagements were presented as an exercise in garnering *δυναστεία*, as Dio brings this dimension to the fore even in his account of Pompeius' earliest military career. Plutarch, moreover, stresses the lengths to which Pompeius went to bully the senate into appointing him commander in the Sertorian war.⁸² In an important section of his *recusatio*, Dio's orator recounts the direct political impact at home of his many military successes abroad:

Do you not recall how many hardships I underwent in the war against Cinna, though I was the veriest youth, and how many labours in Sicily and in Africa before I had as yet come fully of age, or how many dangers I encountered in Spain before I was even a senator? I will not say that you have shown yourselves ungrateful toward me for all these labours. How could I? On the contrary, **in addition to the many other honours of which you have deemed me worthy** (πρὸς γὰρ τοῖς ἄλλοις ὧν πολλῶν καὶ μεγάλων παρ' ὑμῶν ἠξιώθη), the very fact that I was entrusted with the command against Sertorius, when no one else was either willing or able to undertake it, and that **I celebrated a triumph, contrary to custom**, upon resigning it, **brought me the greatest honour** (τό τε ἐπινίκια καὶ ἐπ' ἐκείνη παρὰ τὸ νενομισμένον πέμψαι μεγίστην μοι τιμὴν ἤνεγκεν).⁸³

⁷⁹ Cass. Dio. 36.25.1-4.

⁸⁰ Cass. Dio. 36.26.4.

⁸¹ Cass. Dio. 36.26.5.

⁸² Discussed on p.85 above.

⁸³ Cass. Dio. 36.25.2-3.

An historical explanation is being offered here. After listing his successful campaigns in this manner, Dio's Pompeius states that he was accordingly rewarded by the people, and indeed in an exceptional fashion: Pompeius' triumph broke convention (*παρὰ τὸ νενομισμένον*) in that he was merely an *eques* and so ineligible, and this brought him *μεγίστη τιμὴ* in the historian's view. Pompeius' political success in the *urbs* emerged directly from his successes abroad, even where these were motivated purely by the fulfilment of his desire for *δυναστεία*. These campaigns then satisfied the general's *ἐπιθυμία τῆς δόξης* and *φιλοτιμία*.

But they additionally made the *populus* too crazed with enthusiasm to see the grave danger that further entrenchment of Pompeius' power would bring, as Catulus admonishes in vain. Immediately before this patriotic rehearsal of his many services to the *res publica*, Dio's Pompeius states, disingenuously, that 'I do not think it fitting that you should be so insatiable toward me (*ἀπλήστως οὕτω πρὸς με διακεῖσθαι*), or that I myself should continually be in a position of command.'⁸⁴ It seems to me revealing that this leads into the speaker's recapitulation of his campaigns abroad and the *μεγίστη τιμὴ* this had brought him, including an extra-legal triumph. Within this sentence, the phrase *ἀπλήστως οὕτω πρὸς με διακεῖσθαι* is of fundamental importance to the historian's interpretation of the historical situation in 67 BCE and the causal relationship between this situation and Pompeius' earlier campaigns. Dio's Pompeius, naturally, is being disingenuous in encouraging the *Quirites* not to be insatiable (*ἀπλήστως*) in their zeal for him. But the fact that they were is the historian's own view. In his narrative preface prior to the *recusatio*, Dio states that Pompeius sought after the command because of the zeal of the people and his own ambition (*ὑπὸ τε τῆς ἑαυτοῦ φιλοτιμίας καὶ ὑπὸ τῆς τοῦ δήμου σπουδῆς*).⁸⁵ The speaker's rehearsal of his many military successes is of course intended within the depicted context to exacerbate that zeal. The historian's interpretation, it seems to me from the speech and its surrounding material, is this: although Pompeius' early career had likely been a quest for *δυναστεία*, the craze of the populace for such successes (*ὑπὸ τῆς τοῦ δήμου σπουδῆς*) led them to be instantly predisposed to give him further extraordinary powers. Pompeius furthermore emphasises that predisposition (*ἀπλήστως*). In consequence, the general in Dio's view capitalised on the opportunities offered by this, misrepresenting his career as a long endeavour of self-sacrifice for the good of the *res publica*, and thereby satisfying his *φιλοτιμία* and desire for *τὸ εὐκλεές* even further by

⁸⁴ Cass. Dio. 36.25.1.

⁸⁵ Cass. Dio. 36.24.5.

securing the *lex Gabinia*. It was a vicious and destructive cycle. Self-interested expansion was artfully misrepresented by selfish leaders, causing the people to make rash decisions and ignore genuine patriots, such as Catulus, and in consequence give dynasts even further opportunities to satisfy their immorality – and further their *δυναστεία* – abroad.

Gabinus' response elaborates this further. Like Pompeius' *recusatio*, I have already analysed this speech, in Chapters 3 and 5, from the viewpoint of the pervasion of mendacious rhetoric and φθόνος in Dio's Late Republican political culture. But these are not its only purposes within his account of the collapse of the Republic. Just as the *recusatio*, Gabinus' exhortation is a further exploration of the effect of degenerate foreign policy upon political rhetoric. This speech begins, like its predecessor, with hypocritical patriotic sentiments which Dio again uses to characterise Gabinus as another self-interested dynast. It is not, the tribune states, the business of a good citizen to have ἐπιθυμία, and especially not ἐπιθυμία to rule (οὔτε γὰρ ἄλλως ἀγαθοῦ ἀνδρός ἐστὶν ἄρχειν ἐπιθυμεῖν).⁸⁶ There is an obvious irony in this: the authorial narrative prior to the speeches states that Pompeius was eager for precisely that (ὁ Πομπήιος ἐπιθυμῶν μὲν πάνυ ἄρξαι),⁸⁷ and I have shown that ἐπιθυμία in Dio's Late Republic is a vice exercised in and through the military sphere in particular. To labour the point, Dio's Gabinus states that the *Quirites* should choose what is beneficial not to Pompeius, but to the state, and that the responsibility of the χρηστὸς καὶ φιλόπολις is to sacrifice himself, if need be, for his country – further irony in both respects given the character of the speaker and Dio's later description of his avaricious ventures into Parthia and Egypt.⁸⁸

Gabinus again rehearses Pompeius' military commands, which Dio believed made the populace insatiable in their zeal for him and so led him to greater *δυναστεία* (τῆς τοῦ δήμου σπουδῆς; ἀπλήστως). Like Pompeius, he mentions the general's success in the Sertorian war;⁸⁹ this reiteration serves again to underline the historian's view that misrepresenting such commands as a service for the public good enabled Pompeius to secure further power through the people *in contione*. Within this reflection on the commander's career, Dio's Gabinus additionally seems to me to appeal to the self-interest of the *populus* at large:

⁸⁶ Cass. Dio. 36.27.2.

⁸⁷ Cass. Dio. 36.25.5.

⁸⁸ Cass. Dio. 36.27.3-6. On Gabinus' corruption as a provincial governor see p.207 above.

⁸⁹ Cass. Dio. 36.27.3.

Or do you think that this Pompeius, who in his youth was able to make campaigns and lead armies, increase your own possessions (τὰ ὑμέτερα αὐξεῖν), protect the possessions of your allies (τὰ τῶν συμμάχων σώζειν), and acquire the possessions of those arrayed against us (τὰ τε τῶν ἀνθισταμένων προσκτᾶσθαι), could not now be most useful to you?⁹⁰

I may be reading too much into Cassius Dio's construction of this episode to suggest a certain irony in this statement: his Gabinius convinces the *Quirites* to afford Pompeius further opportunities to advance his own self-interest - ἐπιθυμία τῆς δόξης and φιλοτιμία – by appealing to the self-interest of the people at large. Again, the near-complete loss of Dio's account of Pompeius' early career means that we are unable to compare Gabinius' representation here of the general's movements, which portrays them as a service to the state, to the actual 'truth' as Dio conceived of it and illustrated it. But if the sole fragment which survives of this period is anything to go by, then the historian presented Pompeius' early military life as much as a quest for δυναστεία as the rest of his career would later turn out to be.⁹¹ In this regard, then, both Pompeius' and Gabinius' self-presentation of patriotic concern for the public good seems to me a deliberate invention of the historian's own devising, to demonstrate the effectiveness of such misrepresentations of military activity as a means of misdirecting the fora of debate. Such a misdirection, in the context of 67 BCE, of course had political consequences. Satisfying Pompeius' ambition and lust for glory, the honour of the *lex* subsequently left him at the mercy of the φθόνοϛ of Metellus and others as well as rendering him too exalted and over-confident to defeat Caesar at Pharsalus, both of which Dio's Catulus prognosticates, as I set out in Chapter 5.

But above all, the most interesting point (for the purposes of this chapter) that the historian verbalises through the speeches of Pompeius and Gabinius on the *lex* is his interpretation of the attitude of the public toward Pompeius in 67 BCE and the relationship between this and his success. By bringing forward the insatiable zeal of the *Quirites* in the *recusatio*, Dio explains that Pompeius' military successes were the cause of his μέγιστη τιμή, including his extra-legal triumph. These left the populace enamoured with him and willing to vote him further honours, which would ultimately prove fatal both to him and the *res publica*. By misrepresenting his campaigns as a selfless act of sacrifice for the public good, Dio's Pompeius and Gabinius successfully rendered the people even more crazed with admiration. It is highly unlikely, given the false tenor of the orations in general and Dio's

⁹⁰ Cass. Dio. 36.28.1.

⁹¹ Cass. Dio. 30-35 F 107.1.

presentation of both speakers as avaricious and power-hungry dynasts within the imperial sphere, that these comments on Pompeius' military activities were anything but a lie in the historian's view.

In Cassius Dio's evaluation of the *lex Gabinia*, then, the deliberate falsification of Roman imperialism and the consequent misdirection of imperial policy-making led directly to a dynast accruing further opportunity to satisfy his ἐπιθυμία and φιλοτιμία within the empire. The historian elaborates a similar point, I suggest, in the exhortation of Caesar to his mutinying subordinates at Vesontio. In Chapter 3 and in the second section of this chapter ('Dio and Late Republican Imperialism') I have already delineated Dio's interpretation of the episode. Only a brief recapitulation will be necessary: the Sequani and Aedui, perceiving Caesar's ἐπιθυμία for war with Ariovistus (τήν τε ἐπιθυμίαν αὐτοῦ ἰδόντες), happened to give the general precisely the excuse he wanted for conflict. Caesar provoked the king of the Suebi deliberately into hostilities, in order to secure a pretext (πρόφασιν τοῦ πολέμου) but his troops complained of their leader's illegality and his φιλοτιμία, unquestionably the historian's own view of the motivations which precipitated the conflict (οὔτε ἐνηφισμένον διὰ τὴν ἰδίαν τοῦ Καίσαρος φιλοτιμίαν).⁹² The speaker's implicit purpose is naturally to restore order and coerce the mutineers to undertake the campaign against Ariovistus. In this Dio's Caesar is highly successful: obedience in the matter followed with little difficulty (καὶ τοὺς γε στρατιώτας οὐ χαλεπῶς ἔπεισαν πειθαρχῆσαι).⁹³

Several scholars have treated Caesar's Vesontio-exhortation as a demonstration of the historian's own philosophical view on the nature of expansionism in general and appropriate imperial policy. A number of sentiments in the oration seem *a priori* to indicate the historian's acceptance of a 'defensive' philosophy of imperialism: that is, the belief that a state should not seek economic benefits from expansion nor should engage in warfare for the purpose of imperial augmentation, but rather should enter a war only to protect its *finēs*. Such a state, moreover, should be eternally prepared for war, so as to stave off conflict. This metrocentric interpretation of Roman imperialism, prevalent in older scholarship, holds that Rome's philosophy of expansion was constructed in that vein: Rome was in essence a peaceful state which only reacted militarily in response to aggressive neighbours.⁹⁴ Although more recent work, especially that of Harris, Sherwin-

⁹² Cass. Dio. 38.34-35.

⁹³ Cass. Dio. 38.47.1.

⁹⁴ On the theory of 'defensive imperialism' see first Frank (1914) and later the study of Badian (1968) 18-52.

White, and Kallet-Marx,⁹⁵ has reinterpreted this view of Republican foreign policy (and in Harris' case has argued precisely the opposite),⁹⁶ it is not my intention to contribute to that debate here. Rather, my concern lies with Dio's own interpretation of Late Republican imperialism and how he uses the speeches to demonstrate the effect of this upon public debate.

Some sentiments do seem to conform to a 'defensive' notion of imperialism. Dio's Caesar cites as *exempla* the major defensive wars of the Middle Republic:

The **Carthaginians** would have given [our ancestors] much money not to extend their voyages thither, and much would **Philip** and **Perseus** have given to keep them from making campaigns against them; **Antiochus** would have given much, his sons and grandsons would have given much, to have them remain in Europe. But those men in view of the glory and the greatness of the empire did not choose to be ignobly idle or to enjoy their wealth in security, nor did the older men of our generation who even now are still alive; nay, as **men who well knew that advantages are preserved by the same methods by which they are acquired, they made sure of many of their original possessions** and also acquired many new ones (ἄτε εὖ εἰδότες ὅτι διὰ τῶν αὐτῶν ἐπιτηδευμάτων καὶ κτᾶται τὰ ἀγαθὰ καὶ σώζεται, πολλὰ μὲν ἐβεβαιώσαντο τῶν προὔπαρχόντων).⁹⁷

The orator additionally makes several other statements which seem at first sight to underline this intention, such as warning the soldiers that, as many are plotting against Rome's prosperity, it is imperative to defend Rome's borders against its enemies.⁹⁸ The argumentation, certainly, makes ample use of defensive notions of imperialism to attain its objective. For this reason, a number of scholars have argued that Dio deployed this oration to set out his own philosophy of military activity. Most importantly, Gabba has argued from his reading of this oration that the historian adhered to 'defensive' notions of imperialism because of his admiration for Thucydides. He writes that, as Thucydides' view of the appropriate way to conduct foreign policy can apparently be traced back to the sophist Carneades, Dio uses his speech of Caesar to set out classical, sophistic conceptions of the imperative to defend oneself in a world governed by the necessity of conflict.⁹⁹ This

⁹⁵ Harris (1979); Sherwin-White (1984); Kallet-Marx (1996).

⁹⁶ Harris (1979) suggests that Rome was in essence aggressively expansionist and driven by economic motives; *contra* Sherwin-White (1984) 11-14. Rich (2004) has recently attempted to find a middle ground, exploring the fluctuations in Roman foreign policy that justified, at times, periods of active self-interest with intervals of hesitation.

⁹⁷ Cass. Dio. 38.38.2-3.

⁹⁸ Cass. Dio. 38.38-40 for the whole development of this thought.

⁹⁹ Gabba (1955) 304-305: For the argument as a whole, cf. 303-308.

view has been accepted by more recent scholars,¹⁰⁰ and Hagendahl, before Gabba, treated the views of Dio's Caesar on imperialism as the historian's own.¹⁰¹

This view is in error; and as Fechner has rightly observed, the only evidence for such a reading of Cassius Dio's views on imperialism lies in the exhortation at Vesontio.¹⁰² I have already shown in the second section of this chapter that Dio was conspicuously hostile to Late Republican foreign policy. In consequence, it is unthinkable that his Caesar's advocacy of defensive imperialism in any way approximates with what Dio perceived as the reality. Gabba's interpretation and subsequently those of Christ and Zecchini have emerged from overlooking the embeddedness of the speech within Dio's narrative. In the historian's view, Caesar's war against Ariovistus was an aggressive one, motivated purely by ἐπιθυμία and φιλοτιμία and other vices in human nature. He deliberately presents the campaign as such immediately prior to the oration. The irony – of having *Caesar* espouse defensive notions of foreign policy and the need to protect oneself from aggressive outsiders in a world governed by the necessity of conflict, and in *this* context – is obvious and deliberate. Speculatively, whether the historian intended the transparent irony of this aggressive speech advocating a defensive philosophy of imperialism to serve as some form of veiled attack on Carneades or sophistic notions of empire is unclear. It would certainly be consistent with the historian's hostility toward the sophists. It should, however, serve as a reminder that not every aspect of the *Roman History* can be traced back to Thucydides, and indeed that Dio had views of his own on the Late Republic to put forward which had little to do with him at all.

Dio's exhortation of Caesar at Vesontio therefore serves as a further example of a rhetorically-skilled general misdirecting decision-making by intentionally falsifying the true nature of his involvement in imperial expansion. There is, first, the deliberate misrepresentation of the campaign as a defensive endeavour to protect Rome's *finēs*, which the reader knows from Dio's own narrative preface to be absolutely false: it was an aggressive and unjustified campaign purely to serve the baser aspects of Caesar's φύσις, his ἐπιθυμία τῆς δόξης and φιλοτιμία.

Moreover, like Pompeius and Gabinius, Dio's Caesar clothes the corruption inherent in his φύσις - which he will of course go on to satisfy within the empire and thus secure further

¹⁰⁰ Christ (1974) 275, 279; Zecchini (1978) 33 n.60.

¹⁰¹ Hagendahl (1944) 37.

¹⁰² Fechner (1986) 216.

glory, power, and prestige – behind a veneer of patriotism and devotion to the *res publica*. The opening of the speech, for example, is an invocation to keep one’s private interests and those of the state separate; and, crucially, to keep self-interest out of debates on foreign policy (οὐ τὸν αὐτόν, ὃ ἄνδρες φίλοι, τρόπον ἡγοῦμαι δεῖν ἡμᾶς περὶ τε τῶν ἰδίων καὶ περὶ τῶν κοινῶν βουλευέσθαι).¹⁰³ This is highly significant. In the very first line of his Caesar’s exhortation, Cassius Dio underlines in explicit terms his interpretation of the fundamental historical problem of Late Republican imperialism. A Roman general declares an unjust and aggressive war, by means of calculated deception, for no other reason than to satisfy his personal ἐπιθυμία τῆς δόξης and φιλοτιμία; and begins his oration by exhorting the massed troops to keep their private ambitions out of debates on these matters. The irony is obvious. But more importantly, it serves to demonstrate Dio’s view of the historical situation and brings this to the reader’s attention from the beginning. Just as Pompeius before him, Caesar in Gaul deliberately obfuscated his selfish intention to use the empire as a launchpad for his own ambitions, and insinuated his own private interests into the debate. Just as Pompeius before him, he succeeded in misdirecting his audience and convinced them to allow him to continue solidifying his δυναστεία within the empire. And, just as Pompeius before him, yet another period of prestigious military success generated his *imperii consuetudo*, leading him to desire absolute power.¹⁰⁴ The corrosive effect of Late Republican imperialism on political debate, and thus upon the constitution, in Dio’s view was profound indeed.

Then, finally, there is the *laudatio funebris* of M. Antonius (44.36-49), set shortly after Caesar’s assassination and in the immediate aftermath of Cicero’s speech on the Amnesty (44.23-33). Whether the occasion of speech actually existed is not entirely clear. Appian writes that Antonius did indeed deliver a funeral oration for Caesar in the forum and that he was criticised for this. Importantly, he records that the Senate especially blamed him for his *laudatio* because ‘it was on account of this speech most of all that the people were incited to disregard the recently-approved decree of a general amnesty’ (ὕφ’ ὧν δὴ μάλιστα ὁ δῆμος ἐρεθισθεὶς ὑπερεῖδε τῆς ἄρτι ἐπεψηφισμένης ἀμνηστίας).¹⁰⁵ The significance of this in Dio’s account I will return to in a moment. Suetonius, on the other hand, writes explicitly that Antonius did *not* deliver such an oration and indeed in place of this (*laudationis loco*) had a decree of the Senate, voting Caesar apotheosis and other honours,

¹⁰³ Cass. Dio. 38.36.1. For further disingenuous patriotic appeals see throughout the section covering 38.36-38.

¹⁰⁴ Cass. Dio. 43.25.3; for discussion see p.165 above.

¹⁰⁵ App. *BC*. 3.1.2.

proclaimed publicly. He does state, however, that Antonius added a few further words to this decree (*quibus perpauca a se uerba addidit*), but does not specify their content.¹⁰⁶

It would be fruitless to compare Appian and Cassius Dio's *laudationes* of Antonius. The former numbers only a few lines of Greek, and the latter ten chapters, comparable in length to the involved creations of Catulus on the Gabinian law or Caesar's exhortation at Vesontio. It is striking, however, that where Appian's very brief funeral oration of Antonius makes no mention whatsoever of the dictator's military career,¹⁰⁷ Dio's Antonius elaborates (and misrepresents) this at considerable length. The immediate political consequences of this misrepresentation in the historian's presentation, as I will go on to show in this final study, were immediate and severe.

This speech of Antonius clearly seems to me to function as part of a pair, and this is important to recognise in placing the oration within Dio's explanation of the effect of amoral imperialism upon political oratory. As I explored in the previous chapter, Cicero's speech on the Amnesty is conciliatory in tone and achieved results which directly alleviated the factional crisis of the Caesarians and the tyrannicides. Dio writes that the speech succeeded in persuading the Senate to vote to restore harmony (τοιαῦτα εἰπὼν ἔπεισε τὴν γερουσίαν μηδένα μηδενὶ μνησικακῆσαι ψηφίσασθαι). At the same time (ἐν ᾧ), the assassins themselves promised to preserve the *acta* of the dictator intact, and all were eager to honour the spirit and letter of Cicero's proposal (παρὰ τὴν γνώμην αὐτοῦ ὄρμησαν).¹⁰⁸ The oration led directly to cohesion and reconciliation. Antonius' funeral speech, which follows a few chapters later, achieves the opposite result. In his prefatory remarks, the historian writes that the people, initially glad to be rid of Caesar's *δυναστεία*, were calm (οἱ τε πολλοὶ ἔχαιρον τῆς δυναστείας τοῦ Καίσαρος ἀπηλλαγμένοι).¹⁰⁹ But after hearing the dictator's will, the *populus* became excited (ἐταράχθησαν); 'and Antonius', Dio begins, 'aroused them yet more by stupidly bringing the body into the Forum, just as it was, covered in blood and open wounds, and by then delivering a speech to them which was ornate and brilliant, but not at all appropriate for the situation'.¹¹⁰ The oration on Caesar's actions in Gaul and Britain will lead, as Dio will later clarify in his concluding summary, to renewed anger, fragmentation, and civil war. Dio's 'defence' of the

¹⁰⁶ Suet. *Jul.* 84.2.

¹⁰⁷ App. *BC.* 2.144.

¹⁰⁸ Cass. Dio. 44.34.1-4.

¹⁰⁹ Cass. Dio. 44.35.1.

¹¹⁰ Cass. Dio. 44.35.4.

δημοκρατία in Cicero alleviates the crisis; and its immediate successor in Antonius, a dynast who himself used the empire for his own enrichment,¹¹¹ renews it.

Antonius devotes around a quarter of the speech to a reflection on Caesar's military career (44.40-44). In his introduction to this section the speaker states that he will discuss the dictator's political services to τὰ κοινὰ (περὶ τῶν κοινῶν αὐτοῦ πολιτευμάτων λέγειν),¹¹² but will pass over his campaigns and focus only upon his actions as a magistrate (ὅσα μὲν οὖν ἄλλως στρατεύόμενος ἐλαμπρύνετο... παραλείψω... ὅσα δὲ δὴ ἄρχων ὑμῶν ἔπραξε, ταῦτ' ἐρῶ μόνα).¹¹³ This is momentarily confusing in that the majority of this section in fact deals with Caesar's campaigns. However, this failed 'attempt' by Dio's Antonius to separate domestic from foreign corresponds precisely to the historian's interpretation of Late Republican imperialism. The self-interested actions of generals abroad were not a phenomenon distinct from the organisation of the *res publica*, but directly influenced it; and corrosively, as Pompeius, Gabinius, and Caesar's persuasive falsifications of the true nature of their policies, and their consequent transformation of the fora of debate into instruments to enable yet more of their corruption within the empire, confirm.

Antonius falsifies Caesar's military career, arranged chronologically, in a manner consistent with that established already in the interaction between the Vesontio speech and Dio's own narrative comments. He begins with his propraetorship of Lusitania (60 BCE).

First of all, this man went on campaign in **Spain; but finding its inhabitants disloyal** (ἐν Ἰβηρίᾳ, καὶ ὑπουλον αὐτὴν εὐρών), he did not allow them to become unconquerable under the name of peace, **nor did he prefer to spend his time as governor in peace and quiet rather than do what was best for the state** (ἐν ἡσυχίᾳ τὸν τῆς ἀρχῆς χρόνον διαγενεσθαι μᾶλλον ἢ τὰ κοινῆ συμφέροντα πρᾶξαι). Instead, since they would not willingly change their behaviour, he brought them to their senses unwillingly...for this reason, **you voted him a triumph for this and immediately made him consul** (τὰ ἐπινίκια αὐτῷ διὰ τοῦτ' ἐψηφίσασθε καὶ τὴν ἀρχὴν τὴν ὑπατον εὐθὺς ἐδώκατε). From this fact it was absolutely clear that **he had not waged this war for his own desire or glory** (οὔτε ἐπιθυμίας οὔτε εὐκλείας), but as a preparation for our future prosperity. In any case, he set aside the celebration of the triumph because of pressing public business, and after thanking you for the honour, **he**

¹¹¹ Cass. Dio. 38.10.1, at p.207 above in my discussion of greed within the empire.

¹¹² Cass. Dio. 44.40.1.

¹¹³ Cass. Dio. 44.40.3.

entered the consulship, happy with that alone as his glory (ἀρκεσθεις δὲ αὐτῇ ἐκείνη πρὸς τὴν δόξαν, ὑπάτευσε).¹¹⁴

This lengthy passage is revealing. Caesar's activities in Lusitania are misrepresented as τὰ κοινῇ συμφέροντα, even though Dio states in the narrative of the event itself that he was motivated purely by desire for his own glory (δόξης ἐπιθυμῶν).¹¹⁵ Moreover, Dio's Antonius states that Caesar chose not to pass his propraetorship in peace and quiet, because he wished to do good service to the *res publica* (αὐτὸς ἐν ἡσυχίᾳ τὸν τῆς ἀρχῆς χρόνον διαγενεσθαι μᾶλλον ἢ τὰ κοινῇ συμφέροντα πρᾶξαι). This is a deliberate overlap with the 'truth' of Dio's narrative of the general's time in Lusitania, in which he writes that, certainly, Caesar did not wish for 'peace and quiet' during his command (ἄνευ μεγάλου τινὸς πόνου καθήρας ἡσυχίαν ἔχειν, οὐκ ἠθέλησε).¹¹⁶ He wished, rather, to busy himself about satisfying his own ἐπιθυμία τῆς δόξης. Moreover, the causes of Caesar's campaign against the inhabitants of the Herminian Mountains during this time are here attributed by Dio's Antonius to their rebellious disloyalty (ὑπουλον αὐτὴν εὐρώων); but this is a fiction. In his account of the year 60 BCE the historian makes clear that while Caesar could have been at peace (ἐξὸν αὐτῷ εἰρηνεῖν), he made war deliberately against the Herminians under false pretexts and indeed provoked them deliberately into war with unjust demands.¹¹⁷ This he did purely for the hope that he would obtain the consulship as a result if he could pull it off (ἀλλ' ἤλπιζεν, ἂν τι τότε κατεργάσῃται, ὑπατός τε εὐθὺς αἰρεθήσεσθαι).¹¹⁸ Antonius' oration presents this consulship as a willing gift of the people, but it is clear that in Dio's narrative interpretation, Caesar conspired for it and sought to achieve it through the glory of unjust aggression. Moreover, Dio writes Caesar did not willingly set aside his triumph to attend to matters of state, as his Antonius is made to vaunt: Cato vigorously opposed it and had the measure scrapped.¹¹⁹

This polarity between the truth of Caesar's corrupt actions in Lusitania and their misrepresentation in Antonius is a highly sophisticated example of the pairing of *prosopopoeia* with narrative. Though separated by seven books and sixteen years of events, Dio maintains a focussed conspectus to make these two narratives of Caesarian expansion as contradictory as possible on every point. But this is not merely a display of compositional technique. By constructing the panegyric in this manner, Dio valorises his

¹¹⁴ Cass. Dio. 44.41.1-4.

¹¹⁵ Cass. Dio. 37.52.1.

¹¹⁶ Cass. Dio. 37.52.1

¹¹⁷ Cass. Dio. 37.52.3.

¹¹⁸ Cass. Dio. 37.54.1.

¹¹⁹ Cass. Dio. 37.54.2.

broader argument about the corruption of rhetoric on the empire. The misrepresentation of the moral baseness of Late Republican imperialism as the service of the state (τὰ κοινὰ) rather than oneself (τὰ ἴδια) will enrage the audience, vitiating Cicero's attempts to promote harmony and cohesion and leading ultimately to another civil war.

Before these ramifications, however, the historian sets out further examples. For Gaul, Antonius raises the contentious issue of alliances. Advertising 'how many and how great' Caesar's achievements were in this sphere (ὅσα αὖ καὶ ἡλίκᾳ), Dio's orator side-steps the issue of Ariovistus' status as a friend and ally of Rome while simultaneously recalling it: 'so far from being burdensome to our allies, he actually helped them, because he was in no way suspicious of them and furthermore saw that they were being wronged'.¹²⁰ Of course this refers to the campaign, ostensibly in defence of the allied Aedui and Sequani, against Ariovistus' incursions. Again the narrative and the speech are inconsistent. In the actual account of the affair, the Aedui and Sequani called Caesar to their defence 'because they saw his desire (ἐπιθυμίαν αὐτοῦ ἰδόντες) and sensed that his deeds corresponded with his hopes, and wished to do him a favour at the same time as taking revenge upon the Germans'.¹²¹ Caesar's deliberate provocation of Ariovistus solely for the sake of δόξα and ἰσχύς we have already seen in this context.¹²² There may also be a deliberate contradistinction between Antonius' statement that the general was 'not suspicious' of Rome's allies (μήτε τι αὐτοῦς ὑπόπτουσε) and the accusations of disloyalty, suspicion, and changing front levied against Ariovistus by Caesar in the Vesontio speech (ὑποπτὸς ἐστίν).¹²³ Again in his panegyric before the *populus*, Dio's Antonius misrepresents Caesar's actions in Gaul as an act for the good of the Republic: on two occasions the speaker states that these campaigns were undertaken 'for our sake' (ταῦθ' ἡμῖν προσκατείργασται),¹²⁴ when the narrative truth is a war of self-interested aggression whose object was to satisfy the corruption in Caesar's φύσις.

After Spain and Gaul, Dio's Antonius turns finally to the general's expedition to Britain in 55 BCE. This, too, is presented consciously and deliberately by the historian, by virtue of his earlier narrative of the event, as a false misrepresentation:

¹²⁰ Cass. Dio. 44.42.2:

¹²¹ Cass. Dio. 44.34.1.

¹²² Cass. Dio. 38.34.3.

¹²³ Cass. Dio. 38.42.1-5.

¹²⁴ Cass. Dio. 44.42.5; 44.43.2.

And had not certain people in their envy of him (φθονήσαντες), or rather of *you* (μᾶλλον δὲ ὑμῖν), provoked discord (ἔστασιάκεσαν) and compelled him to return before the needed time, then he would certainly have taken all of Britain along with the other islands that lie about it, and all Germany up to the Arctic Ocean...nevertheless, those men who had come to regard the constitution as no longer public, but their own property (μηκέτι κοινήν ἀλλ' ἰδίαν), prevented him from subjugating these.¹²⁵

Here those who began to lobby for Caesar's recall in 51 BCE are illustrated emotively as the enemies not only of the general, but of the *populus Romanus* as a whole. Of course what in fact induced Caesar to return from Britain, in Dio's account, was not the envy of his opponents in the city as Antonius falsifies, but an uprising in Gaul, as both Dio and Caesar's *commentarii* record in the narrative of the event.¹²⁶

The resurgence of the distinction between public and private interest is important in this excerpt. Throughout, and in common with all other Republican generals of high status, as I demonstrated in the second section of this chapter, Caesar's military activity has been unwaveringly depicted as a quest for the selfish objectives of δόξα, φιλοτιμία, and δυναστεία. In Dio's narrative the case of Britain was no different: he went for glory (τοῦ ἐστρατευκέναι ἐπ' αὐτοὺς δόξαι).¹²⁷ In this instance, to suit the purposes of the speech (to glorify Caesar and nullify Cicero's attempts to foster harmony) this truth is inverted. Caesar is made a champion of the common cause in the face of egocentric senatorial opposition. Of all of Dio's speakers on the empire, only one – Catulus – genuinely recognises the sanctity of separating τὰ κοινὰ from τὰ ἴδια, and speaks in a manner consistent with this separation. In his speech at Vesontio, Dio's Caesar opens with that exhortation, to keep selfish private interest out of debates, especially in that context on foreign policy (οὐ τὸν αὐτόν, ὃ ἄνδρες φίλοι, τρόπον ἡγοῦμαι δεῖν ἡμᾶς περὶ τε τῶν ἰδίων καὶ περὶ τῶν κοινῶν βουλευέσθαι).¹²⁸ But in so doing he only emphasises the historian's interpretation that such a distinction had utterly disappeared; all military dynasts, in Dio's view, used debates on foreign policy merely to further their private ambitions. In Antonius, this theme is raised for the last time in one of Dio's speeches on Late Republican foreign affairs. Like Caesar, Gabinius, and Pompeius, Antonius' refusal to follow the Catulan model of honest debate for the common good misdirects the *populus*. By granting the blurred distinction between τὰ κοινὰ and τὰ ἴδια within public speech a last expression in

¹²⁵ Cass. Dio. 44.43.1-3.

¹²⁶ Cass. Dio. 39.52.3.

¹²⁷ Cass. Dio. 39.53.1.

¹²⁸ Cass. Dio. 38.36.1.

the funeral oration, Dio closes his account of Late Republican imperialism with a final statement of its fatal flaw.

The political consequences of Antonius' falsification of Caesar's actions in Spain, Gaul, and Britain are immediate in Dio's reconstruction. As in Appian's account, they nullify the harmony fostered by Cicero's successful address. But Dio's speech of Antonius, and his explanation of the consequences, is far more detailed and intense than the comparatively laconic Appian. In Dio, speech motivates action in a way that is immediate and profound. Directly after the *laudatio* (τοιαῦτα τοῦ Ἀντωνίου λέγοντος), the audience became excited, then enraged, and went on a hunt for the tyrannicides, reproaching the Senate on the way. Setting up a pyre in the middle of the Forum, they nearly burned it down; this was prevented by the intervention of the soldiers and some rioters were thrown headfirst from the Capitoline. The tribune Helvius Cinna was murdered.¹²⁹ An altar set up to Caesar was dismantled by the consuls, those who erected it punished, and the office of dictator abolished.¹³⁰ Antonius took Dolabella as his colleague to prevent him from inciting further stasis (μὴ στασιάσῃ) and was corrupt in his administration of Caesar's acts – which all had previously promised to recognise after Cicero's speech on the Amnesty.¹³¹ Finally, Lepidus' own power was increasing and a marriage alliance between himself and Antonius, as well as the title of *pontifex maximus*, were needed to keep him in check.¹³² With this register of renewed discord, fragmentation, and Antonius' and Lepidus' increasing *δυναστεία*, Book 44 closes – and a new narrative, of Augustus' rise to power and the Second Triumvirate, begins.

Factor 5: Conclusion

Just as Cassius Dio presented a morally-upright and genuinely Republican manifestation of public debate in the first century BCE in his 'defences' of the δημοκρατία, so too did he present its antithesis in Pompeius, Gabinius, Caesar, and Antonius. The former are universally ineffective; and the latter, on each occasion, attain their selfish objectives. Indeed, in the case of Cicero on the Amnesty and its response in the *laudatio funebris* of Antonius, it is the dynast who in Dio's reconstruction undermines and ultimately reverses all of the Republican statesman's conciliatory work following Caesar's assassination. The historian, I have argued in Chapter 3, had clear concerns about the use and abuse of

¹²⁹ Cass. Dio. 44.50.1-4.

¹³⁰ Cass. Dio. 44.51.1-2.

¹³¹ Cass. Dio. 44.53.1-3.

¹³² Cass. Dio. 44.53.6.

oratory, and chose to explore the ramifications of this problem only in his speeches of the Late Republic. The political consequences of that issue in the historian's view were severe indeed.

And, I have suggested, in the military sphere especially. Two points are of particular interest here. Firstly there is the credibility of Dio's argument. To what extent can modern scholars be justified in accepting his interpretation that the immoral character of Late Republican foreign policies, as a playing-field for φιλοτιμία, πλεονεξία, and ἐπιθυμία, necessarily exerted a corrosive effect upon political debate surrounding those policies? And that, in consequence, this corruption of public debate enabled individual dynasts to misdirect decision-making, securing further prestigious commands and continuing to enhance their wealth, power, and prestige within the empire? Secondly, it also seems legitimate to ask whether this interpretation would be discernible without the speeches, and if so, how clearly and to what degree.

To turn to the first of these, I have argued in this investigation that Cassius Dio took a Tacitean view of human nature which accepted that certain base desires were inherent in φύσις, but could be made to manifest themselves or proliferate in response to external stimuli. We can be reasonably confident from Dio's own account of Late Republican foreign policy in Books 36-40 that he conceived of imperial augmentation, and its increased opportunities for vice, as that stimulus. Dio drew this from a long tradition of Roman historiography, beginning with Sallust or earlier; and in presenting Late Republican imperialism in this light he was not performing a radical re-evaluation of it. But I do not think that was his intention. Rather, Dio's purpose – and in keeping with his own interest in the use and abuse of oratory – was to demonstrate through his speeches the effect of such base imperialism upon political rhetoric within the centre. Through his orations of Pompeius, Gabinius, Caesar, and Antonius, Cassius Dio develops his argument: the corruption of Roman imperialism necessitated a corruption of debate on that imperialism, in which its true nature had to be obfuscated and misrepresented by ambitious dynasts to secure further power. The ramifications of this could be far-reaching: further commands for Pompeius and the consequent pride which would magnify and ultimately destroy him, in addition to the φθόνοϛ extraordinary honours would bring; further glory, might and prestige for Caesar in the wake of yet another military victory abroad; and further discord and civil war as a result of Antonius' deliberate misrepresentation of Caesar's campaigns as a benevolent service for the public good.

Speculatively, the historian may not have been wrong in suggesting that the character of Late Republican imperialism was deliberately falsified by dynasts and that this could misdirect decision-making. Caesar in his *commentarii*, quite understandably, presented his campaigns in Gaul and Britain in a favourable light to satisfy an immediate political objective. That self-justification responded to the contemporary problem of Caesar's legitimacy in commanding for so long a time; and a dispassionate, third-person register of the general's successful services to the *res publica* abroad might mitigate any hostile manoeuvres to impeach him, particularly if campaigns were believed to be progressing unsatisfactorily. Through his speeches, Cassius Dio seems to me to communicate his own view of the problem of rhetorical self-presentation – especially deceptive self-presentation – and the effect of this upon the apportioning of power within the empire.

Such a view could, naturally, be communicated through the narrative alone: I have set out Dio's unfavourable narrative presentation of Late Republican foreign policy in the second section of this chapter. But one wonders what the historian's explanation of the degenerative effect of the military dimension upon the political, constitutional dimension would have been if the orations I have discussed in this chapter were not present. Dio's hostility toward Late Republican imperialism would certainly still be discernible; this is not particularly elaborated in the speeches in any case. But how else might Cassius Dio have selected to explore the corrosive effect of imperialism upon public debate on military affairs, if not through representations of that debate? These furnished the historian with a persuasive means of demonstrating, for his reader, the political ramifications *domi* of individual dynasts' foreign politics *militaeque*; not in his own voice, but in the voice of the characters who were directly involved in accelerating that process of decline. To Dio, speech itself was part of the problem of the collapse of the *res publica*, and to perceive this, we need the speeches. But as I show in the third and final case-study, both morality and rhetoric undergo a tandem transformation in Cassius Dio's account of Augustus' reign, correcting the flaws of the Late Republic while simultaneously reflecting upon them a final time.

Chapter 7: Speech after the Settlement

Factor 6: Introduction

This final case-study investigates the changing role of speech in Dio's text. In his narrative of the Augustan Settlement of 27 BCE, the historian explicitly marks out the Principate as a new period not only in Roman history, but in his narrative. He writes programmatically that his work has moved into a new phase, contrasting the former period of the Republic (τὰ πρόσθεν) with the new monarchy under which he lived (τὰ μετὰ ταῦτα). He warns the reader that while it was easy to get publicly-recorded information for the Republican section, the secrecy of monarchical government made ἀκρίβεια much harder to achieve.¹ Dio's tone here is exculpatory, but the shift in his work to the new 'narrative mode' of the Principate is a real one.² Although the annalistic framework persists until the year 46 CE,³ Dio organises his material from Augustus' reign onward biographically around a single *princeps* and his family as the dominant causes of historical action, with a character-sketch and necrology book-ending each reign.⁴ As Dio's history changed, so too did his speeches.

Dio's speeches of the Principate have received far less attention than those of the Late Republic. The bulk of the scant scholarship elucidates how the historian used them to articulate his concerns about his own period. These fall under identifiable themes which are clearly present. The speeches of Livia and Cassius Clemens, for example, concern the clemency of the emperor (ἐπιείκεια);⁵ as a survivor of Commodus and Caracalla, Dio was especially interested in this theme.⁶ The battle exhortations of Boudicca and Marcus Aurelius are fundamentally concerned with magnanimity (μεγαλοψυχία), kindness (φιλανθρωπία), and other manifestations of imperial ἀρετή.⁷ Finally, some words of Hadrian on the adoption of Antoninus Pius exemplify Dio's recognition of the unfortunate contrast between legitimate succession under Antonine adoption and the internecine

¹ Cass. Dio. 53.19.1-5.

² Kemezis (2014) 94-104 on narrative modes.

³ Swan (2004) 19.

⁴ On Dio's 'biostructure' cf. Pelling (1997) *passim* and 117-123 for the character of the *princeps* as an historical cause in itself.

⁵ As Manuwald (1979) 120-127 has shown, ἐπιείκεια is the rendering of *clementia* most commonly found in Dio, though it seems to me that φιλανθρωπία has a similar sense in many contexts. However, cf. Wallace-Hadrill (1981) 307.

⁶ I am yet to find a discussion of the speech of Cassius Clemens (75[74].9). For the clemency speech of Livia (55.16.2-21.4) cf. Giua (1981) 324-325 and Swan (2004) 147-149; Adler (2011). Brief comments in Stekelenburg (1971) 134, Rich (1989), and Dowling (2006) 66-67.

⁷ I am yet to find a discussion of the speech of Marcus Aurelius (72[71].24-26). For the speech of Boudicca (62.3-6) cf. Gowing (1997; Adler (2008) sees the speech of Boudicca as a critique of Roman expansionism.

conflicts of the Severan age.⁸ After the reign of Augustus, Dio's speeches of the Principate are also uncharacteristically short: the longest, the exhortations of Boudicca and Marcus Aurelius, number only three chapters each.⁹ This may be due to the epitomators Xiphilinus and Zonaras, upon whom we are heavily reliant after Augustus' reign. Although Xiphilinus' epitome in particular was often faithful to Dio,¹⁰ both epitomators abridged heavily.¹¹ Nevertheless, it is clear that, just as I have argued that the speeches of the Late Republic explored the historical problems of that constitution and explained its demise, so too do the 'kingship speeches' of the Principate explore concerns intrinsically relevant to the character of monarchy.

The exploration of the ἀρετή of the ruler and the character of his regime was certainly one important aspect of the historian's speeches of the Principate. But it is not the complete picture. In this chapter, I argue that Dio composed his speeches of the Augustan period to reiterate the historical problems of the Late Republic and to demonstrate how a new political culture overcame those problems. I argue that the Augustan speeches are distinct both from the speeches of the later Principate, which explore the character of the ideal monarchy as such, and from those of the Late Republic, which Dio used to explain why the *res publica* failed. Rather, the Augustan speeches are placed within a transitional period in which both of these questions converge. The historian deploys these to reveal the ideal character of speech after the Settlement, presenting a new rhetorical culture which persuasively repeats the characteristics of the Late Republic which it eschews, and highlights the virtues of enlightened monarchy which are made possible by that new rhetorical culture. In this way, Dio placed the Augustan speeches at a liminal phase to serve as a final reflection on the historical problems of the *res publica* and as an explanation of how Augustan ἀρετή rectified those problems. They look back, to the speeches of the Late Republic, and forward, to the kingship speeches of the later Principate.

To demonstrate this I divide this chapter into three sections. In the first I sketch the historian's narrative presentation of Augustus' reign and its reinvention of notions of ideal

⁸ The only detailed work on the speech of Hadrian (69.20.2-5) is Davenport & Mallan (2014), which sees it as an advocacy of imperial adoption, on which cf. also Madsen (forthcoming, 2016). Further brief comments in Barnes (1967) 76-77.

⁹ Cass. Dio. 62.3-6; 72[71].24-26. The shortest, the speeches of Caligula and Tiberius, Hadrian, and Cassius Clemens, scarcely a chapter each: 59.16; 69.20.2-5; 75[74].9.

¹⁰ For comparisons of the parallel texts of Xiphilinus and Dio see especially Swan (2004) 36 n.151 and Mallan (2014).

¹¹ Swan (2004) 36-38.

kingship along the lines of ἐπιείκεια, μεγαλοψυχία, φιλανθρωπία, and παρρησία. Turning to this question will serve as a methodological basis for discussion of the speeches. In the second I discuss the ways in which the historian used Augustus (53.3-10), Livia (55.16.2-21.4), and Tiberius (56.35.41.9) to reflect a final time on the problem of φθόνος in the Late Republic. These speeches, I argue, function in concert with the favourable narrative of Augustus' reign to underline the historian's argument that the cycle of ambition and envy was broken by the new regime. In the third I examine how Dio used the Augustan orations to provide the reader with a retrospective view of the problem of δυναστεία and its negative ramifications in Late Republican imperialism and civil war. It is my suggestion that the historian used these speeches to demonstrate that the imperial virtues according to which he judged the first emperor (ἐπιείκεια, μεγαλοψυχία, φιλανθρωπία, and παρρησία) corrected the problems associated with Republican δυναστεία. The speeches of Octavian and Tiberius in particular verbalise a final time the historian's conception of Late Republican political and military life and underline how Augustan ἀρετή rectified its corrosive influence. Dio therefore embedded his final reflections on the δημοκρατία within a transitional stage: the reader can see the moral virtues of the new regime in the narrative immediately surrounding the speeches, but can additionally read reflections on the Late Republic which illustrate what its problems were by contrast.

Augustan Virtues

Cassius Dio's presentation of the first *princeps* has been a matter of debate. Noting the contrast between his unfavourable treatment of Octavian in the Republican books and his more sympathetic characterisation in the narrative of his reign as Augustus, older scholarship suggested that Dio changed source and simply followed the opinions of each.¹² Such a view does not seem likely. As I suggested in Chapter 2, the historian had ten years of reading Roman history to formulate his own impressions. It is not credible that in the composition-stage he would forget his own opinions and transmit those of a source which his research had led him to disbelieve.¹³ Millar's view was that Dio assembled his account from a medley of sources, given over neither to particular praise nor blame and "an attitude of mixed acceptance and indignation" to both *triumvir* and *princeps* in equal measure.¹⁴ The full exploration of Manuwald on the subject attributes the shift to the nature of the material. The *princeps* would attract less criticism than the Republican dynast in any possible view; but even after Actium, Dio's original assessment of Octavian as an

¹² E.g. Charlesworth (1934) 875-876 and Levi (1937) 415-434.

¹³ On Dio's sources for Augustus generally cf. Millar (1964) 84-101 and Manuwald (1979) 168-268.

¹⁴ Millar (1964) 83-102.

unscrupulous revolutionary and disloyal ally is not fundamentally reversed. The lack of either positive or negative extreme rendered his presentation of Octavian-Augustus, all in all, rather pale (*etwas blaß*) and Dio's only explicit authorial assessment of his character upon his death is positive, but sober (*zwar nüchtern, aber uneingeschränkt positiv*).¹⁵

More recent perspectives suggest that the historian approved of Augustus as a model *ruler*, but found the actions of Octavian the *dynast* less laudable, and moulded his presentation accordingly to each.¹⁶ This interpretation is far more sympathetic given Dio's hostile opinion of δημοκρατία and his approval of monarchy, although that preference is not particular to Dio within Imperial literature.¹⁷ Still, the competitive nature of the Late Republic, compared with the absolute authority of a single ruler, made reprehensible behaviour inevitable in his view. This, as Kemezis has recently shown, gets to the heart of my question of Dio's presentation of the Late Republic. Kemezis argues that it was not *possible* for Octavian to be a noble *dynast*. Only in the new narrative mode of the Principate could his positive characteristics flourish, liberated from the constraints of Republican corruption.¹⁸ Dio most clearly articulates this idea in the *recusatio* of Augustus in Book 53, to which I turn in the next section. The speech is fundamentally Republican in its deceptive character and hostile presentation of the speaker's motives; but is the last of its kind in the history, and hints at the positive aspects of enlightened kingship which will flourish in Dio's later narrative after Republican rhetorical culture has been abandoned.

The aspects of enlightened despotism according to which the historian judges Augustus' reign ultimately belong to the tradition of Greek philosophy and its influence upon rhetorical education. In assessing the first *princeps* (and indeed later emperors) according to a set of virtues Dio was not doing anything particularly new: temperance (σωφροσύνη), wisdom (φρόνησις), bravery (ἀνδρεία) and justice (δικαιοσύνη) had a long history.¹⁹ Dio is oddly silent on the golden shield of virtues presented to Augustus shortly after the Settlement, *virtutis clementiae iustitiae pietatis causa*,²⁰ although as Wallace-Hadrill has shown, this was by no means the establishment of a new 'canon' of virtues: varying combinations of virtues are attested and the theory of 'cardinal' virtues can be set aside.²¹ As I have shown in Chapter 4, Dio's writing was strongly influenced by the

¹⁵ Manuwald (1979) 273-276 for all of the above paraphrases.

¹⁶ Reinhold (1988) 13; Rich (1989).

¹⁷ E.g. Tac. *Hist.* 1.1.1, 1, 16.1; Sen. *Ben.* 2.20.2; App. *BC* 4.133.

¹⁸ Kemezis (2014) 120-126.

¹⁹ Plat. *Prot.* 349B, *Rep.* 4.428A; Xen. *Ages.* 3-6; Arist. *NE* 3-4.

²⁰ Aug. *RG* 34.

²¹ Wallace-Hadrill (1981) 300-307.

progymnasmata. In this regard his interest in conventional moral ideas of virtue seems likely to have more to do with the exercises in ἐγκώμιον and the βασιλικὸς λόγος, which drew from Greek philosophy,²² than in any personal interest in kingship literature.

In view of this philosophical influence (through the filter of rhetorical education), it is peculiar that the *laudatio funebris* of Tiberius, as Dio's ἐγκώμιον of Augustus *par excellence*, does not mention the cardinal virtues at all. Aside from one reference to φρόνησις,²³ the cardinal virtues of the Greek kingship speech are not mentioned once. Rather, Dio appears to have judged Augustus' regime by different parameters, and in a combination which is distinctively his own. The virtues mentioned in Tiberius' speech are μεγαλοψυχία (magnanimity),²⁴ φιλανθρωπία (liberality, kindness),²⁵ παρρησία (acceptance of free speech),²⁶ and ἐπιείκεια (clemency).²⁷ I will turn to the emphasis placed on these virtues in Tiberius' *laudatio* and in the other Augustan speeches in the third section. My interest is not in the philosophical history of these virtues or the originality of the combination – particular to Dio though it is. Rather, in sections two and three I outline how Dio presents this combination of Augustan virtues in the speeches of Augustus, Livia, and Tiberius as correcting the rhetorical and political culture of the Late Republic, as illustrated in the speeches of that period, and thus securing beneficial constitutional change.

An overview of these virtues in Dio's narrative of the years 27 BCE-14 CE demonstrates how consistently they characterise Augustus' reign. First, παρρησία. As Mallan has recently explored,²⁸ the historian viewed παρρησία as characteristic of the Roman Republic; it and its verbal form παρρησιάζομαι occur most frequently in the Late Republican narrative.²⁹ But this changed after the battle of Philippi: in the aftermath, Dio states that 'the people never again obtained genuine freedom of speech (ἀκριβῆ παρρησία)'.³⁰ This programmatic statement of a turning-point in the history of speech at Rome, which likens the death of 'genuine' freedom of speech with the advent of monarchy, bears some relation to Polybius, who presented παρρησία as the hallmark of

²² Kroll (1935) 206ff., Martin (1974) 177ff.

²³ Cass. Dio. 56.37.2: φρονιμώτατα.

²⁴ Cass. Dio. 56.39.3.

²⁵ Cass. Dio. 56.39.1, 56.40.6. The tracts of Men. Rhet. 3.374.28 and Arist. 9.16-24 treat φιλανθρωπία as a subdivision of δικαιοσύνη; Dio's rhetorical education may explain his use of the term.

²⁶ Cass. Dio. 56.40.3.

²⁷ Tiberius does not explicitly mention ἐπιείκεια but it is clearly implied at 56.37.2-3 and 56.38.1

²⁸ Mallan (forthcoming, 2016).

²⁹ Nawijn (1931) 606. Mallan's reference.

³⁰ Cass. Dio. 47.39.2.

democratic government.³¹ Yet despite the traditional Greek connotation of freedom of speech with political liberty,³² Dio's presentation of *παρρησία* in the Late Republican narrative and orations is markedly negative, as it is repeatedly misused for self-interested political objectives at the expense of harmony. The historian's fullest negative treatment of this theme came in the form of Cicero.³³ As I outlined in Chapter 5, the *consolatio* of Philiscus in Book 38 serves as Dio's own interpretation of the causes of Cicero's exile and his later assassination: 'I fear, as I look at your situation and remember your frankness of speech (τὴν σὴν παρρησίαν), and behold the power and number of your enemies, that you may be cast out once again'.³⁴ It was only natural in the historian's view that Cicero make himself hated because of his intemperate frankness (τῆ παρρησία ἀκράτῳ καὶ κατακορεῖ χρώμενος) and his longing for a reputation for eloquence outstripped his desire to be a good citizen.³⁵ To this argument Dio presents the unrestrained personal attacks of the Cicero-Calenus invectives of Books 45 and 46 as an unfortunate coda. That Dio drew the material for both directly from the original *Philippics*, as I suggested in Chapter 2, demonstrates his recognition of the ugly side of *παρρησία* in the Republic embodied in Cicero. Indeed, Dio's Cicero and Calenus both repeatedly mention *παρρησία* in the debate.³⁶ The historian uses these speeches in this highly politically charged context (the aftermath of Caesar's assassination) to demonstrate the relationship between frankness of speech – at its worst – and Republican aristocratic discord.

But under Dio's Augustus, *παρρησία* is reinvented as a positive force – a force which enables a more harmonious government. In the historian's presentation it is precisely the *princeps*' willingness to accept *παρρησία* which enables the other virtues of *ἐπιείκεια*, *μεγαλοψυχία*, and *φιλανθρωπία* to exist. Maecenas' list of recommendations on successful government included an instruction to the new emperor to grant his advisors *παρρησία* in expressing their opinion.³⁷ The reign as a whole is consistent with this. Thus, when Augustus stood in defence of Nonius Asprenas at trial and the prosecutor 'indulged in excessive *παρρησία*', that prosecutor later stood before the *princeps* to have his morality scrutinised. Augustus acquitted him, in a display of *μεγαλοψυχία*, on the basis that the

³¹ Polyb. 2.38.6, 6.9.4-5.

³² See Mallan (forthcoming, 2016).

³³ For assessments of Dio's hostile presentation of Cicero in general cf. Millar (1964) 55 and more recently Lintott (1977) 2514-2517; for a more positive view, cf. Fechner (1986) 48-57.

³⁴ Cass. Dio. 38.29.1.

³⁵ Cass. Dio. 28.12.6-7.

³⁶ As Mallan points out: 45.18.2, 45.35.1-2, 45.46.3, 46.9.4, 46.15.3.

³⁷ Cass. Dio. 52.33.6; see also Agrippa's request at the beginning of his oration at 52.3.3 for permission to speak his mind freely.

man's *παρρησία* was necessary for the moral good of Rome.³⁸ On another occasion, when the emperor was on the verge of sentencing men to death, Dio records that Maecenas had convinced him otherwise. Augustus, far from being displeased, was glad: 'because whenever he was given over to unfitting passion as a result of his own nature or the stress of his affairs, he was set right by the *παρρησία* of his friends'.³⁹ Augustan *ἐπιείκεια* is thus directly facilitated by *παρρησία*. Dio's clemency speech of Livia is similar: the speaker successfully craves the *princeps*' indulgence in allowing her to give her advice freely and advise *ἐπιείκεια* for the plotter, Cn. Cornelius Cinna Magnus.⁴⁰ Furthermore, Augustus refrained from delivering his *sententia* first in the Senate, but last, preferring to allow the senators to express their own without fear.⁴¹ Finally, he ordered the laws he had enacted to be inscribed and made public in the senate, allowing its members to speak out if any displeased them.⁴² Tolerance of *παρρησία* in Augustus' reign is praised also by Suetonius.⁴³ But in Dio it is particularly emphasised as the aspect of his rule which facilitates *ἐπιείκεια* and *μεγαλοψυχία*, and which stands in stark contrast to the Late Republican *παρρησία* of Cicero.

This tolerance of frank speech was what made Augustus *δημοκρατικὸς* in the historian's view. Such is the assessment of his character as a ruler which Dio attaches to the case of excessive *παρρησία* at Nonius Asprenas' trial above, and at another point in his narrative of Augustus' reforms to the provincial administration.⁴⁴ The term does not of course mean 'democratic' in the classical Athenian sense, nor indeed does it relate at all to the *δῆμος*. Rather paradoxically, it denotes the *princeps*' attitude to the senatorial elite and governing aristocracy – who stood most to lose under the new constitution – and his preservation of their safety and status.⁴⁵ The good *civilis princeps* would not only have to preserve the lives and property of his people, but to behave as one of them himself, refusing excessive honours and kingly adulation.⁴⁶ Thus Augustus behaved toward the people 'as if they were free citizens', making a habit of returning to the city at night so as not to trouble them with pomp and fanfares, and recording his property in the census 'just like any other *ιδιώτης*'.⁴⁷

³⁸ Cass. Dio. 55.4.3. Dio does not name Asprenas himself; Rich (1989) 102 supplements the name from Suet. *Aug.* 56.3.

³⁹ Cass. Dio. 55.7.2-3; again in the necrology at 56.43.1.

⁴⁰ Cass. Dio. 55.16.1-2. Further on this speech in the second and third sections which follow.

⁴¹ Cass. Dio. 55.34.1.

⁴² Cass. Dio. 55.4.1.

⁴³ Suet. *Aug.* 51, 56.

⁴⁴ Cass. Dio. 53.12.1, 55.4.1-2.

⁴⁵ Wallace-Hadrill (1982) and esp. 44 on Dio's use of the term *δημοκρατικὸς*.

⁴⁶ For *recusatio* cf. especially Beranger (1953) 152-157 and Wallace-Hadrill (1982) 36-37.

⁴⁷ Cass. Dio. 53.33.1, 54.25.4, 54.35.1, respectively.

There can be no doubt that Dio approved and holds Augustus aloft as a model in this regard – and indeed more so than Tacitus and Appian.⁴⁸

Acceptance of *παρρησία* was only one aspect of Augustus' rule as the ideal of the δημοκρατικὸς emperor. The other moral considerations of *ἐπιείκεια* and *φιλανθρωπία* mentioned in Tiberius' encomium of the ideal ruler are equally developed throughout the reign. Thus when Dio lauds the *princeps*' collaboration with Agrippa in public works, which were 'the most humane (*φιλανθρωπότατα*), most celebrated, and most beneficial of projects',⁴⁹ he does not mark out anything particularly unusual for Augustus' reign. Displays of generosity and kindness are common: one may consider his donations to those barred from the Senate on account of their wealth, but who deserved it for their upright living (*εὖ βιούντων*) – a recommendation found in Maecenas' speech;⁵⁰ or, after returning to the city at night to spare its people any bother, his subsidy of free public baths and barbers the following day; or his choice to fund the rebuilding of the Basilica of Paulus himself but allow Aemilius Lepidus to take the credit.⁵¹

The task of bringing Rome into a state of security after a century of intermittent political turmoil also gave the new *princeps* numerous opportunities to display his *ἐπιείκεια*. The degree to which we should trust the claim *victorque omnibus veniam petentibus civibus peperci* is a matter of debate,⁵² and numerous plots litter the account of Augustus' reign. The haphazard arrangement of these within the chronology speculatively suggests that Dio may have drawn these elements from a single source which treated the plots against Augustus in a thematic rather than chronological manner.⁵³ If that were the case, it would be less interesting than the fact that the historian deliberately broke from his annalistic sources to consult a work on that theme in the first place. The multiplicity of plots gave the historian a chance to elaborate on imperial *ἐπιείκεια*. For Dio's Augustus is a clement figure. There are certainly negative moments. Dio attributed his campaign in Gaul in 16 BCE to his need to vacate the city: many had grown to dislike the *princeps*' inconsistency in applying punishment. He had publicly humiliated Livia through his affair with Maecenas' wife.⁵⁴ Furthermore, Dio reports that Augustus was so furious with Julia's

⁴⁸ Swan (2004) 14-16.

⁴⁹ Cass. Dio. 53.23.4.

⁵⁰ Cass. Dio. 54.17.3, 55.13.6-7; for Maecenas, see 52.19.1-2.

⁵¹ Cass. Dio. 54.25.4, 54.24.2, respectively.

⁵² Aug. *RG* 3. See recently Barden Dowling (2006) 38-75.

⁵³ Andersen (1938) n. 74; Millar (1964) 87-90; but Pelling (1997) 132 suggests that the abandonment of the chronology in 53.23-24 is a deliberate choice of Dio's.

⁵⁴ Cass. Dio. 54.19.1-3.

nocturnal activities that he could not restrain himself, but banished her as well as executing her paramour Iullus Antonius for conspiracy.⁵⁵

Nevertheless, examples of his ἐπιείκεια are many. His willingness to accept the παρρησία of Maecenas and Livia exhorting him to clemency we have already seen. One may also consider the case of Rufus, unscathed after attacking the emperor's authority;⁵⁶ or Pollio's attempt to feed his slave alive to eels, prevented by Augustus' pity;⁵⁷ his refusal to punish women for their promiscuity in the wake of Julia's disgrace;⁵⁸ his attempt to control his anger at Sisenna, refusing to do or say anything violent;⁵⁹ his consternation at the plot of Cinna Magnus, not wishing to put the conspirators to death;⁶⁰ or, following the flight abroad of some plotters, his decision that in trials *in absentia* the jury's vote be public, but unanimous – a provision made 'not out of anger, but really for the public good'.⁶¹ Suetonius devoted a section of his life of Augustus to the conspiracies formed against the *princeps*' rule, but says nothing about Augustan clemency in this context and indeed little throughout the life.⁶² *Clementia* appears only once,⁶³ *venia* not at all, and *parco* once in the sense of sparing lives.⁶⁴ Dio, in contrast, eagerly promoted Augustan ἐπιείκεια and was convinced by this aspect of the *princeps*' self-presentation.

So Dio judged Augustus' reign with great favour. By presenting it as a major reinvention of Roman political culture the historian was doing nothing new; but in his focus on παρρησία Dio created a striking distinction between the *rhetorical* culture of the Late Republic, where excessive frank speech contributed to elite discord, and of the Augustan regime, where παρρησία facilitated clemency and magnanimous leadership. In microcosm this argument appears at its clearest when we juxtapose the invectives of Cicero and Calenus, where παρρησία generates disunity, with the speeches of Maecenas or Livia, where παρρησία leads to political harmony. Further, by assessing Augustus' reign according to a set of virtues laid out in the *laudatio funebris* of Tiberius, Dio took an established point from Greek philosophy and the encomiastic tradition, but reinvented it

⁵⁵ Cass. Dio. 55.10.14-15.

⁵⁶ Cass. Dio. 53.24.4-6.

⁵⁷ Cass. Dio. 54.23.

⁵⁸ Cass. Dio. 55.10.16.

⁵⁹ Cass. Dio. 54.27.4.

⁶⁰ Cass. Dio. 55.14.2.

⁶¹ Cass. Dio. 54.3.4-6: ὅτι γε ταῦτ' οὐχ ὑπ' ὀργῆς ἀλλ' ὡς καὶ συμφέροντα τῷ δημοσίῳ διέταξεν, ἰσχυρῶς διέδειξε.

⁶² Suet. *Aug.* 19.

⁶³ Suet. *Aug.* 75.1.

⁶⁴ Suet. *Aug.* 75.2. See Aug. *RG* 3. Suetonius uses *parco*- adverbially of restraint toward pleasures or expense.

within a combination of his own making. Παρρησία, ἐπιείκεια, μεγαλοψυχία, and φιλανθρωπία characterise his reign as a whole. Although aristocratic plots against Augustus do emerge, it is significant that no attempt is made to develop the motives or characters of the conspirators at all; many go simply unnamed. Rather, it is the new kind of aristocrat, Agrippa and Maecenas, upon whom the focus lies, who are presented throughout the narrative and especially in their necrologies as agents of the emperor's μεγαλοψυχία and φιλανθρωπία,⁶⁵ while the liberty of παρρησία and blessing of ἐπιείκεια flow from the emperor himself.

It is telling that when the competition opened for the consular elections in 22 and 19 BCE, it was both times a disaster in Dio's view. He writes that the citizen body fell again into factional discord and murders 'and thereby showed that it was impossible for them to be safe under a δημοκρατία'.⁶⁶ On both occasions the historian records that Augustus had to step in, saving a vestige of the Republic from its own uselessness. Dio presents the Augustan regime as everything that the Republic was not in the reflection quoted here. But to convince his audience of this argument, he placed the bulk of his final reflections on Late Republican political culture into his speeches of this period, not his narrative. These illustrate by contrast the reinvention of the nature of speech at Rome and the politics it generated, and juxtapose the character of the late *res publica* with that of the new regime which I have shown Dio praised. It is to these I now turn.

Reflections on the Late Republic: Φθόνος

Three historical themes are repeated in three of Dio's set-pieces of the Augustan period. First, the problem of φθόνος, which Chapters 5 and 6 showed was not a mere commonplace or rhetorical *topos*, but was central to the causal framework that Dio applied in the speeches to aristocratic fragmentation and the end of the Republic. Second, the issue of δυναστεία, the acquisition of which, I have demonstrated in the previous case studies, the historian presented as the primary objective of all major Late Republican military figures. And third, the three speeches of the Augustan narrative also reflect on the character of Late Republican imperialism and foreign policy, reiterating the conflation between the interest of the state (τὰ κοινὰ) and one's own benefit (τὰ ἴδια) and the abuse of the subject communities in the civil war. Through a reading of the orations of Augustus (53.3-10), Livia (55.16.2-21.4), and Tiberius (56.35.41.9), I argue in this section that the

⁶⁵ Cass. Dio. 54.29 (Agrippa); 55.7 (Maecenas).

⁶⁶ Cass. Dio. 54.6.1; 54.10.1.

historian deployed these speeches to reiterate each of these three historical problems of the Late Republic and to suggest their resolution by the new regime, using speech to build a persuasive interpretation of the causes and success of constitutional change.

To φθόνος first. As we have seen, envy of wealth or personal power lay at the heart of most hostile elite interactions in Dio's account of the Late Republic; this interpretation is distinctive to Dio among our Greek narrators of this period. The historian made this quite plain in the speeches of Pompeius, Catulus, Caesar, Antonius, Agrippa, and Maecenas. In the historian's interpretation – articulated in these orations – φθόνος was responsible for major political movements such as Pompeius' entry into the First Triumvirate and the assassination of Caesar, as well as a plethora of minor attacks by individuals Dio did not bring centre-stage. But like παρρησία, φθόνος is reinvented in the history. In the text of the Augustan Principate, it is transformed in two ways. On the one hand, this emotive aspect of aristocratic disunity disappears almost completely from the narrative and ceases to be a factor of history. On the other hand, where rarely it does occur – notably in the speeches of Livia and Tiberius – the object of envious desire radically shifts, from the acquisition of δυναστεία in all its forms (δόξα, ἡγεμονία, ἰσχύς, πλεονεξία) to the acquisition of virtue.

Φθόνος is mentioned four times in Augustus' *recusatio imperii* before the Senate in the narrative of 27 BCE.⁶⁷ Unlike the speeches of Livia and Tiberius which follow, the *recusatio* is fundamentally a Late Republican speech. At this point in the narrative, Octavian has not yet grown into the benevolent exponent of ἐπιείκεια, μεγαλοψυχία, φιλανθρωπία, and παρρησία. Rather, his characterisation is similar to Dio's other Late Republican dynasts.⁶⁸ The historian prefaces Octavian's speech with an authorial statement underlying his intentions: 'he wished to make another show of magnanimity (μεγαλοψυχία), in order that he might be honoured all the more from this fact, and to have his monarchy confirmed by willing men, rather than to seem to have forced them to do so'.⁶⁹ Of course this is not a *genuine* show of high-mindedness: the μεγαλοψυχία for which the emperor is praised in Tiberius' *laudatio* cannot yet exist,⁷⁰ for Dio's Octavian in 27 BCE is still compelled to speak in precisely the same manner as Pompeius forty years earlier. He is still in the 'Late Republican' mode.⁷¹ This seems to me signalled by the fact that the narrative preface to Octavian's *recusatio* is (unsurprisingly) similar to Pompeius'

⁶⁷ Cass. Dio. 53.3.1, 53.6.2, 53.8.6, 53.10.3.

⁶⁸ Kemezis (2014) 135-136.

⁶⁹ Cass. Dio. 53.2.6.

⁷⁰ Cass. Dio. 56.39.3.

⁷¹ Kemezis (2014) 94-104.

recusatio. In both, Dio spells out the orator's desire to rule, before creating the antithesis between the voluntary confirmation of the people and the wish to appear unwillingly compelled.⁷² It is important that Dio's vocabulary is markedly different in Octavian's case: gone is the mention of φιλοτιμία and τὸ εὐκλεές in the preface which were attributed to Pompeius. The tone is less critical. But both, he writes, desired τιμή and power, and were prepared to lie for it. So as the first speech of the Augustan narrative, the *recusatio* of Book 53 is also the last of the Republic. Contrary to one view, there is nothing unusual in examining the speech to understand Dio's view of the late *res publica*:⁷³ the episode is structured to make the reader do precisely that. Accordingly, where Octavian mentions φθόνος it is as 'Late Republican' as the oration itself. This is most apparent at 53.8.6, where the Pompeian overtones are obvious:

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| <p>For I am exhausted and have suffered hardships, and I am able to sustain myself no longer in mind or body. And further still, I can foresee the envy and the hatred which spring up among some people even against the finest men, and the plots which emerge from them too.</p> <p>αὐτός τε γὰρ καὶ πεπόνημαι καὶ τεταλαιπώρημαι, καὶ οὐκέτ' οὔτε τῆ ψυχῆ οὔτε τῷ σώματι ἀντέχειν δύναμαι: καὶ προσέτι καὶ τὸν φθόνον καὶ τὸ μῖσος, ἃ καὶ πρὸς τοὺς ἀρίστους ἄνδρας ἐγγίγνεται τισι, τὰς τε ἐξ αὐτῶν ἐπιβουλάς προορῶμαι.</p> <p style="text-align: right;">Cass. Dio. 53.8.6.</p> | <p>Were you to count up the campaigns I've made and the dangers I've suffered, you would find them many more than the number of my years; and you would thus believe that I no longer have strength for such labours and cares. But if you persist, know this: that all such positions cause envy and hatred.</p> <p>καὶ τὰς στρατείας ἃς ἐστράτευμαι καὶ τοὺς κινδύνους οὓς κεκινδύνευκα ἀναριθμήσητε, πολὺ γε πλείους αὐτοὺς τῶν ἐτῶν εὐρήσετε, καὶ μᾶλλον οὕτω πιστεύσετε ὅτι οὔτε πρὸς τοὺς πόνους οὔτε πρὸς τὰς φροντίδας καρτερεῖν ἔτι δύναμαι. εἰ δ' οὖν τις καὶ πρὸς ταῦτα ἀντέχει, ἀλλ' ὀρᾷτε ὅτι καὶ ἐπίφθονα καὶ μισητὰ πάντα.</p> <p style="text-align: right;">Cass. Dio. 36.25.5-26.1</p> |
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Pompeius' later claim to be exhausted in mind and body (κατατέτριμμαι μὲν τὸ σῶμα, πεπόνημαι δὲ τὴν γνώμην) after a life of πόνος might have been justified by the time of his pirate command at the age of forty.⁷⁴ But for Dio's Octavian to make the claim at thirty-six is too great a stretch, and this would be plainly incompetent on the historian's part if he intended the reader actually to believe it. I find this doubtful; my investigation has shown

⁷² Cass. Dio. 36.24.5-6 with 53.6.6-7. Cf. Rich (2010) and Vervaeke (2010), who view Pompeius as the model for Augustus' later adoption of the tactic of *recusatio* and give further discussion of this speech, with further comments on Pompeian *dissimulatio* at Van der Blom (2011).

⁷³ Pace Fechner (1986) 86.

⁷⁴ Cass. Dio. 36.25.4.

that Dio was a sophisticated and highly-trained speechwriter. This can be more reasonably explained with two points.

Firstly, in view of the narrative preface to the speech it is clear that the incongruous argument of φθόνος serves to illustrate the speaker's mendacity – just like any other of Dio's Late Republican dynasts – and the argument is made deliberately redolent of Pompeius to achieve this, emphasising the corruption in Late Republican rhetorical culture. Secondly (and more importantly), within the context of the preceding narrative these concerns about the relationship between power and φθόνος remain a reflection of a distinctly Late Republican problem. The historian signals to his readers that, as Octavian's powers have not yet been constitutionally confirmed, the speaker is still a participant in a culture where power generates envy. Were the account of the first century BCE leading up to this not sufficient to demonstrate the reality of this problem, the speech is littered with *exempla* of Julius Caesar,⁷⁵ whose assassination Dio attributed to φθόνος.⁷⁶ Octavian repeats the argument a second time later in the speech, stating that he wishes to be free from jealousy and plots (μήτε φθονεῖσθαι μήτε ἐπιβουλεύεσθαι).⁷⁷ It may also be that Catulus' response in Book 36 to Pompeius' *recusatio*, who predicts that 'his task as monarch (μοναρχῆσαι) over all your possessions will not be free from envy (οὔτε ἀνεπίφθονον)',⁷⁸ looks forward to this *recusatio* of Octavian or vice versa. In the first speech of Augustus' monarchy the historian locates the orator's concerns about jealousy within a destructive and distinctly Late Republican framework, and reflects on the inevitability of that problem without a radical re-evaluation of the constitution.

Hesitantly, however, the speech additionally looks forward to the reinvention of φθόνος by the Augustan regime. Section 53.10 is, in short, a compact list of all the negative factors which Dio attributed to the decline of the Republic. Octavian exhorts the Senate to avoid innovation and preserve Rome's established customs; to treat their private means as the common property of the state; to treat the allied communities and subject nations fairly and not use them against one another; and to ensure discipline and loyalty to the state among the army.⁷⁹ In Chapters 5 and 6 we saw that Dio depicted a late *res publica* which pursued precisely the opposite course. In this context it is peculiar to read the historian's speech of Octavian as 'a final comprehensive opportunity to display the advantages of the

⁷⁵ Cass. Dio. 53.6.4; 53.7.3; 53.9.4-5.

⁷⁶ Cass. Dio. 44.2.3; 44.7.3.

⁷⁷ Cass. Dio. 53.6.2.

⁷⁸ Bekker, *Anecd.* 157, 30.

⁷⁹ Cass. Dio. 53.10.1-6.

Republic’;⁸⁰ such a reading ignores Dio’s hostile opinion of δημοκρατία, his negative presentation of most aspects of the Late Republic, and his enthusiasm for the system that followed. Nevertheless, among these recommendations Dio’s Octavian also looks forward as well as back:

Always entrust the magistracies both in peace and war to the best and most prudent men, **neither feeling envy for them nor indulging in rivalry on account of making this man or that more prosperous**, but instead on account of preserving and enriching the state.⁸¹

τάς τε ἀρχὰς καὶ τὰς εἰρηνικὰς καὶ τὰς πολεμικὰς τοῖς ἀεὶ ἀρίστοις τε καὶ ἐμφρονεστάτοις ἐπιτρέπετε, μήτε φθονοῦντές τισι, μήθ’ ὑπὲρ τοῦ τὸν δεῖνα ἢ τὸν δεῖνα πλεονεκτῆσαι τι, ἀλλ’ ὑπὲρ τοῦ τὴν πόλιν καὶ σώζεσθαι καὶ εὐπραγεῖν φιλοτιμούμενοι.

Leaving aside the barely-concealed reference to the Senate’s split at the end of Book 40 between Caesar and Pompeius (μήθ [φιλοτιμούμενοι] ὑπὲρ τοῦ τὸν δεῖνα ἢ τὸν δεῖνα πλεονεκτῆσαι),⁸² Dio constructs an ideal in this passage of a regime in which φθόνος is absent and φιλοτιμία is directed toward honourable objectives.

In this regard, it is striking that throughout the narrative of Augustus’ reign, φθόνος *only* appears where the emperor’s ἀρετή, which I discussed in the first section, actively prevents it. This is a major departure from the political culture of Dio’s Late Republic. Thus in his list of Agrippa’s public euergetism, the historian states that Agrippa ‘not only incurred no φθόνος because of this, but was honoured greatly by Augustus and all the people; and the reason was that he collaborated with Augustus in the most humane projects (φιλανθρωπότατα).’⁸³ Later, when ill omens plagued the city and the people ‘believed that these things had happened for no other reason than that they did not have Augustus as consul’, the *princeps* in a show of his δημοκρατικὸς rule declined the dictatorship, ‘and rightly guarded against the ἐπίφθονον and μισητὸν of that title’.⁸⁴ Augustus’ μεγαλοψυχία and φιλανθρωπία were further displayed when he allowed many of his subordinates to celebrate triumphs and to have public funerals for their achievements, which Dio writes he granted without envying their honour (ἀφθόνως).⁸⁵ Moreover, Augustus’ selection of

⁸⁰ Pace Fechner (1986) 88: ‘So wird die Heuchelrede des Augustus von Dio als letzte umfassendere Möglichkeit wahrgenommen, die Vorteile der Republik herauszustellen’.

⁸¹ Cass. Dio. 53.10.3.

⁸² Cass. Dio. 40.58-66.

⁸³ Cass. Dio. 54.23.3-4. See also 54.29.2-3 for this thought in Agrippa’s necrology.

⁸⁴ Cass. Dio. 54.1.2-5.

⁸⁵ Cass. Dio. 54.12.1-2.

Tiberius as his successor was motivated by the need to find a man of distinction who, like Agrippa, could conduct the emperor's business without envy (ἄνευ φθόνου).⁸⁶

Where φθόνος occurs in Augustus' reign, Dio focusses only on how successfully the new regime counteracted it through a system of benevolent rule. It thus attained the desideratum I quoted above from Octavian's address, eliminating φθόνος among the elite and rectifying a key historical problem of the Republic. By bringing φθόνος to the reader's attention four times in the *recusatio*, Dio uses the oration to display the destructiveness of envy in the late *res publica* a final time, and to look forward to its abolition under the Augustan Principate. The placement of the address within the history at a transitional stage between the two constitutions as well as the 'Republican' character of the speaker underline that intention. Agrippa and Maecenas' admonishments about the risk of φθόνος to any man invested with great power in the *controversia* of Book 52 are thus resolved by a system founded on *civilitas* and the four kingly virtues of παρρησία, ἐπιείκεια, μεγαλοψυχία, and φιλανθρωπία, which Dio outlined in Tiberius' funeral *laudatio* of Augustus and fully exemplified in the narrative of his reign.⁸⁷

The dialogue of Livia and Augustus continues to persuade the reader of that argument. In its two mentions of φθόνος,⁸⁸ the exchange underlines again the problem of envy, but in so doing persists with Dio's argument that this problem ceased to be a significant factor of history because of positive constitutional change. Furthermore, it suggests that in contrast to Late Republican envy, which was directed toward δόξα, ἡγεμονία, ἰσχύς, and πλεονεξία, envy under the Augustan Principate could be motivated by desire to acquire another's ἀρετή. This reinvention of φθόνος is articulated also in the funeral speech of Tiberius, to which I turn shortly. The reign of the first *princeps* is the only period in Dio's text during which the object of envy is presented as ἀρετή. This attests to the central position this emotion took in the interpretative skeleton that the historian applied to the end of a factious Republic and the (comparatively) virtuous revolution of Augustus. Like παρρησία, even a flaw of the *res publica* such as φθόνος could be reinvented by benevolent rule in Dio's view.

Set *in camera* in the narrative of 4 CE, the dialogue is a lengthy advocacy of the political and moral virtues of mercy, placed mainly in the mouth of Livia with short interjections by

⁸⁶ Cass. Dio. 54.31.1.

⁸⁷ Cass. Dio. 52.2.1 (Agrippa); 52.40.2 (Maecenas).

⁸⁸ Cass. Dio. 55.15.1; 55.18.5.

Augustus. Its immediate narrative context is the plot of Cn. Cornelius Cinna Magnus, for whom the emperor's wife advises imperial clemency after a botched assassination attempt. As I have already demonstrated in Chapter 2, there is little reason to doubt that the historian had a copy of Seneca's *De Clementia* before him. The conspiracy of Cinna Magnus is attested in only these two authors.⁸⁹ Problematically, both attribute the plot to different actors and different dates. Seneca states that the conspirator was L. Cornelius Cinna and that the plot was reported to Augustus *cum annum quadragesimum transisset* during his campaign in Gaul.⁹⁰ Assuming that *annum quadragesimum* indicates the emperor's age, Adler writes that this suggests 13-16 BCE: Augustus' only time campaigning in Gaul during his forties.⁹¹ Dio on the other hand dates the conspiracy to 4 CE with Cn. Cornelius Cinna Magnus at its head.⁹² Most scholars agree that Dio had the correct conspirator, unlike Seneca,⁹³ but the wrong date. Believing that in the aftermath of the plot Augustus awarded Cinna Magnus the consulship for the following year and knowing that he held it in 5 CE, Dio appears to have mistakenly located the conspiracy in 4 CE.⁹⁴ But I suggest that he may additionally have read *annum quadragesimum* to indicate not Augustus' age (sixty-seven in 4 CE) but the fortieth year of his career in public life. If so, then Dio may have deduced the date from his reading of Seneca and from his own knowledge of the consuls for 5 CE, but must have had a supplementary source to give him the correct name of Cn. Cornelius Cinna Magnus, rather than Seneca's L. Cornelius Cinna.

The two mentions of φθόνος in the dialogue function as a call-and-response which emphasises the historian's argument that under Augustus' regime it was far less significant a factor of history than under the *res publica*. In the narrative preface to the speech, Dio states that the *princeps* did not wish to execute Cinna Magnus in any case,⁹⁵ and in the preliminary *λαλιά* between the two characters, his Augustus reiterates the problem of jealousy:

I for one know, my wife, that **nothing with the character of great power is free from envy and plotting** (οὐτ' ἄλλο τι τῶν μεγάλων ἔξω φθόνου καὶ

⁸⁹ For the debate on the existence of the conspiracy, cf. Grimal (1986); Barden Dowling (2006) 66f. As Ov. *Pont.* 2.7.9 and Suet. *Aug.* 65.2 suggest, it is not inconceivable that, if the conspiracy did happen, Livia could play a role in counselling the emperor to clemency.

⁹⁰ Sen. *Clem.* .1.9.2.

⁹¹ Adler (1909) 196; Adler (2011) 135.

⁹² Cass. Dio. 55.14.1.

⁹³ Cf. Shotter (1974) 307; Grimal (1986) 50; Barden Dowling (2006) 66; Adler (2011) 135-139.

⁹⁴ *PIR*² C 1339; Cass. Dio. 55.22.1-3. For the date cf. Syme (1939) 414 n.1; Speyer (1956) 278-279; Adler (2011) 135-139.

⁹⁵ Cass. Dio. 55.14.1.

ἐπιβουλῆς καθέστηκεν), and monarchy least of all. For we would be equal to the gods if we did not have responsibilities and cares and anxieties above those of all other citizens. But the fact that grieves me most is that this is the way it has to be, **and that it must be impossible to find any remedy for it** (ἀδύνατον θεραπείαν τινὰ αὐτῶν εὔρεθῆναι).⁹⁶

The speaker's complaint is only half borne out by the preceding narrative. We have seen already that numerous plots were formed against the first *princeps*, and Augustus' concern for ἐπιβουλαί is justified in this context. But as I have demonstrated, Dio clearly did not consider φθόνος an element present within the new regime – in contradistinction to the Late Republic – and indeed presented it as actively prevented by Augustan ἀρετή. Again, the speaker's claim that it is impossible to find any remedy to the inevitability of envy and plotting (ἀδύνατον θεραπείαν τινὰ αὐτῶν εὔρεθῆναι) is again only half-true and not the historian's own opinion: for the past three books Dio has been to this point presenting the ways in which he *did* find a remedy for the Late Republican problem of φθόνος and created a more harmonious political culture. Nevertheless, like the speech of Agrippa, the λαλιά of Augustus does articulate Dio's interpretation of the problems the incipient monarchy would have to overcome (and did). It furthermore serves to emphasise Dio's positive view of the *princeps*' ἐπιείκεια: in a later interjection Augustus complains that 'being compelled always to punish or avenge oneself upon people brings great distress, or at least to good men'.⁹⁷

Livia's response explains more about the historian's view of the Late Republic. As Adler has pointed out, Dio appears to have deliberately 'undercut' the credibility of her exhortation to clemency for Cinna Magnus.⁹⁸ Immediately after the clemency-dialogue he inserted an element absent from Seneca's version: an authorial epilogue, stating that 'it was in fact Livia, who was most responsible of all for the salvation of Cornelius, who would herself go on to take the blame for the death of Augustus'.⁹⁹ If, as Adler suggests, Dio used this conclusion to undermine the credibility of Livia as an advocate of ἐπιείκεια (despite his own personal approval of clemency and hatred of cruelty),¹⁰⁰ then this would not be the first time the historian undercut the message of his Livia in the scenario. A revealing

⁹⁶ Cass. Dio. 55.15.1-2.

⁹⁷ Cass. Dio. 55.14.7.

⁹⁸ Adler (2011) 145-149.

⁹⁹ Cass. Dio. 55.22.2; see also 56.30.1-2. Manuwald (1979) 125 and Swan (2004) 154 state that the neatness of the rhetorical possibilities offered by this antithesis were, in the context, too attractive for Dio to pass up, but Adler (2011) 149 convincingly suggests that 'this summation dramatically undercuts her message'.

¹⁰⁰ E.g. Cass. Dio. F 36.1-4, F. 36.11-14, 43.15.2, 43.15.3-16, 52.31.9-10, 73[72].22.1-2, 75[74].8.1.

passage on φθόνος has far more to say about Dio's view of the late *res publica* than about the Augustan Principate:

It is believed that we are **killing many** because of anger or **because of our desire for their wealth**, and many others because of fear of their bravery or **actually envy of their virtue!** (ἀρετῆς τινος φθόνῳ)! They say that those who observe and listen secretly to such rumours make up many lies, some of them because of enmity and others of anger, **some because they have been paid by the enemies of their victims and others precisely because they have not been paid**. These people not only report that so-and-so did something terrible or were about to do so, but even report that, when so-and-so said whatever, **one man upon hearing it said nothing, but another laughed, or another cried** (ὁ δὲ ἀκούσας ἐσιώπησεν, ἄλλος ἐγέλασεν, ἄλλος ἐδάκρυσεν).¹⁰¹

As I outlined in the first section, Dio nowhere suggests that the Augustan regime presented any of these characteristics. The first line in particular, in which Livia suggests that the *princeps* is believed to be killing many people out of anger, lust for their wealth, or φθόνος of their virtue, is especially inconsistent with Dio's illustration of the new political culture at Rome, which is characterised throughout by ἐπιείκεια, μεγαλοψυχία, παρρησία, and φιλανθρωπία. It is difficult to believe that this is a serious historical reflection upon the Augustan Principate; if it were it would be a very inept volte-face on the part of its author.

Rather, Livia's unfounded admonishment about rumours of Augustus' envy for the possessions and virtues of others is highly reminiscent of the Sullan proscriptions. Most striking is the phrase at the end of the passage. The suggestion of informants reporting who smiled, laughed, was silent, or cried and then condemning them on that basis – completely unattested in the narrative of Augustus' reign – had a precedent in the account of Sulla's proscription lists. 'To cry or to laugh proved fatal on the spot; and for this reason many were killed, not because they had said or done anything forbidden, but because they had frowned or smiled. So closely were their faces observed'.¹⁰² From the reader's perspective this vivid thought is all the more memorable because it occurs only in Dio among our Imperial narratives of the Sullan proscriptions, and only in these two places in his text.¹⁰³ Moreover, Livia's bizarre suggestion that the *princeps* was suspected of murdering πολλοὺς ἐπιθυμία χρημάτων overlaps with the historian's interpretation of the motivations which underlay the proscriptions: 'they murdered all they saw who surpassed them in any

¹⁰¹ Cass. Dio. 55.18.5-6.

¹⁰² Cass. Dio. 30-35 F 109.16.

¹⁰³ App. *BC*. 1.95-96, Plu. *Sull.* 31-32, Vell. Pat. 2.28.

way, some out of envy and others because of their money'.¹⁰⁴ Finally, Livia's reference to payment for information, very peculiar in the context of Augustus' reign, again calls to mind the *praemium* awarded for the successful capture of the proscribed. Although not present in Dio's account of 81 BCE, it occurs regularly elsewhere, not least among texts the historian probably read.¹⁰⁵

So the reflection of Dio's Livia on murder, espionage, and self-interested motives seems to me far more suggestive of the political culture of the Late Republic than of the early Principate. In this context the speaker's mention of φθόνος ἀρετῆς τινος is a loaded one. For the first time in Dio's surviving text, this hostile emotive aspect, which in the account of the first century BCE only occurred as a spur to acquire δόξα, ἡγεμονία, ἰσχύς, and πλεονεξία, is reinvented. As the historian's focus shifted from the causes and character of aristocratic discord to the presentation of Augustan ἀρετή, the object of φθόνος shifted too – somewhat optimistically. Virtue could be envied, too.

This transformation of the political culture of Rome from the immoral government presented in the Late Republican books to the more virtuous regime of Augustus I delineated in section one is additionally reflected upon in the closing lines of the speech. In conclusion, Dio's Livia states that, should the *princeps* follow her (unnecessary) advice, 'people will think that you did all the unpleasant things you did back then because of necessity (πάντα ἀνάγκη πεποιηκέναι δόξεις); for it is not possible for one man to change so great a city from republic to monarchy without bloodshed'.¹⁰⁶ This apology for the actions of Octavian the dynast – among which we may include his negative presentation as a Pompeian dissembler in the *recusatio* speech – is Dio's own. In his necrology of the *princeps*, he writes that, if any citizens remembered his actions in the civil wars, 'they attributed them to the necessity of the circumstances' (ἐκεῖνα μὲν τῇ τῶν πραγμάτων ἀνάγκη ἀνετίθεσαν), and they formed their real opinion on his noble character later, after his time as monarch (τὴν δὲ δὴ γνώμην αὐτοῦ ἐξ οὗ τὸ κράτος ἀναμφίλογον ἔσχεν ἐξετάζειν ἠξίου).¹⁰⁷ I do not think the similarity between the closing remarks of Livia's speech and Dio's concluding remarks to Augustus' reign is accidental.

¹⁰⁴ Cass. Dio. 30-35 F 109.10.

¹⁰⁵ For the *praemium* see App. *BC* 1.95, Plu. *Sull.* 31.4, Suet. *Jul.* 11, Vell. Pat. 2.28.3.

¹⁰⁶ Cass. Dio. 55.21.4.

¹⁰⁷ Cass. Dio. 56.44.1.

In her speech, then, Dio's Livia makes three retrospects on the late *res publica*. First, the loaded Republican problem of φθόνος and its (to us) very utopian reinvention under Augustus as envy for virtue rather than wealth or power. Second, the use of language redolent of Dio's account of the Sullan proscriptions in her deliberately inaccurate assessment of the character of the new regime. This serves to illustrate, through the contrast of Livia's speech with the narrative material, the ἀρετή of Augustus' monarchy in contrast to the darkest moments of the Late Republic. And third, the historian's own apology for Octavian's actions during the civil war. His actions, Dio writes through his Livia and later in the necrology, were necessary (ἀνάγκη ἀνετίθεσαν) because of the δημοκρατία under which he lived. His true ἀρετή could only appear when he had put an end to that corrosive system. Augustus' true character could be discovered afterward, when he had put an end to the corruption of the δημοκρατία.

This investigation of how Dio used the Augustan orations to reflect upon and create contrasts with the φθόνος of the Late Republican speeches can close with the *laudatio funebris* of Tiberius. This speech mentions φθόνος five times;¹⁰⁸ once more than the four in Octavian's *recusatio*, and in a very different manner to that speech. As I have shown, the historian depicted Octavian voicing concerns about φθόνος as a Late Republican dynast and in language deliberately reminiscent of Pompeius. Here Dio elaborated, through his speaker, the inevitability of envy and resentment within the Republican constitution; but the later narrative of Augustus' reign demonstrates that the historian believed that the new regime broke that cycle. Tiberius' reflections on φθόνος unfold accordingly. In the first instance, the speaker's two reflections on φθόνος in the *proemium* echo those of Dio's Livia, in which the object of envy was recast for the first time in the history as desire for ἀρετή. His Tiberius begins:

For I am not worried that you will accuse me of weakness for being unable to attain your desires, **nor that you will be jealous toward him, whose virtues surpassed your own** (ἢ αὐτοὶ τῷ ὑπερβάλλοντι ὑμᾶς τῆς ἀρετῆς αὐτοῦ φθονήσητε). For who does not know that even if all men came together, they could not sing praises worthy of him, and that you will all willingly grant him these triumphs, **not envying the fact that none of you could equal him, but even taking pleasure in his lofty excellence?** (οὐδεις ἂν ὑμῶν ἐξισωθεῖη οἱ φθονοῦντες, ἀλλὰ καὶ αὐτῷ τῷ ὑπερέχοντι αὐτοῦ ἀγαλλόμενοι.)¹⁰⁹

¹⁰⁸ Cass. Dio. 56.35.5; 56.35.6; 56.40.1; 56.40.5; 56.40.6.

¹⁰⁹ Cass. Dio. 56.35.5-6.

The language is hyperbolic, and Augustus' reign was no utopia even to Dio. But the focus of φθόνος clearly shifts in the speeches following the Settlement of 27 BCE from δόξα, ἡγεμονία, ἰσχύς, and πλεονεξία to virtue. As Manuwald and Rich have already pointed out, there are a number of inconsistencies in the speech of Tiberius which are discordant with the actual narrative of the *princeps*' regime. Tiberius is made to speak as if Augustus has already been deified and he already ratified as his successor, and he claims that Octavian's resignation was sincere – a statement that the reader knows perfectly to be false after its elaborate treatment in the *recusatio*.¹¹⁰ But it is clear that, despite these inconsistencies, Dio uses his Livia and Tiberius to create an idealised picture of the reinvention of φθόνος by the Augustan regime and its correction of spiteful envy under the Late Republic. This functions in the broader narrative context, which I laid out in the first section, in which φθόνος is consistently prevented or avoided by Augustus' policies. The historical problem of envy, which as I have shown in Chapters 5 and 6 was central to the historian's understanding of aristocratic disunity in the Late Republic, is a distinctive element which Dio brings to the fore as a destructive problem in his Late Republican speeches and presents as resolved under the new regime.

The historian made the later three reflections of his Tiberius on envy consistent with this. In these Dio uses his speaker to further persuade the reader of his own opinion that the Augustan regime interrupted the cycle of ambition and envy which had been characteristic of the late *res publica*. Thus Tiberius' summary of the benefits of his reign can only be read as a reflection of the historian's own view of the innateness of φθόνος to the Republic and its resolution under Augustus: 'for who would not choose to be safe without trouble (ἀπραγμόνως σώζεσθαι), to prosper without danger, and to enjoy the blessings of the constitution without envy (τῶν μὲν ἀγαθῶν τῶν τῆς πολιτείας ἀφθόνως ἀπολαύειν)?'¹¹¹ Dio's own enthusiastic account of the earliest decades of the Principate admits of no doubt that the speaker's assessment is his own. Later, in a list of Augustus' benefactions and public building works, Tiberius states that he permitted others to erect buildings in their own name, 'always looking to the public good, but never envying anyone for the individual fame that they obtained from these works' (τὸ τῷ κοινῷ χρήσιμον διὰ πάντων ἰδῶν, ἀλλ' οὐ τῆς ἐπ' αὐτοῖς εὐκλείας ἰδίᾳ τισι φθονήσας).¹¹² The reader has already seen the truth of this from Dio's interpretation of the harmonious relationship between the *princeps* and Agrippa, who incurred φθόνος neither from Augustus himself nor anyone else for his

¹¹⁰ Manuwald (1979) 136-139; Rich (1989) 104.

¹¹¹ Cass. Dio. 56.40.1.

¹¹² Cass. Dio. 56.40.5.

building projects.¹¹³ Finally, this thought is also repeated later in the *laudatio*, where the speaker lauds the first emperor's unenvious (ἀφθόνως) encouragement of his subordinates' reputations.¹¹⁴

Thus, Cassius Dio appears to have judged the failures of the *res publica* and the success of the new government in substantially moral terms. I do not think that it is insignificant that the problem of φθόνος disappears entirely from the historian's account of the Augustan regime; nor that, where it is mentioned in the speeches of Livia and Tiberius, the focus is rather on what was *not* envied. Where the speakers do suggest jealousy, this is only in connection with ἀρετή. In his most detailed reflection on the reign of Augustus in the *laudatio funebris*, Dio mentions φθόνος more than in any other speech in his text and in every instance suggests that in his interpretation it was no longer a factor of history in political life. This is a striking departure from the place of envy in Dio's speeches of the Late Republic, in which it is universally connected to factional discord and political violence. In this regard, the historian brought an element to the decline of the Roman Republic and the success of the Augustan Principate which was distinctively his own, but which can only be ascertained by reading the historian's speeches.

Reflections on the Late Republic: Δυναστεία

Dio's retrospects on the late *res publica* in these speeches were not purely moral. The historian additionally used them to make some explicit closing statements on aspects of Late Republican political life which in Chapters 5 and 6 we saw emerge from the problem of excessive personal power (δυναστεία): factional discord, corrupt foreign policy, and civil war. Reflections of this kind do not occur in the speeches of the later Principate: they are particular only to those of the Augustan age. This demonstrates further that Dio used the orations of this period as an opportunity to elucidate a final time his interpretation of Late Republican political culture within a transitional phase of the history. These reflections juxtapose Dio's narrative of the ideal monarchy of Augustus, in which the speeches are embedded, with the negative retrospects on the Late Republic contained within the orations. By briefly turning to the speeches of Octavian and Tiberius, I will demonstrate that the historian not only deployed these to recapitulate the problems which grew out of Late Republican δυναστεία, but additionally contrasted these with the virtues of ἐπιείκεια, μεγαλοψυχία, παρρησία, and φιλανθρωπία with which the historian

¹¹³ Cass. Dio. 54.23.3-4; 54.29.2-3.

¹¹⁴ Cass. Dio. 56.40.6.

characterised the new regime. These orations serve to confirm the interpretative framework Dio applied to the collapse of the Republic and to strengthen his argument for the imperative for monarchy and the success of constitutional change.

Among the Augustan speeches, Tiberius' *laudatio* is Dio's most detailed exposition of the problems of Republican *δυναστεία* and the role of Augustan *ἀρετή* in rectifying those.¹¹⁵ It is to this I turn first. One reading of the speech suggests that by this point in the Augustan account, the Principate was 'so firmly established that the historian avoided further discussion of the old Republic and the new form of government'.¹¹⁶ I do not think that this is the case. As I have already pointed out, as a piece of encomium Tiberius' speech is transparently hyperbolic and indeed contains some details inconsistent with the narrative. It should be treated with caution, and as Rich writes it must primarily be read as a reflection of Dio's view of what the speaker would say about Augustus under the circumstances.¹¹⁷ But the oration is littered with reflections on the *res publica* and the new government which are transparently the historian's own.¹¹⁸ A revealing but lengthy passage presents an idealised reflection of Augustan *ἐπιείκεια* which reiterates several of the historian's own narrative opinions: on the civil war, on the transformation of Octavian from dynast into noble *princeps*, and on key Late Republican figures. I abridge it here:

And so this Augustus...the moment he had driven away civil wars by **doing and undergoing things which he did not himself desire but which the heavens decided** (πράξας καὶ παθῶν οὐχ ὅσα αὐτὸς ἤθελεν ἀλλ' ὅσα τῷ δαιμονίῳ ἔδοξε), first of all spared the majority of those opponents who had survived the battles, **thereby not at all imitating Sulla, who was called Felix** (ἐν μηδενὶ τὸν Σύλλαν μιμησάμενος τὸν εὐτυχῆ ὀνομαζόμενον). And although he honoured his allies with many great gifts, he did not permit them to do anything arrogant or outrageous. You know perfectly well the various people this applies to, **such as Maecenas and Agrippa** (καὶ τὸν Μαικῆναν καὶ τὸν Ἀγρίππαν)...For Augustus had these two qualities, which have never been present in one man alone. There have of course, I know, been some who spared their enemies...but consider this example, that **Sulla and Marius detested even the children of their enemies** (τεκμήριον δέ, Σύλλας μὲν καὶ Μάριος καὶ τοὺς παῖδας τῶν ἀντιπολεμησάντων σφίσιν ἤχθησαν). Need I mention the other examples? Generally Pompeius and Caesar refrained from this. However, they

¹¹⁵ Although Rich (1989) 104 n.105 disagrees with Giua (1983) that we may use Dio's Tiberius to find the historian's own views, I do intend to show that the speech served an important interpretative role in setting out again the problems of the Republic and exploring the reasons for Augustus' success.

¹¹⁶ Pace Fechner (1986) 88. My translation.

¹¹⁷ Rich (1989) 104.

¹¹⁸ Manuwald (1979) 133-140 suggests that the historian was closely following a source for the Tiberius *laudatio*. Suet. *Aug.* 100.3 indicates a tradition of the speech but none survives outside Dio.

allowed their friends to do several things which were against their own morals. But this man combined both of these qualities...**and demonstrated to his allies that it is virtue that is 'felix'** (τοῖς συναγωνισαμένοις εὐτυχῆ τὴν ἀρετὴν ἀποδείξει).¹¹⁹

Here Dio uses this statement of Tiberius to voice several of his own views of the history of the Late Republic and the salutary effects of Augustan ἀρετή. As I have shown in my discussion of the speech of Livia, the apology for the actions of Octavian during the civil wars articulated in the passage above is very much the historian's own. The suggestion that Octavian acted as all other Late Republican dynasts out of necessity rather than desire, only to be transformed into the model ruler after he had broken free from the φθόνος and φιλοτιμία which Dio viewed as germane to δημοκρατία,¹²⁰ is made three times in the history. Significantly, this occurs twice in a speech in the mouths of Livia and Tiberius, but only once in the narrative, in Dio's necrology of the *princeps*.¹²¹ Dio chose to bring this interpretation – and one which reflects badly on the Republic and well on Augustus – most to the fore not in his narrative, but his speeches.

The loaded *exemplum* of Sullan cruelty within this passage also makes an important historical statement about the role of ἀρετή, in the historian's view, in Augustus' historical success and his resolution of the ills of the *res publica*. In the opening and closing lines of this excerpt, Dio's Tiberius states that, although Sulla was called *Felix* (τὸν εὐτυχῆ ὀνομαζόμενον), it was Augustus who demonstrated that *felicitas* could not exist without ἀρετή. This is the historian's own view. In the fragmentary narrative of the Sullan civil war, he states that until the battle of the Colline Gate, Sulla 'was believed to be foremost in piety and kindness (φιλανθρωπία τε καὶ εὐσεβεία), to such extent that 'all thought he had Fortune as his ally (τὴν τύχην σύμμαχον)'. However, as he drew closer to power, his character changed, and indeed so dramatically 'that he could no longer be called Fortunate' (οὕτως, ὡς ἔοικεν, οὐκ ἦνεγκεν εὐτυχήσας).¹²² As Eckert has recently shown, Dio is not new among imperial authors in challenging Sulla's *felicitas*; Valerius Maximus and Seneca make a similar suggestion, and we can be quite sure Dio read some works of the latter.¹²³ But the historian seems to be making his own historical argument about the relationship between ἀρετή and successful sole power. As I demonstrated in the first section, Dio presented Augustus' monarchy as a regime characterised by ἀρετή. One of these Augustan

¹¹⁹ Cass. Dio. 56.38.

¹²⁰ Cass. Dio. 44.2.3.

¹²¹ Cass. Dio. 55. 21.4; 56.38.1; 56.44.

¹²² Cass. Dio. 30-35 F 109.1-2.

¹²³ Cf. Eckert (forthcoming, 2016).

virtues, φιλανθρωπία, had belonged to Sulla – but he left it behind, Dio states, as he grew closer to power. So within the constitutional framework of the Late Republic, Sulla’s personal power (δυναστεία) led him to abandon virtue (especially φιλανθρωπία) and pursue instead a course that vitiated his right, in the historian’s view, to the title *Felix*. The result was the proscriptions, memories of which Dio echoes in the clemency speech of Livia. Augustus, on the other hand, survived and ‘reorganised the state for the best’ precisely because of his ἀρετή.¹²⁴ In this way, the historian provides through Sulla and Augustus contrasting *exempla*, Republican and monarchic, failed and successful, of the exercise of individual power.

Dio’s elaboration on the aspects of Augustan ἀρετή in Tiberius’ funeral speech (ἐπιείκεια, μεγαλοψυχία, παρρησία, φιλανθρωπία) also functions in close conversation and contrast with his history of Late Republican δυναστεία. Shortly after this excerpt, Dio’s Tiberius launches into an encomium of Augustus’ attitude toward the Senate, of which in the first section I showed that the historian broadly approved.¹²⁵ The speaker states that the *princeps* ‘did not dissolve the Senate’s right of voting on decrees, but even ensured that their freedom of speech (παρρησία) was protected...and in the elections he inculcated in the people a love of honour rather than a love of factious competition (τὸ φιλότιμον ἀντὶ τοῦ φιλονείκου)’.¹²⁶ This, in fact, is only half true. There is no doubt that Dio approved of Augustus’ attitude to and protection of παρρησία, which as I have demonstrated he viewed as an enabling factor in the virtues of the new regime and especially conducive to ἐπιείκεια. Under Augustus παρρησία is permitted to function as a positive force in public life, in contrast to the Late Republican frankness of Cicero and Calenus.¹²⁷ But Dio consciously brings to the fore those occasions on which the consular elections descended into violence and discord, in language highly reminiscent of the *res publica*.¹²⁸ In this context, it is difficult not to read Tiberius’ unrealistically positive reflection on the elections under Augustus as a deliberate retrospect on an aspect of Late Republican political life that Dio was happy to see the back of. Certainly he benefitted from a system in which the emperor, not the people, selected magistrates.¹²⁹

¹²⁴ Cass. Dio. 56.44.2. See also 74[73].13.2: ‘it is ἀρετή that preserves the memory of rulers’.

¹²⁵ Swan (2004) 15-16 in particular writes that Cassius Dio composed his narrative of Augustus’ reign and his interactions with the Senate as a model for the emperors of his own time.

¹²⁶ Cass. Dio. 56.40.3-4. τὸ φιλότιμον is here meant positively (τὸ φιλότιμον ἀντὶ τοῦ φιλονείκου).

¹²⁷ See pp. 238-239 above.

¹²⁸ Cass. Dio. 54.6.1; 54.10.1.

¹²⁹ Cass. Dio. 74[73].12.2, 80[79].7.4, 80[79].5.1.

Tiberius' assessment of Augustus' φιλανθρωπία additionally left the historian room for some further reflections on the Late Republic. The speaker's view that 'he brought the remaining element of factional discord (τὸ μὲν στασιωτικὸν) into harmony through his kindness (φιλανθρωπία) and moderated the soldiery (τὸ δὲ στρατιωτικὸν) through his generosity (εὐεργεσία)' is all Dio:¹³⁰ the antithetical paronomasia τὸ μὲν στασιωτικὸν...τὸ δὲ στρατιωτικὸν was probably irresistible for such a highly rhetorically-trained historian.¹³¹

But it is clear from Dio's comments on Augustus' and Agrippa's public works that the historian did view the φιλανθρωπία of their joint ventures as a corrective to the Republican problem of φθόνος,¹³² and Dio states explicitly that by following Livia's exhortation to φιλανθρωπία, Augustus prevented further plots beyond that of Cinna Magnus,¹³³ thereby preventing yet another power-struggle for control of Rome. Other reflections on the *res publica* placed into the mouth of Tiberius – that a δημοκρατία could never encompass interests so vast as Rome's and that monarchy was entirely necessary from that perspective,¹³⁴ and that the assassination of Caesar removed a well-ordered government and thereby threw the state into confusion¹³⁵ - must be taken as Dio's own.

Dio similarly resurrects key moments in the history of Late Republican δυναστεία in the *recusatio* of Octavian, on which some closing words will suffice. Unlike Tiberius, whose *exempla* are predominantly of Late Republican military figures (Caesar, Pompeius, Sulla), Dio's Octavian sets out a loaded echo of the major military campaigns of the previous century, several of which, I showed in Chapter 6, the historian treated with marked disfavour:

For what might one compare to this deed of mine? [my resignation] The **conquest of Gaul** or the **enslavement** (δούλωσιν) of Pannonia, the subjugation of Moesia, or **the overthrow of Egypt?** Or Pharnaces, Juba, Phraates, **the campaign against the Britons, or the crossing of the Rhine?**...nevertheless, none of these is worthy to even come close to this present deed of mine, even without mentioning the civil wars, the largest and most diverse of all to have ever occurred, which I settled **humanely** (φιλανθρώπως), overcoming all enemies who resisted but **sparing as friends all who surrendered**

¹³⁰ Cass. Dio. 56.39.1.

¹³¹ Pace Millar (1964) 53.

¹³² Cass. Dio. 54.23.2-4.

¹³³ Cass. Dio. 55.16.5; 55.22.1-2.

¹³⁴ Cass. Dio. 56.39.5. For this opinion in Dio's own voice, see 44.2.4.

¹³⁵ Cass. Dio. 56.36.1-2. For this opinion in Dio's own voice, see 44.1.1-2.

(ἀντιστάντος ὡς καὶ πολεμίου παντὸς κρατήσαντες) ...for who could appear more **magnanimous** (μεγαλοψυχότερός) than I, to say nothing of my dead father – and who more nearly divine?¹³⁶

Of course the historian does not intend his Octavian to appear positively in this instance. Augustan mercy (ἐπιείκεια), magnanimity (μεγαλοψυχία), and humanity (φιλανθρωπία) do not, and cannot, be convincingly expressed in the *recusatio* because the speaker is still characterised as a Late Republican dynast. These aspects of the speaker's ἀρετή can only truly emerge later, after his transformation into Augustus. In this context the recapitulation of the military history of the Late Republic serves as a negative reflection on routes to δυναστεία within that system. Dio has selected – I think deliberately – *exempla* which in his narrative depicted Late Republican imperialism at its worst: the crossing of the Rhine, the British campaign, and Rome's intervention in Egypt were, as I discussed in Chapter 6, depicted by the historian purely as an exercise in the acquisition of δόξα and satisfaction of πλεονεξία.

Factor 6: Conclusion

So Cassius Dio seems to me to have continued to discuss and reflect upon the problems of the Late Republic throughout his speeches of the Augustan age. The assessments of and occasionally veiled references to the problems of δυναστεία and φθόνος Dio places into the mouths of his orators are the historian's own attempt to bring these issues, characteristic of his account of the late *res publica*, to the attention of the reader a final time, and to juxtapose these with an Augustan narrative characterised by a combination of kingly virtues of the historian's own devising. This juxtaposition of unfavourable retrospect in the speeches with favourable assessment of Augustus in the narrative served the purpose, on the one hand, of persuading the reader of the imperative for monarchy and the ills of δημοκρατία. But it additionally served as a last opportunity to remind the reader of everything that the historian's idealisation of the Augustan regime was not, and of the negative practices which Rome had left behind. They would not re-emerge again in Dio's history – until that of his own time.

¹³⁶ Cass. Dio. 53.7.1-53.8.1, abridged.

Chapter 8: Conclusions

It will be worthwhile at this point to give some concluding recapitulation and overall conspectus of the nature and purpose of Dio's speeches of the Late Republic and Augustan Era as a whole. I additionally point to some potentially fruitful future directions for research. A lengthy recapitulation of each chapter and each section here may not be attractive. I have set out more detailed conclusions to each of my six investigative chapters following the discussion concerned. However, some broader and more general principles can be underlined here, and I think securely.

First of all, Cassius Dio did develop an overarching causal framework according to which he interpreted the collapse of the Roman Republic and the comparative success of the Augustan Principate. I do not think we can continue to accept the interpretation of Millar's highly influential 1964 *Study of Cassius Dio*, which I quoted in the Introduction, that Dio had no general historical views which he applied to his history, nor had the wherewithal to write this in a coherent or connected manner.¹ I have argued in the body of this thesis that the causal skeleton mapped by Dio onto the process of constitutional change can be reduced to six historical factors: the unviability of the dictatorship as an exercise of supreme executive power owing to its conflation with tyranny and its legal restrictions, precipitating and justifying aristocratic acceptance of monarchy as such as its replacement; the corrosive organisation of military power within the empire, which generated the autocratic ambitions of all major dynasts from Marius to Caesar; the pervasion of envy within political life and the role of this as a catalyst to factional competition; the problem of rhetoric, in which all Republican attempts to further the public interest fail, and in inverse proportion all deceptive attempts to further dynastic interest succeed; the deliberate misdirection of imperial policy-making by ambitious commanders through dishonest misrepresentation of their megalomaniac military activities, enabling such activities to continue; and the moral revolution of Augustus' reign, in which a positive, but surely idealised, culture of virtue directly prevents violent competition from resurfacing and reinvents *παρρησία* and *φθόνος* as positive forces in political life. Dio's elaboration of these factors through his orations is of course not uniform – not every issue is discussed in every speech – but it is consistent.

¹ *Pace* Millar (1964) 46, 115.

Secondly, Dio fully embedded his speeches of the Late Republic and Augustan Era within that causal framework. I arrived, in the first instance, at my division of Dio's view of the problems which vitiated the *res publica* into six historical factors simply by reading the formal orations. This thesis began with the task of engaging with Dio's speeches as its initial, nebulous object; and from that basis I have been able to map the historian's causal framework of constitutional change. There were certainly questions of self-presentation, as I have discussed in Chapter 3: Cassius Dio was an intellectual, and compositional art – particularly when it engaged with classicism – of course enhanced his own *παιδεία*. It is moreover a possible and attractive theory, but still speculative, that the historian delivered certain of his speeches himself to friends at court or circulated them among other *pepaideumenoi*. But it does not follow, from the fact that the orations asserted Dio's literary art, that these were not embedded within a broader historical interpretation and served an explanatory purpose for the reader within that interpretation. Too often, overt belletrism in an ancient historian's work generates also modern suspicion about the historian's purposes or credibility. In contrast, I have suggested here – first in Chapter 3 and then through illustration in the case-studies – that Dio's compositional skill and knowledge of Attic ought not to distract us from the important question of the communicative role that the orations play within the historical interpretation.

Thirdly, these compositions are the principal vehicle of that interpretation within the *Roman History*. It has certainly been necessary to account for the historian's programmatic statements, his own assessment of the motives which precipitated particular courses of action on the part of his characters, and, very importantly, his syncretism of *δημοκρατία* and *μοναρχία* at the opening of Book 44. But any overarching narrative conspectus of the historical factors which in Cassius Dio's view precipitated the collapse of the Roman Republic and the success of the new regime is conspicuous only by its absence. Rather, I have suggested that these factors can clearly be identified within the speeches. In particular, these compositions seem to me to exert a cumulative effect by virtue of their embeddedness within the narrative, and so drive forward Dio's exposition of the historical problems which rendered the *res publica* increasingly untenable. In Chapter 5, for example, I have argued through the speeches of Catulus, Cicero, and finally Agrippa that the *dictatura* grew increasingly unviable in the historian's view, but for different reasons in different periods. In the context of 67 BCE it was unattractive because of the recent memory of Sullan *crudelitas* and the connotations of his dictatorship with tyranny; and because of its inutility for addressing the menace of Mediterranean piracy and imperial

affairs more broadly. In the context of 44 BCE, it was furthermore despised because of its association with the forceful usurpation of power, all the more potent after not one, but two dictators had seized power through military means within living memory. Agrippa acts as a coda to this, arguing in 27 BCE against Augustus' monarchy on the basis that it must inevitably degenerate into a tyranny; but in so doing he merely serves as Dio's own reiteration and summary of the trend for dictators in the Late Republic to themselves become tyrants. Augustus, I have argued in Chapter 7, broke that trend in the historian's view. It seems to me striking that the historian at no point lays out this cumulative interpretation, which climaxes with the Agrippa-Maecenas debate, in explicit terms for the reader within the narrative. For that, as his other five factors, we must turn to the speeches.

Finally, there is the role played by the actual presentation and characterisation of public speech under the Late Republic, for which these compositions are understandably indispensable. Dio explored the problem of rhetoric in the Late Republic more fully than any other historian of that period, and perhaps more fully than any other extant historian in general. There seems to me little doubt that Dio conceived of the nature of public debate within the *δημοκρατία* as a genuinely corrosive internal factor which precipitated the downfall of precisely the form of constitution in which it was most required. It is worth repeating here that Demosthenes' statement - 'there is no greater wrong a man can do you than to lie; for as our political system is based upon speeches, how can it be safely administered if the speeches are false?' – is emblematic of Dio's *res publica* as a whole.² Models of genuinely deliberative oratory, epitomised above all in Catulus, fail. In parallel, excessive *παρησία*, represented in Cicero and Calenus as I discussed in Chapters 4 and 7, illustrate Late Republican oratory at its most futile and degenerate; while the pervasion of artificial and self-interested, but persuasive, models of oratory represented in numerous dynasts in each instance misdirects the public interest. It leads, ultimately, to greater personal power, greater imperial glories, renewed *φθόνος*, and renewed stasis. Even disregarding the embeddedness of these compositions within Dio's narrative and their coherency with his causal framework, the speeches are compelling even only as representations of the role played by oratory in the failure of the *δημοκρατία* it was supposed to maintain.

Dio's use of his speeches as a medium of historical explanation, and quite consistently, seems innovative. This brings me on to some concluding remarks about the implications of

² Dem. *FL* 184.

this thesis in possibilities for future research. In particular, it will be apparent to Roman historians that, despite Dio's innovations in rhetoric, much of the inspiration for his six causal factors of constitutional change understandably emerges from the tradition of Roman historiography. I have not attempted here to argue that Cassius Dio performed or attempted to perform a radical re-evaluation of the collapse of the *res publica* on the macro-level. He certainly brings the problem of rhetoric and the political ramifications of this more fully to the fore than any other surviving account; and in this regard his response to and concerns about the sophistic rhetorical culture of his time lend his explanation of the decline of the Republic a distinctive flavour. But the fundamental kernels of his thought can be traced back to Sallust, Livy, Tacitus, and Suetonius. His illustration of the proliferation of φθόρος, for example, clearly belongs within a Sallustian-Livian tradition of Republican moral decline; although the way in which he uses speeches to present this as the catalyst for a chain of events, such as Pompeius' political impotence in 60 BCE and his entry into the Triumvirate as discussed in Chapter 5, certainly seems distinctive. Again, Dio's problematisation of the organisation of power within the empire clearly seems to me to build upon Suetonius' interpretation of Caesar's *imperii consequitudo*. Here Dio maintains the kernel of the original argument, but uses his orations to build on it. He suggests that it had been a problem long before Caesar, and posits in Agrippa and Maecenas the solutions which, in his view, Augustus' reforms to the provincial administration made directly to counter that problem. Equally, the historian's view of φύσις and the destructive relationship between this and imperialism in the first century BCE seems to derive from or coincidentally approximate to Tacitus. A new study of Dio's debt to the Latin historiographical (and biographical) traditions would be exceptionally valuable. Thucydides remains recognised as the dominant historiographical influence upon Cassius Dio's language and thought. In fact, certain of his views – such as his potentially veiled attack on defensive imperialism, as I laid out in the third section of Chapter 6 ('Degenerative Debate') – do not show an emulation of Thucydides at all.

In this connection, it would be worthwhile to re-evaluate the extent to which historians made use of contemporary rhetorical material in writing their own speeches, especially when depicting either an historically-attested occasion of oratory or an act of speech which is parallel or similar to an attested one. I have argued in Chapter 2 that Dio was particularly indebted to Cicero in this regard: not only for aspects of the argumentation of his speeches, as has been briefly recognised elsewhere, but for elements of the rhetorical style and for the actual order in which the argumentation progresses. Speculatively, it may one day be

possible to determine a margin of error, either with Dio or with other authors, regarding the degree to which one can imagine that an occasion of oratory, represented by an historian through a speech, approximates with the historical reality. Certainly Appian, in his speech of Tiberius Gracchus on his agrarian law,³ has his Gracchus state in support of the *lex* that great unemployment, a decreasing Italian population, and an increasing slave population made agrarian reform quite necessary.⁴ It is precisely these arguments for the *lex Sempronia agraria* which, Plutarch states, Gaius Gracchus recorded in a pamphlet about his older brother's law. Plutarch seems to suggest that Gaius' tract is still extant in his own time;⁵ and as his writing preceded that of Appian by only a few decades, it is possible that Appian gathered these arguments from the biographer or from the tract itself. Such speculations can no doubt be repeated elsewhere with firmer evidence.

More broadly, the influence of rhetorical education upon the way in which Greek historians wrote, particularly by the time of formalised *progymnasmata*, is worthy of further study. In Chapter 4 of this thesis I have argued that the *progymnasmata* inculcated in Dio a moralising conception of history itself, which taught the author, through *sententia* and *fabula*, to approach the task of composition as the task of moral illustration. The student was given an ethical thought which it was incumbent upon him to valorise, either proving it by example in his own fable or, later, reelaborating it into other narratives and discourses. Such a consistently didactic curriculum, which began with the *sententia* under the age of ten and continued throughout the student's adolescence with the re-elaboration of these morals into *suasoriae* and declamations, must inevitably have conflated the moral and the compositional. In Dio's case – I have suggested in Chapter 4 – the moral in fact served as a means of persuasion. By locating his interpretation of the causes of military and political crises, such as Pompeius' defeat at Pharsalus or the exile of Cicero, within a received code of moral values which his audience could be presumed to accept, Dio laid out historical causes which would not have been fanciful to the contemporary perspective. The moral dimension, so often critiqued in Dio's speeches of the Late Republic, seems to me to have served as a form of evidence or proof, for the contemporary reader, of the validity of his interpretation. As with his speeches of the Late Republic and Augustan Era, so too with the ethical statements contained within them did the historian have the vices and failures of individual dynasts and the Republican state at large to present to his reader. He may not necessarily have been wrong.

³ App. *BC.* 1.7-11 for the oration and the surrounding context.

⁴ In two indirect speeches at App. *BC.* 1.9.1 and 1.11.1.

⁵ Plu. *TG.* 8.7.

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