

It has been claimed that there are at least 194 passages from Cicero which, in one form or another, furnish parallels to Valerius' exempla. (1) They range from passages where the only similarity is one of content to elaborate stylistic variants. An overall provisional pattern of Valerius' contact with Ciceronian material emerges when we note the number of parallels suggested in respect of particular works. (2) Not all are true parallels (in the sense of stylistic or conceptual overlap), fewer still are reliable imitations. But the relative distribution is revealing. It shows, for instance, that key Ciceronian political speeches did not inspire Valerius to seek exempla from them. In Verrem suggests only five possible parallels (and this is the highest number of any speech), with orations against Catiline, Piso and Antony giving only five passages between them. The full significance of this

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| <u>De Div.</u> | - 24 | <u>Brutus</u> | - 6 | <u>Pro Sestio</u> | - 3 | <u>Orator</u> | - 2 |
| <u>Tusc.</u> | - 25 | <u>In Verrem</u> | - 5 | <u>Pro Leg.Man.</u> | - 3 | <u>Pro Font.</u> | - 2 |
| <u>De Off.</u> | - 15 | <u>Pro Balbo</u> | - 4 | <u>Pro Rab.Perd.</u> | - 3 | <u>Rab.Post.</u> | - 2 |
| <u>De Sen.</u> | - 14 | <u>Pro Archia</u> | - 4 | <u>Pro Mur.</u> | - 3 | <u>Phil.</u> | - 2 |
| <u>De Oratore</u> | - 14 | <u>De Re pub.</u> | - 3 | <u>Pro Clu.</u> | - 3 | <u>Deiot.</u> | - 2 |
| <u>De Nat.Deorum</u> | - 8 | <u>Ad Att.</u> | - 3 | <u>Rosc.Amer.</u> | - 2 | <u>Pro Mil.</u> | - 2 |
| <u>De Finibus</u> | - 6 | <u>Ad Fam.</u> | - 3 | <u>In Pisonem</u> | - 2 | <u>De Amicit.</u> | - 2 |
- One from - De Inv.; Acad.; Parad.; Dom.; Sex. Rosc.; Catil.; Cael.;
Planc.; Q. Fr.; Leg.

negative response to Cicero's political utterances emerges when we relate it to the character of Valerius' understanding of the Roman tradition as a whole and to his treatment of other aspects of Cicero's thought.

The following analysis covers 79 passages from De Divinatione, Tusculan Disputations, De Officiis, De Senectute and their suggested parallels in the Facta et Dicta. There are a number of reasons for limiting discussion in this way just to these areas of Cicero's work that point to a greater degree of influence than the others. First, the scope of the thesis does not allow a comprehensive examination of all the Cicero-Valerius parallels. Consequently, some limitation has to be imposed. Examining the parallels in their relation to these particular works of Cicero, as in the case of Livy above, avoids giving a selective and misleading impression of the nature of the available evidence. In this way the parallels will be scrutinized as they occur and as they illuminate Valerius' response to this specific body of material. Second, the number of passages selected here is roughly equivalent to the number analysed in the preceding chapter. However, there is inevitably some imbalance. Philosophical and oratorical exempla are briefer and less complex than annalistic narrative, and consequently a survey of their influence requires a somewhat less extensive exposition of historical traditions. Nevertheless, some parallels will require lengthy and intricate scrutiny. (1)

(1) See particularly De Officiis II.53 and V.M. VII.2 ext.10, which brings in the methods of the antiquarian exempla compilers.

This is the main justification for all the detailed comparisons between Cicero and Valerius that follow. Indirectly, the comparisons help to put the traditional problem of Valerius' sources into a new perspective. When Bliss' criteria of stylistic imitation are taken into account, as they are here, this produces a substantial body of cumulative evidence for assuming Valerius' familiarity with the above works.

This general pattern of response is reinforced by a number of decisive cases for direct imitation of Ciceronian originals. Two exempla from De Divinatione echoing Cicero's personal experience (I.59 - I.7.5; I.119 - I.6.3) clearly suggest that a common source is to be ruled out. A similar case can be made for De Officiis III.73 and V.M. IX.4.1. But, above all, there is the crucial citation of De Senectute in VIII.13 ext. 1. (1)

Of course there is still the possibility that all other cases are but a by-product of a common tradition, which may explain both the stylistic similarities and the variants. However, the above cases of direct borrowing and transformation establish a prima facie case of borrowing in many other instances. (2)

- (1) Note also the case of borrowing from Pro Rab. Perd. X.27 - V.M. III.6.2, cited in chapter one.
- (2) In all the parallels that follow, unless otherwise indicated, a common source is assumed to be a possibility. Whenever the case for it appears to be particularly strong (viz. where a traditional treatment is explicitly acknowledged in Cicero), this will be emphasized. In such cases a collection of exempla is assumed.

See p.213 above on the need for caution in arguing that because a source had been used in one exemplum it is likely to have been used in another (note the discussion in the Appendix of VIII.6.4 and III.7.8).

In VIII.13 ext. 1 Valerius explicitly refers to Cicero's De Senectute. (1) The reference is revealing in two respects relevant to the following study of De Divinatione, Tusculan Disputations and De Officiis.

First, the mention of De Senectute occurs in the externa part of the chapter. This shows that Valerius on occasions chose Cicero's foreign exempla, even though others may have been to hand. (2) Second, the exemplum of Masinissa occurs with the elements of stylistic variation that will be noticed and examined in respect of other parallels, strongly pointing to deliberate stylistic imitation. In addition, Valerius augments Ciceronian material from other sources. This is significant testimony which may explain his method in other exempla.

Valerius' familiarity with De Senectute must be accepted. Very useful insights into Valerius' method of composition are gained as a result. These directly concern one of the themes of this discussion - the

- (1) See detailed discussion of the passage below. Valerius' chapter De Senectute has been extensively discussed by Bosch and Klotz. It emerges from their work that there were collections of relevant exempla that Cicero, Valerius and Pliny may have consulted. G. Ranucci has recently collected material to show Varro's interest in the theme of exceptionally long lives (see below Sen. 69 - VIII.13. ext. 4; G. Ranucci, "Due fonti di Plinio il Vecchio nel brano De Spatiis Vitae Longissimis", Athenaeum, 1976, pp.131-138), the topic would have been of considerable interest to antiquarian prosopographers in general. Cicero in De Senectute takes such climate of curiosity for granted, giving detailed illustrations of links between life spans of his exemplars - see below Sen. 30 and 44
- (2) S. Mair, De Diodoro Siculo Valerii Maximi Auctore, Rostock 1899, argues strongly that in the case of some externa (e.g. III.3.ext.3: IV.7.ext.1; VI.5.ext.4) Valerius excerpted Diodorus. The possibility cannot be eliminated, but it is more likely that Valerius relied on a Latin source (a comprehensive collection of externa). On his use of Pompeius Trogus, see E. Helm, EE, col.111-112 and E.B.Steele, AJP, 38, 1917, pp.19-20.

abridgement of historical traditions by rhetorical exempla literature.

Cicero's De Senectute was dedicated to Atticus: it is an eloquent tribute to his humanitas and prudentia. But more than that, it is also a tribute to Atticus' sense of history. When Cato praises Fabius Maximus, in the opening chapters of the work, part of his glowing account could well apply to Atticus:

Qui sermo, quae praecepta! Quanta notitia antiquitatis...

Multae etiam, ut in homine Romano, litterae: omnia memoria

tenebat non domestica solum, sed etiam externa bella. IV.12

This resembles very much Cicero's direct eulogies of Atticus given elsewhere - e.g. Brutus iii-iv and Orator 120. Atticus of course covered more than wars in his studies, but the essential point about the comprehensiveness of historical vision applies to both.

To dedicate to Atticus a work on Cato was to suggest implicitly a degree of similarity between the two men. Both were historians, but, significantly, while the one wrote his Origines as a tribute to the collective spirit of the Romans, the other dedicated himself to the minutiae of prosopographical research in which noble names and identities played a vital part.

Cicero's De Senectute is an elaborate and skilful creation of Cato in the image of Atticus. This is established right at the outset of the treatise when Cato speaks of the career of Fabius Maximus in relation to his own - IV.10 and 11. Cicero's Cato is a late Republican prosopographer

to an extent that Cato of the Origines avoided being.

The conflict between the two images occurs when Cato in De Senectute turns to the traditional theme of contempt of death. Cicero is plainly faced with the fact that Cato eschewed conventional exempla, so he makes him perform the following trick of argumentation:

De quo non ita longa disputatione opus esse videtur, cum recordor non L. Brutum, qui in liberanda patria est interfectus, non duos Decios, qui ad voluntariam mortem cursum equorum incitaverunt, non M. Atilium...non duos Scipiones, non avum tuum L. Paulum..., non M. Marcellum..., sed legiones nostras, quod scripsi in Originibus, in eum locum saepe profectas alacri animo et erecto, unde se redituras numquam arbitrarentur.

As a result, conventional exempla are inserted without undermining the historicity of Cato's portrait and rejecting the evidence of the Origines.

Cicero's Cato is keen at various other points in De Senectute to cite noble exempla and display his knowledge of the relevant political careers:

Vixerat M. Curius cum P. Decio, qui quinquennio ante eum consulem se pro re publica quarto consulatu devoverat...(XIII.43)

M. quidem Valerium Corvinum accepimus ad centesimum annum perduxisse, cum esset acta iam aetate in agris eosque coleret, cuius inter primum et sextum consulatum sex et quadraginta anni interfuerunt. (XVII.60)

This Cato is given remarkable mnemonic powers:

Equidem non modo eos novi qui sunt, sed eorum patres etiam et avos... (VII.21)

which are sustained by familiarity with epitaphs:

...nec sepulcra legens vereor, quod aiunt, ne memoria perdam; his enim ipsis legendis in memoriam redeo mortuorum. (ibid.)

Whatever historical evidence Cicero had for this aspect of Cato's portrait, it remains that the information serves to strengthen the Cato-Atticus parallel. This Cato had volumes de familiis in his mind!

Some of the figures and prosopographical data given in De Senectute are taken over by Valerius, but he is not of course consistent in this regard. The conception of Cato just cited finds no echo in his collection (but see VIII.7.1 on his unimpaired eloquence in old age). Almost as a deliberate device to modify Cicero's scheme, Valerius avoids mentioning Cato in the most obvious place where he borrows heavily from De Senectute - VIII.13, his own chapter dedicated to the theme.

Instead Cato occurs earlier as an exemplum (first of the Roman ones) in VIII.7. De Studia et Industria, demonstrating eloquence in his advanced years. Fabius Maximus, whose image dominates the opening

chapters of De Senectute of Cicero, occurs in Valerius' De Senectute, but again, as if by deliberate design, the piece of information given is not taken from Cicero's coverage. As a consequence of this, Cicero's whole structure of historical relationships is disturbed. (1)

More precisely, the continuity which Cicero establishes there between the active, engaged life of Fabius Maximus and that of Cato is eliminated in the process of transposition of some of this material into the Facta et Dicta.

Cicero's De Senectute is not so much a collection of miscellaneous anecdotes concerning the benefits of old age, though Valerius saw it as such, as an essay on the continuity of political (e.g. judgement on Flaminius' agrarian proposals in IV.12), social and cultural attitudes of the Roman political élite. It is addressed to a life-long student of genealogies and honores, at a time when the fabric of the res publica was being torn by rivalry and ambition (see above on the context of Cicero's historical works pp.37-38).

Old age is only a surface theme, the exempla probe deeper and affirm more fundamental propositions concerning continuity of state

(1) Fabius in the chapter De Senectute - VIII.13.3, see above pp.260-61. Other references to Fabius - I.1.5; II.2.4; III.8.2; IV.8.1; IV.8.2; V.2.3; V.2.4; VII.3.7; VII.3.ext.8; VIII.1.9 and IX.3.1. Though one of these exempla (II.2.4) refers to his five consulships, there is nowhere in Valerius an indication that he was influenced by the treatment of De Senectute IV.10-12, or that he thought it useful to dwell on the suggested admiration of Cato for Fabius. A matter so fundamental to Cicero is abridged.

traditions. It is surely significant how deliberately Cato draws attention to the points at which his and Cunctator's careers intersected with one another - IV.10; in one sense, this is an illustration of his strong memory, but in another, a symbol of the practical way in which iuvenes learn their conduct from living exemplars and not just from literary stereotypes (see also VI.18, where Cato looks forward to Aemilianus' continuing the work of his grandfather and, of course, his own against Carthage).

Cato's frequent references to the honores of the nobiles cited add auctoritas to the argument and point to the pattern that Scipio and Laelius will, it is hoped, follow in time to come. The central image of De Senectute is of Cato as a man with an acute sense of history, and it is this persona that gives meaning to the scattered snippets of traditional lore. Without his image, as a conscious and active transmitter of inherited values, the exempla lose much of their significance.

That is what happens to them in the Facta et Dicta. Valerius responds only to the surface theme of De Senectute, transposes the figure of Cato that Cicero fashions with such detail into a number of contexts, in the process fragmenting and scattering the tradition which Cicero reports, unifies and interprets.

Valerius' abridgement of Tusculan Disputations follows a consistent pattern of detaching from the various exempla those elements that represent

Cicero's conception of their significance. (1) He in effect disregards the main theme of the treatise. Clear differences of approach also emerge in the De Officiis parallels. (2)

In De Divinatione Cicero attempted to re-interpret a vast number of historical exempla that formed the Roman religious tradition. The following discussion will show that Valerius' response to De Divinatione was to regard it simply as a convenient quarry of information on portents and religious lore in general. (3)

Valerius' abridgement ignores the critical dimension of that work, missing the very quality that marks its distinctiveness - the body of argument against divination found in the second book. This is abridgement of a very radical order. It leads one to question the reason for Valerius' choice of Cicero's material on these matters. There were many other (and presumably more comprehensive) collections of historical information on Roman and foreign attitudes to divination. (4)

- (1) See especially Tusc. I.3 and IV.3; I.83; I.96; I.116; III.58; IV.44. There are of course instances where exempla are interpreted in a similar way - e.g. Tusc. V.57 - V.M. IX.13 ext.4; V.78 - II.6.14.
- (2) E.g. De Off. II.43 - V.M. VII.2 ext.1; II.53 - VII.2 ext.10; II.76 - IV.3.8.
- (3) See A.S.Pease's discussion of Cicero's influence - De Divinatione, 1963 rep., p.29 and note 157.
- (4) Some of the sources used by Cicero (see Pease, p.12) may also have been available to Valerius. In addition, there was the storehouse of Varro's Antiquitates - see Krieger, op.cit., pp.27-65; Helm, RE, cols. 110-111.

There must also have been briefer and more convenient treatments of the subject.

Yet if Valerius preferred to derive some of his religious exempla from De Divinatione, even at the expense of going against the main thrust of the arguments advanced there, this may be taken as indicative of his limited understanding of Cicero's thought. In his exempla, Valerius takes a traditionalist position, similar to that which we have observed in the discussion of the Livy-Valerius parallels.

In the following instances, the affirmation of religious conservatism is made more striking when its dependence on some Ciceronian material is taken into consideration. Significantly (as Pease noted), most of the borrowings and abridgements derive from the first book - the uncritical version of the religious traditions given by Quintus. (1)

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- (1) Of the Roman sources on dreams and prodigies, it is important to keep in mind Sisenna's history (used by Quintus - De Div. I.99) that together with Sulla's memoirs (see below the discussion of De Div. I.72 - V.M. I.6.4) may have been responsible for popularizing (and consequently influencing the degree of standardization of vocabulary) notable supernatural occurrences and interpretations of their significance. Varro's collection of prodigies was probably also quite extensive and influential (used by Pliny, see E.Rawson, "Prodigy lists and the use of the Annales Maximi", CQ. 1971, p.165; "Religion and Politics at Rome", Phoenix, 28, 1974, pp.193-212).

I) De DivinationeDe Div. I.26 - I.4 ext. 2

Valerius' handling of this story is very brief. He reports Deiotarus' custom of always observing the auspices (qui nihil umquam nisi auspicato gerit (Cic.); Deiotaro vero regi omnia fere auspicato gerenti (Val.) - a striking echo), the appearance of an eagle that made him turn back from his journey, and the collapse on the following night of his projected lodgings. (1) If Valerius did make use of De Div. I.26, then he severely pruned the surrounding details. For instance, Quintus' reference to Deiotarus' worth and his close friendship with the Cicero brothers (nam quid ego hospitem nostrum, clarissimum atque optimum virum), as well as the personal element of Deiotarus' conversations with Quintus (from which the confirmation of the veracity of the incident is derived). Such abridgement strips the topic of significantly distinctive Ciceronian features. Deiotarus loses an historical and social setting that a more attentive reader of Cicero's passage would have picked up.

(1) The parallel is cited by Pease, op.cit., p.286 in commenting on Cicero's ex itinere; see also R. Helm, RE, col.106.

De Div. I.28 - V.M. II.1.1

I.28

Nihil fere quondam maioris rei
nisi auspicato ne privatim quidem
gerebatur, quod etiam nunc nuptiarum
auspices declarant, qui, re omissa,
nomen tantum tenent.

II.1.1

Apud antiquos non solum publice,
sed etiam privatim nihil gerebatur
nisi auspicio prius sumpto. Quo ex
more nuptiis etiam nunc auspices
interponuntur, qui, quamvis auspicia
petere desierint, ipso tamen nomine
veteris consuetudinis vestigia
usurpantur.

A clearer case of imitation, it may be argued. There are echoes and variations, the most striking being the transformation of Cicero's re omissa, nomen tantum tenent. Etiam nunc is found in both versions. Though Cicero in turn may be using an antiquarian source (e.g. M. Valerius Messalla's De auspiciis or Ap. Claudius Pulcher's work on auguralis disciplina), the statement is apparently a genuine observation on a contemporary custom. In Valerius, the inspiration for the statement is most probably only a literary one (even if Cicero is not his source here).

Neither Cicero nor Valerius give details of nuptiarum auspices. Of the antiquarians, Varro for one was interested in the conventions of Etruscan kings and nobles (as well as prisci Latini and Greeks living in Italy) in respect of nuptial sacrifices. (1)

(1) Varro, RR II.4.9; Macrobius, Sat. I.15.21 shows that Varro and Verrius wrote on days appropriate for marriage.

Nigidius Figulus wrote concerning auspiciu[m] privatu[m] and his work may be the common source for both versions here. (1)

De Div. I.33 - V.M. I.1.3

II.74

De Nat. Deorum II.10-11

ND II.11

I.1.3

...post autem e provincia litteras ad collegium misit se cum legeret libros recordatum esse vitio sibi tabernaculum captum fuisse [hortos Scipionis], quod cum pomerium postea intrasset habendi senatus causa in redeundo cum idem pomerium transiret auspicari esset oblitus; itaque vitio creatos consules esse. Augures rem ad senatum: senatus ut abdicarent consules; abdicaverunt.

...a Tiberio enim Graccho ad collegium augurum litteris ex provincia, quibus significabat se, cum libros ad sacra populi pertinentes legeret, animadvertisse vitio tabernaculum captum comitiis consularibus, quae ipse fecisset, eaque re ab auguribus ad senatum relata iussu eius C. Figulus e Gallia, Scipio Nasica e Corsica Romam redierunt et se consulatu abdicaverunt.

In De Div. I.33 Quintus refers to this episode in support of his general argument, but in II.74 Cicero is critical of the alleged powers of the Etruscan haruspices, whose advice to the Senate featured in an earlier part of the story (haruspices introducti responderunt non fuisse iustum comitiorum rogatorem). For Quintus the exemplum confirms the

(1) The work is cited by Gellius in VII.6.10; Schanz-Hosius, I, p.553. Further on Cicero's sources, see Pease, op.cit., p.133; Bosch, op.cit., 100-104; Bliss, op.cit., p.207. See also below De Div. I.104.

auctoritas of haruspices - et haruspicum disciplinae magna accessit

auctoritas. For Valerius, the main interest lies in the oboedientia of the two consuls. To emphasize the point, he adds information not found in Cicero, relating that both consuls returned from their respective provinces. (1)

De Div. I.36 - IV.6.1

Quid? Ti. Gracchus P.f., qui bis consul et censor fuit, idemque et summus augur et vir sapiens civisque praestans, nonne, ut C. Gracchus, filius eius, scriptum reliquit, duobus anguibus domi comprehensis haruspices convocavit? qui cum respondissent, si marem emisisset, uxori brevi tempore esse moriendum, si feminam, ipsi; aequius esse censuit se maturam oppetere mortem quam P. Africani filiam adolescentem; feminam emisit, ipse paucis post diebus est mortuus.

Ti. Gracchus anguibus domi suae mare ac femina deprehensis, certior factus ab aruspice mare demisso uxori eius, femina ipsi celerem obitum instare, salutarem coniugi potius quam sibi partem augurii secutus marem necari, feminam dimitti iussit sustinuitque in conspectu suo se ipsum interitu serpentis occidi. Itaque Corneliam nescio utrum felicior dixerim, quod talem virum habuerit, an miseriorem, quod amiserit.

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- (1) Of the parallels between De Nat. Deorum and Valerius the following show additional material - ND I.10- V.M.VIII.15. ext.1 (material on Pythagoras); II.6. - I.8.1²; II.126 - I.8. ext.18 (only the item on the ability of Cretan goats to cure themselves is common to the two lists of various natural phenomena): III.83 - I.1. ext.3 (Valerius adds that though Dionysius was unpunished, his son was).

Valerius' abridgement removes the prosopographical details: the emphasis in Cicero on the career and status of Gracchus, the allusion to Cornelia's youth at the time - P. Africani filiam adulescentem. As we have observed above, with reference to De Senectute, this kind of pruning is characteristic of Valerius' response to Cicero's antiquarian material.

De Div. I.39 - I.7 ext. 7

I.39

I.7. ext.7

Dionysii mater, eius qui Syracosiorum
tyrannus fuit, ut scriptum apud Philistum
est, et doctum hominem et diligentem et
aequalem temporum illorum, cum praegnans
hunc ipsum Dionysius alvo contineret,
somniavit se peperisse Satyriscum. Huic
interpretes portentorum, qui Galeotae tum
in Sicilia nominabatur, responderunt, ut
ait Philistus, eum, quem illa peperisset,
clarissimum Graecae diuturna fortuna
fore.

Tutioris somni mater eiusdem
Dionysi. Quae, cum eum conceptum
utero haberet, parere visa est
Satyriscum consultoque prodigiorum
interprete clarissimum ac
potentissimum Grai sanguinis
futurum certo cum eventu
cognovit.

Valerius' handling of the matter is brief. There are no particularly striking echoes, and the variants point as much to common tradition as to deliberate imitation. However, if Valerius is abridging Cicero here, he removes precisely those elements that confirmed for Quintus the authenticity of the instance.

As in his reference to the testimony of Gaius Gracchus above, Quintus provides a source for his story of Dionysius' mother and her dream of giving birth to a satyr - the learned work of Philistus (ut scriptum apud Philistum est, et doctum hominem et diligentem et aequalem temporum illorum). This affirmation of Philistus' trustworthiness is crucial to Quintus' argument, for he could not be seen to be citing the ignorant opinions of the gullible in his effort to convince Marcus. Valerius dispenses with the reference to Philistus and with giving the distinctive name of the Sicilian interpreters of dreams (Cic. - qui Galeotae tum in Sicilia nominabantur).

De Div. I.47 - I.8. ext.10

I.47

Est profecto quiddam etiam in barbaris gentibus praesentiens atque divinans, siquidem ad mortem proficiscens Callanus Indus, cum inscenderet in rogam ardentem, "O praeclarum discessum", inquit, "e vita, cum, ut Herculi contigit, mortali corpore cremato in lucem animus excesserit." Cumque Alexander eum rogaret, si quid vellet, ut diceret, "Optime", inquit; "propediem te videbo." Quod ita contigit; nam Babylone paucis post diebus Alexander est mortuus.

I.8. ext.10

Quae tam pertinax necessitas in patre filio Alexandro consimilis apparuit: si quidem Callanus Indus sua sponte se ardenti rogo superiecturus, interpellatus ab eo ecquid aut mandaret aut dicere vellet, "Brevi te", inquit, "videbo": nec id sine causa, quia voluntarium eius e vita excessum rapida mors Alexandri subsecuta est.

Abbreviation and variation of Cicero's account. (1)

De Div. I.50 - I.7 ext. 8

In Valerius' sequence this story follows that of the dream of Dionysius' mother. His handling of the topic of Hamilcar's dream is comparable in scope with that in De Div., and the degree of stylistic imitation is quite marked. Cic. - cum oppugnaret Syracusas, visum esse audire vocem, se postridie cenaturum Syracusis; Val. - cum obsideret Syracusas, inter somnum exaudisse vocem credidit nuntiantem futurum ut proximo die in ea urbe cenaret - in providing a stylistic variant Valerius

(1) Pease, op.cit., p.176.

is more prolix here; note also the change of Cicero's magnam seditionem in castris eius inter Poenos et Siculos milites esse factam to in quo inter Siculos et Poenos orta dissensione, a briefer variant. Valerius' manipulation of the story produces one significant result - Quintus' reference to his source - apud Agathoclem scriptum in historia - is removed. This is consistent with previous instances. (1)

De Div. I.56 - I.7.6

It is possible that Valerius derives his story directly from the history of Coelius (however, note that Valerius reports his name as Caelius - see Kempf), but, given the likelihood of his familiarity with the material from De Divinatione, it is more plausible that he makes use of the report given there.

Why should Valerius cite Coelius here when on other occasions (notably I.7. ext.7 and 8 above) he fails to carry over Quintus' important references to his sources? If authentication were to be his aim (as it was Quintus'), then surely he would have added such references with greater consistency. As he fails to do so, the presumption must be that on this particular occasion his mention of Coelius occurs to give variety to the material. It is part of his overall pattern of stylistic variation and imitation.

(1) Pease, op.cit., pp.183-184.

In Cicero, Coelius' name is invoked right at the beginning of the story (ut scriptum apud...Coelium est); Valerius places it at the end. More significantly, in Cicero the dream is given a very specific place in Gaius' political career (before his quaestorship - a point that he is surely taking directly from Coelius); in Valerius, this is abridged as an irrelevant detail. (1)

De Div. I. 56

II.135 - I.7. ext.3

Bosch had used De Div. I.56 and V.M. I.7 ext.3 in his argument in favour of the existence of an Exempla Ciceronis, used by Cicero and Valerius. (2) He lists important additional features that Valerius supplies in this case - cum ad litus navem appulisset; proximo die; in conspectu eius obruti sunt and the reference to Simonides' carmen. Valerius clearly has a fuller account. (3)

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- (1) Ibid., pp.193-194; fr. 50 in HRR I; G.V.Sumner's discussion of his date in The Orators in Cicero's "Brutus", Toronto 1973, pp. 56-57.
- (2) Bosch, op.cit., pp.94-95.
- (3) The reverse is true of De Oratore II.352 and V.M. I.8. ext.7, another exemplum featuring Simonides. There, Valerius reproduces one part of the story, omitting Scopas' failure to adequately reimburse Simonides and, more significantly, any mention of Simonides' mnemonic powers, the very reason for Antonius' citation of his exemplum in De Oratore. Although Cicero's treatment does point to divine intervention, it is also used to demonstrate man's powers developed to the full. In Valerius, the matter is treated as a miracle - pointing to the felicitas of Simonides.

It is evident from Quintus' claim (illa duo somnia, quae creberrime commemorantur a Stoicis) that this and the companion story of the two Arcades familiares (given by Valerius later in the sequence - I.7 ext.10) were conventional Stoic exempla. Therefore, the probability is greater that on this occasion Valerius took his material from one of the writers alluded to by Quintus.

De Div. I.57 - I.7 ext.10

Valerius chooses this dream to conclude the entire sequence De Somnis, detaching the exemplum from its conventional pairing with Simonides' dream (De Div. I.56). He, like Quintus and the Stoics, appears to be considerably impressed by this particular evidence for the potency of dreams (proximum somnium etsi paulo est longius, propter nimiam tamen evidentiam ne omittatur impetret). Of course, it was also a very exciting story that furnished a dramatic climax to the chapter.

Valerius takes no account of the criticisms of such evidence given by Marcus in book II of De Div.. On the basis of variants (e.g. Cic. - qui ut cenati quiescerent, concubia nocte visum esse in somnis ei, qui erat in hospitio, illum alterum orare, ut subveniret, quod sibi a caupone interitus pararetur; Val. - is qui in hospitio erat, vidit in somnis comitem suum orantem ut sibi coconis insidiis circumvento subveniret) this appears as an instance of imitation of De Div. I.57. However, Cicero's handling of the case probably echoed conventional accounts, so it may well be that Valerius' variants here are more an indication of a common source than that of deliberate imitation of Cicero.

I.59

Venio nunc ad tuum. Audiui equidem ex te ipso, sed mihi saepius noster Sallustius narravit, cum in illa fuga nobis gloriosa, patriae calamitosæ, in villa quadam campi Atinatis maneres magnamque partem noctis vigilasses, ad lucem denique arte et graviter dormire te coepisse... cum autem experrectus esses hora secunda fere, te sibi somnium naravisse: visum tibi esse, cum in locis solis maestus errares, C. Marium cum fascibus laureatis quaerere ex te, quid tristis esses, cumque tu te patria vi pulsum esse dixisses, prehendisse eum dextram tuam et bono animo te iussisse esse lictorique proximo tradidisse, ut te in monumentum suum deduceret, et dixisse in eo tibi salutem fore. Tum et se exclamasse Sallustius narrat

I.7.5

Ac ne illud quidem involvendum silentio. Inimicorum conspiratione urbe pulsus M. Cicero, cum in villa quadam campi Atinatis deversaretur, animo in somnum profuso per loca deserta et invias regiones vaganti sibi C. Marium consulatus ornatum insignibus putavit obvium factum, interrogantem eum quid ita tam tristi vultu incerto itinere ferretur. Audito deinde casu, quo conflictabatur, conprehendisse dexteram suam ac se proximo lictori in monumentum ipsius ducendum tradidisse, quod diceret ibi esse ei laetioris status spem repositam. Nec aliter evenit: nam in aede Iovis

I.59

reditum tibi celerem et gloriosum paratum,
et te ipsum visum somnio delectari.

I.7.5

Mariana senatus consultum de
reditu est eius factum.

A very important and illuminating parallel, but one left out of account by Bosch and Klotz. (1) The subject is Cicero's personal experience - his prophetic dream of Marius, given additional confirmation by the presence of Sallustius noster. (2) Cicero pictures Marius cum fascibus laureatis (perhaps an imago inspired by one of Marius' statues), surrounded by lictors, taking Cicero by the right hand and ensuring that he finds safety in monumento suo (i.e. the temple of Honos and Virtus). (3)

Valerius takes the monumentum in question to be the temple of Jupiter. This mistake is a natural one, for Cicero's exile was terminated on the motion of Lentulus at a meeting of the Senate held in templo Iovis optimi maximi. (4) The reference in De Div. I.59 to a senatus consultum

- (1) Pease, op.cit., pp.197-199. A common source is obviously ruled out.
- (2) On the place of this exemplum in Cicero's conception of Marius, see Carney, Wiener Studien, 73, 1960, pp.97-98.
- (3) Verrius (Festus, pp.466-468L) - aedem Honoris et Virtutis Marius fecit; ILS 59. Fasces laureati are symbols of victory (acclamation as imperator) - NH XV.133 and Res Gestae 4, see Weinstock, op.cit., pp.106-107.
- (4) Jordan suggests emending Iovis to Honoris - H. Jordan, Topographie der Stadt Rom im Altertum, I, 2, 44 note; S.B.Platner - T.A. Ashby, Topographical Dictionary of Ancient Rome, London 1929, p.259 note 2. For the meeting at which Lentulus moved his motion, see Pro Sestio 129 - this is the meeting at which there was only one dissenting voice.

de reditu given in monumento Mari is to another meeting, the one referred to in very similar terms in Pro Sestio 116. (1)

Valerius' confusion results from his readiness to identify the temple of Jupiter with the monumentum Mari. It may be deduced from this that he is not familiar with Marius' temple to Honos and Virtus. An interesting and revealing gap in his knowledge, particularly in view of the fact that Marius' elogium in Augustus' Forum mentioned it. (2)

The reference in this elogium cannot be taken as an index of public familiarity with the matter, though it is likely that inscriptions in this Forum used material with which the readers of antiquarian exempla literature, for one, may be expected to have been acquainted. On balance, the notice in ILS 59 is at least a reflection of a continuing antiquarian interest in the dedication.

Marius' effigy was set up by Caesar (as aedile in 65) between two Victories on the Capitol. (3) This produced great public rejoicing at seeing Marius' likeness again amidst the tokens and symbols of his conquests. (4)

- (1) Another July meeting, held during the ludi Apollinares in the temple of Honos and Virtus built by Marius. Vit. VII. p.17: aedis Honoris et Virtutis Marianae.
- (2) ILS 59; an item missed by the author of DVI.
- (3) Gelzer, Caesar, Oxford 1968, p.36.
- (4) Plut. Caes. vi; Vell. II.43: et restituta in aedilitate adversante nobilitate monumenta C. Marii.

Aspects of Marius' career could be manipulated as powerful publicity weapons - in monuments and historiography. (1) Augustus' perpetuation of Marius' memory may owe a great deal to the groundwork laid by Caesar and the literature that this may be presumed to have influenced.

aedem Honori et Virtuti victor fecit (ILS 59) - the theme of victory is symbolized in Cicero's dream by Marius' fasces laureati. (2) It is not too fanciful to suppose that Cicero is not only thinking of the monumentum to Honos and Virtus, but also of statues commemorating Marius' victories (possibly the very statue in the Capitol or a similar one in the temple of Honos and Virtus itself). Valerius' abridgement removes the crucial emblematic detail of the fasces laureati. His Marius in this case is not conceived of as an imperator victorious - C. Marium consulatus ornatum insignibus. (3)

(1) E.g. Sallust's Marius.

(2) On laurel and prodigy, see Aen. VII. 59-67.

(3) On the consular statues of the Marcelli in the other temple to Honos and Virtus, see Vessberg, op.cit., p.45 (In Pisonianam of Asconius, p.18 St.). Verrius (Festus p. 123L) defined the various kinds of monumenta - monimentum est, quod et mortui causa aedificatum est et quicquid ob memoriam alicuius factum est, ut fana, porticus, scripta et carmina. Sed monimentum quamvis mortui causa sit factum, non tamen significat ibi sepultum.

Valerius' confusion over the nature of the monumentum and his failure to mention wreathed fascēs reveal two things. First, unlike Cicero, he has no personal (or literary) knowledge of Marius' association with the temple (he refers to Honos and Virtus only once, in connection with Marcellus' projected dedication of a joint temple (I.1.8) - drawing on Livy XXVII. 6-10.). Second, as a consequence of this, he may be unfamiliar with Marius' statues in Rome, though he may have seen them elsewhere, since memorials to Marius' victories were set up in other parts of Italy. (1) In another exemplum, he mentions the location of a temple to Febris - in area Marianorum monumentorum, an item most probably from an antiquarian source interested in temples and their locations. (2) Not a convincing piece of evidence for assuming direct acquaintance. Similarly, in IV.4.8, on the place of residence of the Aelii, for which an antiquarian-prosopographical source is likely. (3)

In short, unlike Cicero's, in this case Valerius' mind does not operate on instinctive association of an historical figure with its existing monumentum. The reality that Valerius confronts is different, his knowledge second-hand, his response rhetorical. It is in this light that we should see his simplification of Cicero's exemplum in De Div. I.59. (4)

- (1) E.g. near Mutina, see Obs. 70; Weinstock, op.cit., p.92. For statues in Gaul, Plut. Marius, II.1.
- (2) II.5.6 - Varro or Verrius, see Krieger, op.cit., p.63. Valerius is alone (cf. NH II.16; ND III.63) in mentioning three temples to Febris.
- (3) E.g. Valerius Messalla.
- (4) Bliss, op.cit., 209.

De Div. I.72

- I.6.4

II.65

The subject of this exemplum is the appearance of a snake during Sulla's sacrifice at Nola. Quintus, in his customary manner, cites authorities - Sulla's memoirs and Cicero's eye-witness account (et ut in Sullae scriptum historia videmus, quod te inspectante factum est). (1)

According to Plutarch, Sulla in his memoirs was at pains to demonstrate that he owed more to Fortuna than to his own excellence. (2) In Sulla's view, those actions that were undertaken on the spur of the moment, rather than after careful deliberation, turned out well for him. (3) This open recognition of the chance and random element in his career, together with supernatural guidance, probably formed the main unifying theme of Sulla's Commentarii Rerum Gestarum. It is noteworthy that the treatise was dedicated to Lucullus with the advice to firmly believe the evidence of dreams. (4)

The Commentarii were influential and one may presume widely read because of their auctoritas. (5) Given Valerius' beliefs in the power

- (1) Helm, RE, col. 106.
- (2) Plutarch, Sulla, VI.5-6.
- (3) J.P.V.D.Balsdon, "Sulla Felix", JRS, 1951, pp.2-3: "one cannot but wonder how sane he was when he wrote." H. Erkell, pp.72-93.
- (4) Plut. Sulla, VI.6.
- (5) Balsdon, op.cit., pp.2-3 on the instances of Plutarch's reliance on them; E.Badian, "Waiting for Sulla", Studies in Greek and Roman History, Oxford 1964, pp.210-211.

of dreams, it is not inconceivable that he was familiar with it. These Commentarii would have been a more congenial source of information than De Divinatione, with its critical second book. Yet Carney's study of Valerius' image of Marius demonstrates that exempla in the Facta et Dicta are not uniformly hostile to Marius and represent an important tradition not overly influenced by pro-Sullan propaganda. (1)

However, this need not preclude one from assuming that on some occasions Sulla's memoirs may have been used, without prejudice to strands of exempla material favourable to Marius. This pattern of selection and abridgement would fit Valerius' approach.

In relation to De Div.I.72, V.M. I.6.4 removes the reference to authorities, and the pointed comment of De Div. II.65 is ignored - eoque die rem praeciare esse gestam non haruspiciis consilio, sed imperatoris. There is a striking stylistic echo - (Cic.) cum ille in agro Nolano immolaret ante praetorium, ab infima ara subito anguis emergeret; (Val) cum in agro Nolano ante praetorium immolaret, subito ab ima parte prolapsam anguem prospexit. (2)

However, unlike Cicero's version, Valerius' gives L. Sulla consul sociali bello. Bosch takes this as evidence for his use of a collection of Augustan date, since Sulla was not consul at the time and, more significantly, the term used for the war in earlier writers was either

(1) T.F.Carney, "The Picture of Marius in Valerius Maximus", RhMus., 105, 1962, pp.289-337.

(2) Pease, op.cit., pp.218-219.

bellum Marsicum or bellum Italicum. (1) This lessens the probability of Valerius' direct use of Sulla's Commentarii.

De Div. I.78

II.66 - I.6 ext.2

ext.3

Midas' ants and Plato's bees. (2) Valerius elaborates with additional comment (e.g. illae enim caducae ac fragilis, hae solidae et aeternae felicitatis indices extiterunt), ignoring (again) the strictures in book II.66. Bosch (3) urges a common source, Bliss (4) direct imitation, with additions by Valerius himself. The pairing of the stories in both Cicero and Valerius points to a convention, though, as we have seen before, Valerius is able to detach conventional pairing. In this case the suggestions of Bosch and Bliss need not be seen as being mutually exclusive. We may have here a common source, imitation of De Div. I.78 and additions by the compiler himself (e.g. last sentence of I.6.ext.3). (5)

- (1) Bosch, op.cit., p.100.
- (2) Pease, op.cit., pp.228-229.
- (3) Bosch, op.cit., 96-98.
- (4) Bliss, op.cit., p.44.
- (5) See below De Senectute VIII.13 ext. 1.

De Div. I.88 - VIII.15 ext.3

Concerns Amphiarius' reputation. (1) Not discussed by either Bosch or Klotz. Valerius has additional factual information (namely - cuius cinere idem honoris possident, quod Pythicae cortinae, quod ahenododonae, quod Hammonis fonti datur) that points to a source in addition to De Div. I.88 (stylistic echo is there (Val) - locum, quo humatus est, in formam condicionemque templi redigendo atque inde oracula capi instituendo, but it is a slight one).

De Div. I.92 - I.1.12

There are a number of problems with this parallel. Firstly, Cicero is generally taken as referring to a Roman regulation concerning the training of Etruscan noble youths. (2) Whatever Cicero's meaning, Valerius appears to understand the matter as referring to Romans. His theme in this exemplum is Roman readiness to borrow from others, and in this light his reference can only be interpreted as meaning a Roman regulation concerning Roman youths:

Tantum autem studium antiquis non solum servandae sed etiam
amplificandae religionis fuit, ut florentissima tum et
opulentissima civitate decem principum filii senatus consulto

(1) Pease, op.cit., pp.251-252.

(2) So H.H.Scullard, The Etruscan Cities and Rome, 1967, p.283 - six or ten sons of the Etruscan principes; Ogilvie, The Romans and their Gods, 1969, pp.65-68; E. Rawson, ANRW, I, 1973, p.347.

singulis Etruriae populis percipiendae sacrorum disciplinae gratia traderentur... (1)

Secondly, Cicero's De Divinatione may have been a convenient source for Valerius to use, but it was certainly not the most obvious one on the matter. (2)

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- (1) De Div. I.92 - "Quocirca bene apud maiores nostros senatus tum, cum florebat imperium, decrevit, ut de principum filii sex [x] ex singulis Etruriae populis in disciplinam traderentur..." It would be unwise to emend Cicero on the basis of Valerius, but see Pease, op.cit., pp.259-260.
- (2) For instance, we know of A. Caecina's De Etrusca Disciplina; for a recent discussion of this treatise and consideration of its probable use by Cicero, see T.J.Cornell, "Etruscan Historiography", Annali della Scuola Normale Superiore di Pisa, vol. vi, 1976, pp.437-438 especially; Pliny (index to book II) lists three writers - Caecina qui de Etrusca disciplina, Tarquitio qui item, Iulio Aquila qui item - as those particularly concerned with Etruscan lore. On these, see Weinstock, "Libri fulgurales", P.B.S.E., vol. xix, 1951, pp.122-123. Varro was interested in Etruscan questions (e.g. LL V.46), and, most importantly for the history of exempla literature, Verrius Flaccus wrote Res Etruscae (Schanz-Hosius, II, 336-7). As Verrius' Etruscan researches left traces on his linguistic work (see his discussion of Tuscus Vicus - Festus p.486L (examined by Cornell, pp.415-416) - and the entry on Mons Caelius (Festus p.38L)), they may also have influenced his selection of exempla. As had been pointed out previously (see chapter two), in the first book of his Rerum Memoria Dignarum (Gell. IV.v) he gave the story of the punishment of the Etruscan haruspices. It is unlikely that this was his only exemplum concerning Etruscans. Note particularly in this regard Verrius on Tages (Festus, p.492L) - Tages nomine, geni filius, nepos Iovis, puer dicitur disciplinam haruspicii dedisse duodecim populis Etruriae; also in Cens. DN 4.13. For Cicero's criticism of the Tages legend, see De Div. II.50.

Quintus in I.92 makes a distinctive point about the social standing of the men to be trained in Etrusca disciplina. (1)

...in disciplinam traderentur, ne ars tanta propter tenuitatem hominum a religionis auctoritate abduceretur ad mercedem atque quaestum.

Valerius fails to pick up this emphasis; as a result, a notion at the heart of Quintus' use of the exemplum in the first place, fails to get transmitted. Is this an accidental by-product of necessary simplification? Hardly, since Valerius apparently has room to add the sentence on Calliphania. It is possible that he simply found Quintus' remark uncongenial; after all, it is very much a remark of a man with pretensions to auctoritas directed to a man manifestly in possession of it! (2)

(1) Note Cicero's distaste at seeing a haruspex as member of the Senate - Ad Fam. VI.18.1; Rawson, ALRW, p.347 on the social origins of haruspices in Cicero's day.

(2) Exempla in V.M. I.I.I ¹⁻⁵ have been much discussed in relation to a number of Cicero's works (e.g. Bosch, pp.104-106). Examined in the light of imitation, they reveal the following pattern:

- | | | |
|--------|---|--|
| I.1.11 | - | <u>Har.Resp.</u> 18 - decisive case of stylistic imitation |
| 12 | - | <u>Div.</u> I.92 - significant simplification |
| 13 | - | <u>Balb.</u> 55 - probably imitation (see following page) |
| 14 | - | <u>Verr.</u> IV.108 - an abridgement/imitation |
| 15 | - | <u>Har.Resp.</u> 28 - not related |

The cumulative effect of stylistic evidence in this sequence is in favour of Ciceronian models.

Calliphania in V.M. I.1.1.³ probably derives from Pro Balbo 55. (1)
 There Cicero makes the point that Velia had not at that time possessed
 Roman citizenship (ante civitatem Veliensibus datam), a point echoed
 by Valerius - cum id oppidum nondum civitatem accepisset.

However, although this item is taken over, a much more significant
 aspect of the matter is abridged. Cicero refers to the action of
 C. Valerius Flaccus:

proxime dico ante civitatem Veliensibus datam
 de senatus sententia C. Valerium Flaccum praetorem
 urbanum nominatim ad populum de Calliphana Veliense,
 ut ea civis Romana esset, tulisse.

This item is pruned by Valerius, though it would have served his
 purpose to mention the matter as showing the honour in which the Romans
 held their "borrowed" religious leaders.

(1) Bosch, op.cit., p.106 on the variant manuscript reading ut alii
 dicunt Calliphoenam; Klotz, op.cit., p.69. There are two
 other suggested parallels in the Facta et Dicta - Pro Balb. 11 -
 II.10.1; Pro Balb. 45 - VIII.12.1. Neither offers conclusive
 evidence of imitation or alludes to the main theme of the
 speech.

De Div. I. 103 - I.5.3

104 - I.5.4

Stylistic variants point in both cases to imitation of Cicero, though Valerius adds an item not in Cicero - more prisco nocte concubia nuptiale petit omen. (1)

Quintus introduces the pair as being well-known - atque ego exempla cminum nota proferam, later adding that he heard the one concerning Metella from L. Flaccus - L. Flaccum, flaminem Martialem, ego audivi. The latter need not preclude the possibility that both exempla were already featured in a collection when De Divinatione was being composed.

De Div. I.119 - I.6.13

Quod ne dubitare possimus, maximo est argumento quod paulo ante interitum Caesaris contigit. In this way Quintus introduces the theme of Caesar's fatal omens. (2)

- (1) Bliss, op.cit., pp.208-209; Pease, op.cit., pp.285-287. Bosch, op.cit., p.7: "Valerius hat die beiden exempla wörtlich mit Cicero. Im zweiten Beispiel von der Caecilia Metelli fügt er hinzu, dass das omen nuptiale bei Nacht gesucht werde, Cicero sagt nichts davon." Pace Bliss' suggestion, the addition is not merely a stylistic variant - it adds a minor antiquarian detail that helps to establish the traditional time for such ritual. See also above De Div. I.28.
- (2) The parallel is not discussed by Bosch or Klotz, the second instance so far of their having taken no account of an important parallel. In this case, as Bliss observes, "Cicero cannot have taken the story from a predecessor" (Bliss, p.225).

Stylistic features point to Valerius' imitation of the De Divinatione passage, with Valerius making of it an elaborate rhetorical address to Caesar himself (tuas aras tuoque sanctissima templa, dive Iuli). It is the last of the Roman exempla in the sequence De Ominibus and Valerius allows himself an opportunity to add his own tribute to the deified princeps:

Erupit deinde eorum parricidium, qui, dum te hominum numero subtrahere volunt, deorum concilio adiecerunt.

However, another exemplum in the collection relating to Spurius and Julius Caesar (VIII.11.2) clearly derives from a source other than De Div. I. 119 (Valerius supplies additional details - e.g. in domum Calvini Domiti etc.). (1)

In other respects, there is a close correspondence between these passages, although, as well as stylistic variants, Valerius has a minor difference of substance - referring to only one haruspex advising Tiberius Gracchus about the two snakes (Cicero writes haruspices convocavit). Referring to this incident Quintus claims that his source is Gaius Gracchus (ut C.Gracchus, filius eius, scriptum reliquit). This helps us to trace the exemplum to its original source. Valerius' coverage of the matter makes no reference to Gaius' work. (2)

(1) Pease, op.cit., p.311.

(2) Pease, op.cit., p.155.

He is more interested in Cornelia - pondering whether she could be termed felix to have had such a husband: a reflection that is an addition to Ciceronian material.

In De Div. II.51 Cicero reports a dictum of Cato concerning the haruspices:

Vetus autem illud Catonis admodum scitum est,
qui mirari se aiebat quod non rideret haruspex
haruspicem cum vidisset. (1)

Valerius takes no account of this sceptical tradition.

De Div. II.52 - III.7. ext.6

Cicero uses Hannibal's reply to Prusias (an tu, inquit, carunculae vitulinae mavis quam imperatori veteri credere) as an argument against divination. Valerius takes the retort (ain tu, inquit, vitulinae carunculae quam imperatori veteri mavis credere) to illustrate the theme of the chapter De Fiducia Sui, adding in the process a rhetorical digression on Hannibal's conquests. In conclusion he takes the latter as

(1) Ibid., p.439; NL I.71 (without ascribing the dictum to Cato).
See below on V's familiarity with De Div. II.52.

evidence of divine favour:

Et sane, quod ad exploranda bellica artificia aestimandosque
militaris ductus adtinebat, omnis foculos, omnis aras Bithyniae
Marte ipso iudice pectus Hannibalis praegravasset. (1)

De Div. II. 143 - I.7. ext.9.

Cicero at this point makes one of his decisive thrusts against Quintus' reasoning, challenging the link between premonition and future events. Valerius takes Alcibiades' dream as a secure sign of subsequent disaster - Alcibiades quoque miserabilem exitum suum haud fallaci nocturna imagine speculatus est: quo enim pallio amicae suae dormiens opertum se viderat, interfectus et insepultus iacens contextus est (a variation of Cicero's quo paulo ante interitum visus est in somniis amicae esse amictus amiculo. Is cum esset proiectus inhumatus ab omnibusque desertus iaceret, amica corpus eius texit suo pallio). Both treatments are brief. The exemplum itself was traditional (De Div. - quod scribitur). (2)

- (1) Pease, op.cit., p.439. If Valerius looked at Cicero's text here he must have noticed his reference to Cato's criticism of haruspices, but the item is not found in the Facta et Dicta.
- (2) Pease, op.cit., p.573.

II) Tusculan DisputationsTusc. I.3

IV.3

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V.M. II.1.10

Brutus. 75

This parallel has already been considered in some detail above. (1)

It was noted that Valerius in II.1.10 removes important features of Cicero's treatment of the practice in epulis canere. Valerius has no reference to the oratio Catonis criticising M. Fulvius Nobilior for taking poets with him in provinciam, an action which Cato probably saw as an unjustified perversion of simple ancient practice of singing praises at banquets - utinam exstarent illa carmina, quae multis saeculis ante suam aetatem in epulis esse cantitata a singulis convivis de clarorum virorum laudibus in Originibus scriptum reliquit Cato, this he must have admired.

Valerius, unlike Cicero, refers to these songs as incentives to the iuvenes - making them eager to imitate egregia superiorum opera. This observation may not be original to Valerius himself (it may even go back to the Origines), yet it does offer him a convenient opportunity to add a personal comment and invoke in the process a line of illustrious maiores:

(1) See above p.114 n.1.

Inde oriebantur Camilli, Scipiones, Fabricii, Marcelli,
 Fabii, ac ne singula imperii nostri lumina simul
 percurrere sim longior, inde, inquam, caeli clarissima
 pars, divi fulserunt Caesares.

When Cato invoked the Roman tradition he did it sine nominibus (Nepos, Cato 3.5 - atque horum bellorum duces non nominavit, sed sine nominibus res notavit). The banquet songs in the Origines illustrated anonymous collective effort, with individual name and fame obliterated. Not surprisingly, this highly idiosyncratic view of the Roman tradition was not imitated subsequently.

We can see from Ciceronian references that lists of principes were a commonly accepted way of defining this tradition (or illustrating various aspects of it) - e.g. De Off. I.61. There are a number of passages in the Tusculan Disputations in particular (e.g. I.89 and 110) which may have inspired Valerius to give his selection of imperii lumina here. Paradoxically, adding names to a Catonian fragment.

In addition, when Cicero presents a parade of this kind we can assume a familiarity with the visual dimension of the tradition (e.g. De Off. I.61, see above chapter one) in him and in his audience. In Valerius' passages (see also IV.4.11) we cannot any longer take such familiarity for granted. There is always a suspicion that we are confronting a purely rhetorical abstraction.

Tusc. I.83 - VIII.9. ext.3

There is very close resemblance between the two stories. The difference lies in the purpose to which the exemplum is put - Valerius uses Ptolemy's prohibition of Hegesias' lectures to demonstrate the power of eloquence (noting of course the dangerous character of his message - qui sic mala vitae repraesentabat, ut...multis volunariae mortis oppetendae cupiditate ingeneraret), Cicero to prove the point that a malis igitur mors abducit, non a bonis, verum si quaerimus.

Tusc. I.96 - III.2 ext.6

Theramenes drinking poison. Poculum and propino are used in both versions. Cicero's conclusion that, judging from Theramenes' attitude, death cannot be accounted as evil is not taken up by Valerius. His theme is fortitudo and not, like in Cicero, an argument for death's blessings. See below the discussion of I.116 and V.6 ext.1.

Tusc. I.101 - III.7. ext.8

Both Cicero and Valerius were probably using collections of exempla illustrating Spartan contempt of death. Valerius makes a selection of three instances, only one of which corresponds to Cicero's choice in Tusc. I.101 and 102. Stylistic variants between the parallel stories are in this case best explained by a common source, rather than by imitation. Frontinus IV.5.13 tells the same tale, naming the Spartan as Leonidas. (1)

(1) Klotz, op.cit., p.42.

Tusc. I.102

- VI.2 ext.3

V.117

Valerius joins together two sayings of Theodorus of Cyrene, making one the precondition of a threat which provokes the other - cumque hoc dicto accensus (i.e. rex Lysimachus) cruci eum suffigi iussisset, terribilis, ait, haec sit purpuratis tuis, mea quidem nihil interest humi an sublime putrescam. In Tusculan Disputations the stories are widely separated and not causally connected. (1)

Seneca refers to one of the stories (De Tranquillitate 14.3) without mentioning Lysimachus by name (minabatur Theodoro philosopho tyrannus mortem).

It is not impossible that Valerius had put together the two sayings from Tusc. I.102 and V.117, but it is more plausible to assume that he reflects a traditional coupling, with Cicero on this occasion breaking a convention.

In Cicero the stories demonstrate the theme of contempt of death, in Valerius the general theme of the particular sequence is self-confidence and audacia (positively conceived - see the preceding item in the series, VI.2. ext.2.). (2)

(1) Fully examined in Bliss, op.cit., pp.120-121.

(2) Ibid., p.120: "The relation between the two versions is stylistically very close."

Tusc. I.116 - V.6. ext.1

The story of Codrus' self-sacrifice. Valerius has a fuller account with stylistic variants (e.g. Cic. - qui se in medios immisit hostes veste famulari, ne posset agnosci, si esset ornatu regio; Val. - depositis insignibus imperii famularem cultum induit).

Cicero introduces his selection of exempla at this point with a reflection:

Clarae vero mortes pro patria oppetitae non solum gloriosae rhetoribus, sed etiam beatae videri solent.

A rhetorical convention is alluded to on the theme of happiness in death. Valerius does not go as far as this; self-sacrifices listed are glorious (e.g. V.6.2 - Magna postea decora in foro Romano fulserunt, nullum tamen hodieque pietate Curtii erga patriam clarius obversatur exemplum), but the notion of beatitudo is not part of his argument.

Tusc. II.37 - II.6.2

Valerius exemplum contains two items concerning Spartan military practice (the second concerns the colour of their battle tunics); Cicero here just notices the Spartans marching to the accompaniment of the flute. Valerius is clearly drawing on a collection that has been postulated earlier.

Tusc. II.65 - II.6.11

Cicero's brief at Cimbri et Celtiberi in proeliis exsultant,
lamentatur in morbo is expanded by Valerius - in acie gaudio exultabant
tamquam gloriose et feliciter vita excessuri, lamentabantur in morbo
quasi turpiter et miserabiliter perituri. It is not necessary to
 postulate another source, but the exemplum must have been conventional,
 as the ones examined up to this point. Felicitas here may derive from
 another rhetorical treatment, like the one alluded to by Cicero in
Tusc. I.116 above.

Tusc. III.27 - VI.9.ext.6

Dionysius the younger turning to school teaching after his expulsion. Another traditional exemplum, and one that Cicero seems to use to Dionysius' discredit:

Dionysius quidem tyrannus Syracusis expulsus
Corinthen pueros docebat: usque eo imperio
carere non poterat. Tarquinio vero quid
impudentius, qui bellum gereret cum iis, qui
eius non tulerant superbiam.

The coupling with Tarquinius makes this clear. On the other hand, Valerius used Dionysius' plight as an illustration of the mutability of fortune:

propter inopiam litteras puerulos Corinthi docuit
eodemque tempore tanta mutatione maiores natu ne
quis nimis fortunae crederet magister ludi factus
ex tyranno monuit.

There is a moral here, though no implicit criticism of Dionysius. If Valerius were a magister himself, this is understandable.

Tusc. III.58 - V.10 ext.3

(also III.30)

Valerius offers a variation of the saying ascribed by Cicero to Anaxagoras - Sciebam me genuisse mortalem - on receiving the news of the death of his son. Similar exempla were probably very popular, so in this case there is no necessity to assume Valerius' dependence on Cicero's text in Tusc. III.58. The item may also have been included in Cicero's lost Consolatio. (1)

V.10 ext.3 also contains an explanation of Anaxagoras' position, material that looks as if it might be Valerius' own reflection. It does not pick up the general theme of Tusculan Disputations that a wise man does not regard death as an evil, but only makes the basic point that in these matters one must adjust to the rules of nature.

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- (1) On Cicero's Consolatio and its influence on Valerius, see Klotz, p.53. Valerius VI.10. ext.1-3 has the sequence Pericles, Xenophon and Anaxagoras, this may be the order in which they occurred in Cicero - see Jerome, Ep. 60.5: proponunt innumerabiles viros et maxime Periclen et Xenophontem Socraticum, also there - praetermitto Maximos Catones Galos Pisones Brutos Scaevolas Metellos Scauros Marcios Crassos Marcellos atque Aufidios, quorum non minor in luctu quam in bellis virtus fuit et quorum orbitates in Consolationis libro Tullius explicavit. In addition, R. Helm, "Valerius Maximus, Seneca und die Exemplasammlung", pp.132-136. Tusc. III.70 - Q. Maximus, L. Paullus, M. Cato - quos in Consolatione collegimus.

Tusc. IV.44 - VIII. 14 ext.1

Cicero is developing the argument that a wise man needs moderatio and constantia, a degree of detachment:

Quid enim videatur ei magnum in rebus humanis, cui
aeternitas omnis totiusque mundi nota sit magnitudo. (IV.37)

He criticizes the arguments of the Peripatetics (ibid.39) and at IV.44 cites a number of exempla used by them. He is appealing to a common stock of illustrations:

Noctu ambulabat in publico Themistocles, quod
somnum capere non posset, quaerentibusque respondebat
Miltiadis tropaeis se e somno suscitari. Cui non sunt
audita Demosthenis vigiliae?

Now it is true that, outside this philosophical context, Cicero's whole political career and literary output can be seen as an instance of precisely this kind of effort and anxiety. However, the point remains that in the Tusculan Disputations he uses the example of Themistocles' cupiditas as something to be criticized. Valerius, on the other hand, warmly approves of it and places it in the chapter De Cupiditate Gloriae, adding to it Themistocles' reply in another context: Idem theatrum petens cum interrogaretur cuius vox auditu illi futura esset gratissima, dixit, Eius a quo artes meae optime canentur. Dulcedinem gloriae, paene adieci gloriosam. This is given in Pro Archia 20, with the variation

a quo sua virtus optime praedicaretur.

Tusc. IV.78

- IV.1. ext.1

De rep. I.59

Moderatio of Archytas of Tarentum. The De rep. I.59 is the more interesting of the two Ciceronian references, for there Cicero presents Laelius citing the precedent of Archytas as one that he imitates when angry - imitor Archytam. Even if Laelius did not make this remark, there must have been at least some literary evidence for Cicero to postulate such an identification on Laelius' part. On the basis of this, one may assume that the exemplum had a history of Roman usage. There is therefore no reason to see Cicero as Valerius' source here, particularly as IV.1 ext.1 has a much fuller account of the context of the remark than Tusc. IV.78.

Tusc. V.20 - IX.1. ext.3

Another exemplum that may derive from a common source on externa. In Cicero the case of Xerxes, offering a praemium to one who might find novam voluptatem, is used to demonstrate the insufficiency of external good - libido is without limits. In Valerius the story merely illustrates the ruinous consequences of luxuria. Stylistic variation - Cic. - praemium proposuit, qui invenisset novam voluptatem; Val. - ut edicto praemium ei proponeret, qui novum voluptatis genus repperisset - points to imitation.

Tusc. V.56 - IX.12.4

Cicero is using a number of important Roman exempla at this point to confirm his argument that numerous consulships are not in themselves a good thing (e.g. Laelius' one is preferable to Cinna's four.) He turns to Marius' insistence that Catulus must die - Moriatur, showing that Catulus (conceived here as another Laelius - nam hunc illi duco simillimum) was beatior in following the injunction than Marius was in giving it and thus disgracing his six consulships.

Valerius also considers this to be maximus Marianae gloriae rubor, but his focus is more on the details of Catulus' suicide (not given by Cicero). On other occasions too, Cicero fails to give these details (De Orat. III.3.9 and De Nat. Deor. III.80), but later writers do - namely Vell. II.22.4 (Florus II.9.15 is brief and misleading). (1)

Writing in this chapter De Mortibus non Vulgaribus, Valerius is relying on a tradition of related exempla of famous deaths - like the one depicted in Ad Herennium IV.55 - where visual details are prominent (see IX.12.5 - 7 in particular). Traces of this tradition may be found in DVI (e.g. biographies of Livius Drusus and Saturninus), where there is consistency in supplying vivid details of violent deaths. Verrius is known to have collected many exempla of sudden deaths - NH VII.180.

Unlike Cicero, Valerius equates felicitas with a natural death - eum demum felicem fuisse iudicamus, cui et accipere lucem prospere et reddere placide contigit. (IX.12. praef.) On this basis Catulus is not felix.

(1) See Bosch, op.cit., 47 and Klotz, op.cit., 85.

Tusc. V.57 - IX.13. ext.4

Both Cicero and Valerius give extensive coverage to Dionysius' extravagant suspicions, though Cicero has more background (derived, as he claims, from reliable authorities - de hoc homine a bonis auctoribus sic scriptum accepimus). There is a significant degree of stylistic variation (e.g. Cicero - ex familiis locupletium servos delegerat; Val. - a familiis locupletium electos praevalidos servos, quibus latera sua committeret; Cic. - ne tonsori collum committeret, tondere filias suas docuit; Val. - tonsorum quoque metu tondere filias suas docuit; committere occurs again in Valerius' manibus ferrum non ausus committere, instituit ut candentibus iuglandium nucum putaminibus barbam sibi et capillum adurerent, which mirrors Cicero's ferrum removit instituitque ut candentibus iuglandium putaminibus barbam sibi et capillum adurerent).

In this case, though the exemplum is traditional (and presumably appeared in a number of collections of externa in a formulaic way), Valerius is probably imitating Cicero's passage here. This is not surprising, for Cicero at Tusc. V.57 - 64 is both eloquent and prolix on the question of Dionysius' wretchedness, amidst his power and wealth (e.g. ibid. 61). On this occasion, like Cicero, Valerius takes the exemplum to show the theme of infelicitas (he uses the word infelicior in the preceding exemplum - IX.13. ext.3. - and taking IX.13. ext.4 in the same light). (Cicero uses beatus to denote a truly happy man here.)

- a) Tusc. V.77 - III.3. ext.6
- b) 78 - II.6.14

a) Cicero gives three instances of Indian endurance. Valerius gives only two, omitting the one that Cicero treats at greater length - the conduct of Indian wives. He may be excerpting Cicero.

On this occasion, both take the exempla as revealing Indian sapientia.

b) The exemplum of Indian wives competing with one another to join their husbands on the funeral pyre is given by Valerius at II.6.14 (illustrating prudencia of women), where he transmits the substance of Cicero's story:

Cic: quae est victrix, ea laeta
prosequentibus suis una cum viro in
rogum imponitur, illa victa maesta
discedit.

Val: victrix gaudio exultans
deductaque a necessariis prae[se]
ferentibus vultum coniugis se
flammis superiacit et cum eo
tamquam felicissima crematur:
superatae cum tristitia
et maerore in vita remanent.

The only difference of fact is that Valerius is thinking of a number of wives (perhaps on the basis of Cicero's previous remark - plures enim singulis solent esse nuptae). Both take the meaning of the custom in a similar way.

Tusc. V.91 - IV.3. ext.3

Cicero has only one exemplum relating to Xenocrates (his response to Alexander's ambassadors), Valerius gives two (adding his reaction to Phryne's attempts to seduce him), this gives grounds for assuming his dependence on a selection of exempla externa concerning continentia.

In Tusc. V.91 Xenocrates accepts a sum of money (triginta minas accepit), there is no mention of this in Valerius.

Tusc. V.92 - IV.3. ext.4

Alexander and Diogenes. Valerius follows Cicero's sequence, tending to confirm the use by both of similar collections of externa. Here, as in IV.3. ext.3, Valerius mentions continentia, which is not in Cicero, though the notion plainly is.

Tusc. V.109

- III.4.2

De Rep. II.35

Valerius' exemplum deals with L. Tarquinius.

Although Cicero in Tusc. V.109 writes of Tarquinius Priscus' Corinthian origins, he does not give grounds for Valerius' stating that his father was a mercator (quod mercatore genitum). Pliny NH XXXV. 152 cites the tradition of Demaratus' association with craftsmen, but this is not quite the same. Tusc. V.109 is therefore

unlikely to be the source here, similarly De Rep. II.35 also fails to mention this point. (1)

The matter is not merely incidental in Valerius' coverage, it forms the main reason for his use of Priscus in this sequence - De his qui humili loco nati clari evaserunt (Servius is the next instance cited).

Tusc. V.112 - VIII.7.4

Cicero gives an image of C. Drusus' house filled by those wishing to consult him (in spite of his blindness) - C. Drusi domum compleri a consultoribus solitam accepimus, Valerius a more abstract discussion of Drusus' perseverantia.

Cicero's accepimus probably refers to a convention of citing this exemplum, so there is no need to postulate Cicero as Valerius' source.

Tusc. V.115 - VIII.7. ext.6

Unlike Cicero, Valerius provides a citation of Anaxagoras' remark. Another case where a collection of externa appears to have been used.

(1) Ogilvie, op.cit., p.141 - from an antiquarian source interested in the history of Roman art. NH XXXV.16 - ms. corrupt: Ecphantus (?) Corinthus. hunc eodem nomine alium fuisse quam tradit Cornelius Nepos secutum in Italiam Damaratum, Tarquini Prisci regis Romani patrem... At 152 the three craftsmen are named Euchira, Diopus and Eugrammus. Ab his Italiae traditam plasticen.

III) De OfficiisDe Off. I.33 - VII.3.4

The deceptive arbitrium of Q. Fabius Labeo between Nola and Naples. Valerius' version of the affair contains a number of striking stylistic variants from Cicero's - e.g.:

I.33

VII.3.4

...aliquantum agri in medio relictum est. Itaque illorum finis sic, ut ipsi dixerant, terminavit; in medio relictum quod erat, populo Romano adiudicavit.

...aliquantum in medio vacui agri relictum est. Constitutis deinde finibus, ut ipsi terminaverant, quidquid reliqui soli fuit populo Romano adiudicavit. (1)

The main problem with this parallel is that Valerius adds an item concerning Q. Fabius Labeo that is not found in Cicero - Eundem ferunt, cum a rege Antiocho, quem bello superaverat, ex foedere icto dimidiam partem navium accipere deberet, medias omnes secuisse, ut eum tota classe privaret.

Cicero for his part is not even sure that the story he recalls is to be connected with Q. Fabius Labeo:

si verum est Q. Fabium Labeonem seu quem alium, nihil enim habeo praeter auditum...

(1) Note here the change of Cicero's terminavit to ut ipsi terminaverant, as a substitute for ut ipsi dixerant - apparently a deliberate variation, see full discussion in Bliss, pp.217-218.

Taken literally, this indicates an oral tradition (e.g. De Off. III.77 - Fimbriam consularem audiebam de patre nostro puer, see below p.322), and this may explain the stylistic similarity and variation between the two versions. Valerius lacks Cicero's uncertainty about the auctor and has an extra instance of his conduct, pointing to a conventional image of Labeo as a cunning deceiver. Both Cicero and Valerius disapprove of his arbitrium, but this need not be taken as showing that the tradition was uniformly hostile. Possibly some accounts defended his actions, as being for the benefit of the res publica, others may have denied them as false. (1)

Valerius' exemplum concerning Labeo and Antiochus' fleet is very odd. We know that the consul of 183 received a naval triumph, but, on the testimony of Valerius Antias, this was not for a naval battle with Antiochus. (2) We know otherwise of no foedus arranged by him with Antiochus. Therefore the story of his victory, as given in VII.3.4, looks suspiciously like a forgery, stealing some credit from L. Scipio's victories.

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- (1) Brutus 81; Sumner, The Orators in Cicero's "Brutus", p.43 - an historian Fabius Labeo, possibly son of the consul of 183 B.C.
- (2) See Livy XXXVII.60; R. Broughton, MRR for 189.

De Off. I.129 - II.1.7

It is possible to take the parallel as an imitation, though given the basic nature of the information conveyed, and the numerous sources that presumably contained it, Cicero is not really an obvious source for the item. (1)

I.129

Nostro quidem more cum parentibus
puberes filii, cum soceris generi
non lavantur.

Both invoke verecundia.

II.1.7

...aliquandiu nec pater cum
filiio pubere nec socer cum genero
lavabatur.

De Off. I.144 - IV.3. ext.1

Pericles, Sophocles and pulcher puer. The parallel appears an imitation, with Valerius' exemplum changing Pericles' remark At enim praetorem, Sophocle, docet non solum manus, sed etiam oculos abstinentes habere into oratio obliqua: intemperantiam eius increpans dixit praetoris non solum manus a pecuniae lucro, sed etiam oculos a libidinoso aspectu continentes esse debere. Valerius' chapter is De Abstinencia et Continentia, with Roman exempla predominating.

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- (1) Varro was postulated by Krieger for eight of the ten exempla in this particular sequence (De Institutis Antiquis), p.81; II.1.1 was accepted as a clear case of imitation of De Div. I.28 above pp.263-269.

De Off. II.25 - IX.13. ext.3

Extravagant fears of Alexander of Pherae. Variation and similarities are sufficiently striking to favour imitation:

II.25

IX.13 ext.3

tamen ad eam ex epulis in cubiculum
veniens barbarum, et eum quidem, ut
 scriptum est, compunctum notis Thraeciis,
destricto gladio iubebat anteire
praemittebatque de stiparibus suis, qui
scrutarentur arculas muliebres et, ne
 quod in vestimentis telum occultaretur,
 exquirerent.

ad eam ex epulis in cubiculum
veniens barbarum compunctum notis
Thraciis stricto gladio iubebat
anteire, nec prius se eidem lecto
 committebat, quam a stipatoribus
 diligenter esset scrutatus.

Both refer to the eventual murder of Alexander by his wife:

Nec eum fefellit; ab ea est enim
 ipsa propter pelicatus suspicionem
interfectus.

Cuius timoris eadem et causa et finis
 fuit: Alexandrum enim Thebe
paelicatus
ira mota interemit.

De Off. II.43 - VII.2 ext.1

Cicero at this point is discussing vera gloria, citing Socrates' remark on the best way of achieving it (...Socrates hanc viam ad gloriam proximam et quasi compendiarium dicebat esse, si quis id ageret, ut, qualis haberi vellet, talis esset), and alluding in the same context to the

justified murder of the Gracchi (who, by implication, chose the wrong path to glory - nec vivi probantur bonis et mortui numerum optinent iure caesorum). Valerius in VII.2 ext.1 gives four related exempla concerning Socrates' sapientia, one of these very closely resembles Cicero's passage:

Idem expedita et compendiata via eos ad gloriam pervenire dicebat, qui id agerent, ut, quales videri vellent, tales etiam essent.

Cicero's quasi is removed from compendiaria (the only instance of its use by him) and the adjective is presented without hesitation. (1) This being the case, the argument for imitation is strengthened.

Like Cicero, Valerius recalls, in the Roman section of the chapter, Tiberius Gracchus' fate. He attributes sapientia to the Senate for having condemned him - a revealing partisan distortion of the circumstances of the murder (even the version in III.2.17 does not go as far):

Par illa sapientia senatus. Ti. Gracchum tribunum pl. agrariam legem promulgare ausum morte multavit. Idem ut secundum legem eius per triumviros ager populo viritim divideretur egregie censuit, si quidem gravissimae seditionis eodem tempore et auctorem et causam sustulit.

Here we are in a world far removed from the vivid immediacy of the Ad Herennium IV.55; the actions of Nasica have become the wise actions

(1) Bliss, pp.118-119.

of the Senate itself. Even if Valerius were prompted to allude to Tiberius by Cicero's remarks in De Off. II.43, this shows the kind of conception that they conjured in his mind. (1)

De Off. II.53 - VII.2 ext.10

Cicero is discussing the sensitive issue of liberalitas, quoting with approval Philip's censure of Alexander for distribution of money to the Macedonians (Quae te, malum" inquit, "ratio in istam spem induxit, ut eos tibi fedeles putares fore, quos pecunia corrupisses? An tu id agis, ut Macedones non te regem suum, sed ministrum et praebitorem sperent fore?). Cicero develops his own position that while largitiones are not to be entirely discouraged, service (opera et industria) is a preferable form of public generosity.

Valerius makes no such distinction. His choice of illustrations for the theme of liberalitas (see especially IV.8.1 and 3) point to historical instances of considerable financial sacrifice (the case of Q. Fabius Cunctator's selling of his fundus in order to ransom captives from Hannibal (IV.8.1 and DVI XLIII). In VII.2 ext.10 Philip's letter to Alexander is cited as an instance of sapientia. It may derive from Cicero in De Off. II.53 (Val. - Quae te, fili, ratio in hanc tam vanam spem induxit, ut eos tibi fideles futuros existimares, quos pecunia ad amorem tui compulisses? Both use ratio and induxit, Cicero's corrupisses

(1) On similar instances of rhetorical abstraction, see above discussion of Livy II.41 and V.M. V.8.2, as well as VI.3.1 (b) and VI.3.2, pp. 251-248.

is changed to compulisses).

Cicero writes as a former aedile whose expenditure in his term of office was quite modest - sane exiguus sumptus aedilitatis fuit (De Off. II.59), identifying himself with those figures in the past who built their careers without relying on munera (ibid.). At De Off. I.57 there is a list of famous aediles who gave magnificent displays. We know from the fragments of Nepos and Verrius that writers of exempla literature were interested in degrees of ostentation revealed in such cases and, like Cicero, made careful comparisons in tracing the history of this extravagance: (1)

omnes autem P. Lentulus me consule vicit superiores;
hunc est Scaurus imitatus; magnificentissima vero nostri
Pompei munera secundo consulatu...

The Scaurus mentioned appears to have earned a particularly adverse reputation among some exempla writers (judging by Pliny NH XXXVI.113, see above p.118n2). This kind of subject matter, though known to Valerius (e.g. his list in II.4.6), is not given prominence in the Facta et Dicta.

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- (1) E.g. it was noted by a writer used by Pliny at NH VIII.64 that M. Aemilius Scaurus in 58 B.C. was first to exhibit 150 female leopards, to be followed by Pompey with 410 and Augustus with 420; similarly the figures for lions - ibid. 53; Varro may have been the source for much of this material (his interest in animals - NH ibid. 104), but in so far as it is frequently supplemented with Augustan items (e.g. ibid. 65) we are dealing with a later writer, conceivably some of the figures were put together by Pliny himself.

The chapter De Luxuria et Libidine gives a random selection of items that, as we have argued above, were presented more coherently and extensively by other exempla writers.

Therefore, if Valerius had looked at this particular section of De Officiis, choosing from it only the item on Alexander, he failed to respond to its most characteristic message and content that found resonance in other parts of exempla literature.

De Off. II.71 - VII.2 ext.9

Themistocles' view on the suitable husband for his daughter (Cic. - Ego vero", inquit, "malo virum, qui pecunia egeat, quam pecuniam quae viro.; Val. - Malo", inquit, "virum pecunia quam pecuniam viro indigentem).

De Off. II.76 - IV.3.8

Cicero, like Valerius, illustrates abstinentia, but he incorporates in his brief treatment a notion that does not in this connection interest Valerius - laus abstinentiae non hominis est solum, sed etiam temporum illorum. In this survey Cicero alludes to three exemplars - Aemilius Paulus, Africanus Minor (it is recalled that he was explicitly praised by Panaetius for this very quality) and L. Mummius. All three, judging by the material preserved in Pliny, symbolized their military victories

by magnificent triumphs that left detailed records in exempla literature, amongst other sources. (1)

For Cicero the conduct of Mummius sums up the general theme:

Italiam ornare quam domum suam maluit; quamquam Italia
ornata domus ipsa mihi videtur ornatior.

This judgement corresponds to the statement by Livy's epitomator in Per.52:

Ipsa L. Mummius abstinentissimum virum egit, nec quicquam
ex his operibus ornamentisque, quae praedives Corinthos
habuit, in domum eius pervenit.

This points to Livy making a feature of Mummius' moderation and contrasting it with the opulence of his triumphal procession (ibid. - L. Mummius de Achaëis triumphavit, signa aerea marmoreaque et tabulas pictas in triumpho tulit), but it was his passion for collecting art objects that seems to have been most remembered by posterity. (2)

- (1) Paulus - NH XXXIII.56; Africanus - ibid.141, for Mummius, see below. Of course, the annalists (e.g. Livy (Antias) XLV.xl) offered a record of triumphs as these occurred in the narrative (material in the Annales (Ogilvie, p.273) may have been more extensive than what we have in the Fasti Triumphales; Pliny (see index to book V) consulted acta triumphorum), but exempla writers were probably the ones that brought together information concerning numerous triumphatores and made detailed comparisons (Antias is not listed by Pliny for book XXXIII; Atticus and Varro are: amongst the sources for XXXV he gives Atticus, Varro, Nepos and Messalla senex.) Valerius' II.8. (De Iure Triumphandi) indicates an interest of exempla collectors in various aspects of triumphs.
- (2) Vell. I.13.4; NH XXXV.24 - highlighting his ignorance (though Velleius does not entirely disapprove of his lack of discernment);

(2) cont.

NH XXXIII.149 - noting the conquest of Achaia as an important stage in the growth of Roman amor of opulentia externa; ibid. 57 - an exempla writer recorded that ceilings were first gilded on the Capitol in Mummius' censorship (both censors responsible, Broughton, p.474; contra Astin, op.cit., p.115 n.4); we also glimpse a fragment of a hostile view of Mummius' record in the Corinthian war - V.M. VII.5.4 and DVI 60 - adversum Corinthos missus victoriam alieno labore quaesitum interceptit; Aemilianus' judgement on him - V.M. VI.4.2 (Astin, p.254).

Neither Aemilianus nor Mummius occur in Valerius' De Abstinencia et Continentia, but Paulus' exemplum bears a close resemblance to Cicero's:

De Off. II.76

Omni Macedonum gaza, quae fuit maxima,
 potitus Paulus tantum in aerarium
 pecuniae invexit, ut unius imperatoris
praeda finem attulit^{er} tributorum.
 At hic nihil domum suam intulit
praeter memoriam nominis
sempiternam.

IV.3.8

At Perse devicto Paulus, cum
 Macedonicis opibus veterem atque
 hereditatem urbis nostrae
 pauperitatem eo usque satiasset,
 ut illo tempore primum populus
 Romanus tributi praestandi
onere se liberaret, penates
suos nulla ex parte locupletiores
fecit, praeclare secum actum
existimans, quod ex illa victoria
alii pecuniam, ipse gloriam
occupasset.

While stylistic echoes on this occasion are slight, Valerius does convey, with less economy of expression, the essential points of De Off. II.76 concerning Paulus. If he is using Cicero, two aspects of his response need to be defined. First, he is more prolix. In the technical

literary sense, what he does cannot be described as abridgement. Secondly, he fragments a grouping of figures carefully connected by Cicero (note the remark that Aemilianus emulated Paulus, as well as the general point about the climate of abstinentia in which the exemplars lived). The latter is an abridgement, a reduction of what can only be properly understood as a continuous sequence. In this non-technical, conceptual sense, he abridges an historical tradition developed by Cicero (and presumably by other writers as well - see NH XXX.55-57).

De Off. III.45 - IV.7. ext.1

Amicitia of two Pythagoreans - Damon and Phinitias. Valerius gives a more extensive account. The parallel has significant stylistic variants (e.g. Cic. - admiratus eorum fidem tyrannus petivit, ut se ad amicitiam tertium ascriberent; Val. - admiratus amborum animum tyrannus supplicium fidei remisit insuperque eos rogavit ut se in societatem amicitiae tertium sodalicii gradum mutua cultorum benevolentia reciperent). (1)

De Off. III.46 - IX.2 ext.8

Cicero is citing cases of apparent, not genuine, utilitas. He refers to the Roman destruction of Corinth and to the Athenian decision to punish Aeginetans by cutting off their thumbs:

(1) Bliss, op.cit., p.214.

Hoc visum est utile...Sed nihil, quod crudele, utile;
est enim hominum naturae, quam sequi debemus, maxime
inimica crudelitas.

This argument from natural law finds no echo in Valerius' coverage of crudelitas. He gives a vivid rhetorical personification of it instead:

...crudelitatis vero horridus habitus, truculenta species,
violenti spiritus, vox terribilis, omnia minis et cruentis
imperiis referta. IX.2 praef.

In the Roman section of the chapter, he does not refer to the destruction of Corinth. In presenting the case of Athenian cruelty to the inhabitants of Aegina, he gives no hint that this was done from a false view utilitas.

De Off. III.49 - VI.5 ext.2

Aristides' view that what Themistocles intended to do was expedient but not just. Valerius' treatment may be interpreted as an imitation of Cicero's coverage, and, more importantly, he appears to understand the case in the same way:

Cicero	Valerius
Quod Aristides cum audisset, in contionem magna expectatione venit dixitque perutile esse consilium, quod Themistocles afferret, sed minime honestum.	...processit ad cives et retulit Themistoclen ut utile consilium, ita minime iustum animo volvere.

However, Cicero is prompted to add at the end of his reference to the decision of the Athenians in this matter a personal observation on Roman practices:

Melius hi quam nos, qui piratas immunes, socios
vectigales habemus.

This is abridged by Valerius. (1)

De Off. III.66 - VIII.2.1

Sententia of M. Cato (nostris Catonis pater - Cic.; Val. - incluti Catonis pater) in the case of a fraudulent sale. Imitation is likely, though, as is to be expected, the legal formula is identical in both versions. (2)

De Off. III.73 - IX.4.1

M. Crassus and Q. Hortensius profit by a fraudulent will. As Bliss suggests, the case can scarcely be taken by Cicero from another writer. It seems to be a personal observation and as such imitated by Valerius. (3) Both versions condemn the action:

(1) Ibid., p.217.

(2) Ibid., p.220.

(3) Ibid., p.223; Helm, RE, col.106.

...	...tamen uterque pecuniae cupidus
	<u>facinoris alieni munus non repudiavit.</u>
...qui cum illud falsum esse	...Lumina curiae, ornamenta fori,
suspicaretur, sibi autem nullius	quod scelus vindicare debebant,
esset conscii culpae, <u>alieni facinoris</u>	inhonesti lucri captura invitati
<u>munusculum non repudiaverunt.</u>	auctoritatibus suis texerunt.

De Off. III.77 - VII.2.4

Cicero introduces the case of Fimbria's judgement with Fimbriam consularem audiebam de patre nostro puer. This suggests a long-standing oral tradition that may account for stylistic variants. (1)

De Off. III.99 - I.1.14

The decision of Atilius Regulus to return to Carthage. Cicero's handling of the matter is extensive (III.99-101) and is undertaken with the aim of demonstrating that whatever is beneficial to the state cannot be harmful to the individual - potest autem, quod inutile rei publicae sit, id cuiquam civi utile esse. Regulus demonstrates endurance and proves that nothing is intolerable that may happen to a man: -

Harum enim est virtutum proprium nihil extimescere,
omnia humana despicere, nihil, quod homini accidere
possit, intolerandum putare.

(1) Bliss, 217 - "certain imitation."

Valerius gives the exemplum in the chapter De Religione and sees the issue in religious terms:

Sed quae ad custodiam religionis adtinent, nescio an omnes M. Atilius Regulus praecesserit...

In this coverage Atilius is moved by religious scruples to keep the oath which he gave, but in Cicero the matter of the oath is subordinate to the more abstract argument. In addition, Valerius is prompted to suggest why the gods did not come to Atilius' aid:

Potuerunt profecto dii immortales efferatam mitigare saevitiam. Ceterum, quo clarior esset Atilii gloria, Karthaginienses moribus suis uti passi sunt, tertio Punico bello religiosissimi spiritus tam crudeliter vexati urbis eorum interitu iusta exacturi piacula.

A neat and telling illustration of inevitability of divine justice, but a view of the matter that is quite distinct from Cicero's. So in this case, as in so many others, a Ciceronian parallel helps us to define the particular characteristics of Valerius' understanding of traditional exempla. (1)

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- (1) Valerius' response to the exemplum of Regulus probably owes more to the annalistic tradition than to Cicero. Valerius quotes from a lost book of Livy Regulus' battle with a serpent - I.8. ext.19. The subject was also handled by Aelius Tuberus (Gell. VII.iii), who may have given the whole sequence of events considerable religious significance. See above, "Livy-Valerius", pp.131 - 143.

IV) De SenectuteSen. 13 - VIII.13. ext.2

Gorgias of Leontini on old age. Given Valerius' familiarity with De Senectute (see below VIII.13.1), and the absence of any additional information not found in Cicero's coverage, this is best described as imitation (Cic. - "nihil habeo," inquit, "quod accusem senectutem"; Val. - "quia nihil", inquit, "habeo quod senectutem meam accusem").

Sen. 13 - VIII.7. ext.9

Cicero gives this item of information (that Isocrates composed his Panathenaicus when he was ninety-four) together with the example of Gorgias. Valerius transposes it to another chapter. Imitation, with Valerius offering a rhetorically inflated version (e.g. he expands Cicero's vixit quinquennium postea into neque hoc stilo terminos vitae suae clausit: namque admirationis eius fructum quinquennio percepit).

Sen. 16 and 37 - VIII.13.5

Fortitudo of Appius Claudius Caecus in his blindness and old age. Valerius appears to be fusing material from two passages in De Senectute. In respect of Appius' appearance in the Senate and his oration against an alliance with Pyrrhus, Valerius omits Cato's references to Ennius' poem, which celebrated it, and the survival of the speech itself long after his death. Both are important items showing the manner in which enduring

reputations were sustained. When at the end of Sen. 16 Cato says tamen sic a patribus accepimus he is not merely using a convenient expression to define a source of historical knowledge. The statement is an illustration of Cicero's conception of the traditional channels through which this and similar exempla were handed down. The expression is not taken up by Valerius.

Valerius does take over from Sen. 37 the reference to Appius' extensive household - his four sons, five daughters and a large body of clients. But whereas in De Senectute such information is part of a fairly comprehensive prosopographical record (e.g. references to the sons of Cunctator and Cato in IV.12 and XIX.68 respectively - neither mentioned by Valerius in De Parentibus qui obitum liberorum forti animo tulerunt, V.10) in Valerius it is of marginal importance.

Sen. 21 - VIII.7. ext.15

The first part of Valerius' exemplum, the reference to Themistocles knowing the names of all Athenian citizens, appears a variation of Cicero's passage (Cic. - Themistocles omnium civium perceperat nomina; Val. - omnium tamen civium suorum nomina memoria conprehendit). The second part, the reference to Themistocles learning Persian, is taken from another source.

The instance of Themistocles' memory is coupled in Cicero with Cato's description of his own mnemonic powers (see above 262). This aspect of Cato's portrait is abridged by Valerius.

Sen. 22 - VIII.7. ext.12

This should be rejected as a parallel. Valerius fails to carry over most of Cicero's story concerning Sophocles. In fact, where Cicero writes of the attempt of Sophocles' sons to deprive him of his property rights, Valerius mentions instead an epitaph set up by Iophon, Sophocles' dutiful son. Given the use of De Senectute in other exempla of the sequence, Valerius' procedure in this case appears a deliberate decision to vary his sources.

Valerius also claims, unlike Cicero, that Sophocles lived to one hundred years. (1)

Sen. 26 - VIII.7. ext.14

Cicero makes only a passing reference to Solon's boast in his poems - et Solonem versibus gloriantem videmus, qui se cotidie aliquid addiscentem dicit senem fieri. Valerius has a variation on this formulation, but he also goes on to add an illustration not found in Cicero that pictures Solon on his death-bed - Nam Solon quanta industria flagraverit et versibus complexus est, quibus significat se cotidie aliquid addiscentem senescere, et supremo vitae die confirmavit...

Cicero couples the case of Solon with that of Cato, who claims to have undertaken the study of Greek in his old age with great profit. This

(1) Bosch, op.cit., p.78. Drawing on an antiquarian source.

material does appear in Valerius' VIII.7.1, but as a brief item only. However, in De Senectute Cato's mention of his learning Greek is given as an explanation for the various Greek exempla that he employs in his exposition:

Et ego feci, qui litteras Graecas senex didici, quas quidem sic avide arripui quasi diuturnam sitim explere cupiens, ut ea ipsa mihi nota essent, quibus me nunc exemplis uti videtis.

It is not an incidental allusion, as it is in Valerius.

Sen. 30 - VIII.13.2

This exemplum gives a clear illustration of the difference between Cicero's conception of exempla and Valerius'. In De Senectute, Cato is presented as recalling his own memory of L. Metellus:

Ego L. Metellum memini puer...

The image is not only that of the vigorous, aged pontifex, but of Cato as a transmitter of that image. In Valerius, the matter is reduced to its bare factual essentials - Metellus was pontifex maximus for twenty-two years.

Sen. 34 - VIII.13. ext.1

This is the parallel in which Cicero is explicitly mentioned as an authority for Masinissa's conduct in old age (259 above). However, Valerius supplements Cicero's account. Most conspicuously he includes an item on Masinissa's sexual vigour:

Veneris etiam usu ita semper viguit, ut post sextum
et octogesimum annum filium generaret, cui Methymno nomen
fuit.

A recollection of this kind is quite contrary to the spirit of Cato's argument in De Senectute in respect of the kinds of activities that are fitting to declining years (e.g. 46 - banquets permissible, though sexual activity is definitely out - 47).

Pliny in VII.61 has the same notice as Valerius and also adds a fact of Cato's senectus that neither Cicero nor Valerius recall:

...Catonem censorium octogesimo exacto e filia
Saloni clientis sui: qua de causa aliorum eius
liberum propago Liciniani sunt cognominati, hi
Saloniani, ex quis Uticensis fuit.

This looks very much like a remark of a late Republican prosopographer, from whom Valerius may have taken the reference to Masinissa. (1)

(1) Klotz, op.cit., p.15. Nepos' biography of Cato, written at the request of Atticus, probably gave a similar notice.

Sen. 43 - IV.3.6

C. Fabricius learning about the doctrines of Epicurus, from Cineas of Thessaly, at the court of Pyrrhus. Cato introduces the incident with a description of the chain by which it had been transmitted to him:

Saepe audiui e maioribus natu, qui se porro pueros
a senibus audisse dicebant...

This is pruned by Valerius. Cato also reports that when Fabricius described Epicurean beliefs to M. Curius and T. Cornucianus, they suggested that they wished the Samnites and Pyrrhus to become converts to these doctrines, as this would make them easier to overcome. In Valerius, this wish is transposed to Fabricius himself:

pro monstro eam vocem accepit continuoque Pyrro
et Samnitibus istam sapientiam deprecatus est.

Valerius also makes the censure of Epidurean notions much more explicit. (1)

Sen. 44 - III.6.4

C. Duellius' pleasure at being attended by a flute-player and a torch-bearer. Again the matter is reported by Cato as something he himself observed:

(1) On the elements of stylistic imitation, see Bliss, op.cit., p.213.

redeuntem a sena senem saepe videbam puer...

He gives this illustration to show the moderate delights of old age. Though Duellius' behaviour was, as he says, without precedent of ancient examples, it was permissible on account of his gloria - tantum licentiae dabat gloria.

Valerius takes Duellius' habit to be a celebration of his military victory, a subtle shift from the point made in De Senectute:

insignem bellicae rei successum nocturna celebratione
testando.

The chapter as a whole, however, illustrates the general theme of exceptional men taking a degree of licence in their conduct. (1)

Sen. 47 - IV.3. ext.2

Valerius appears to give a variation of Cicero's description of Sophocles' reply to a question about amatory activity:

(1) E.g. Marius, like Liber, drinking from a cantharus - also in NH XXXIII.150, see E. Rawson, Phoenix, 1974, p.205.

Cicero

Bene Sophocles, cum ex eo quidam iam
 affecto aetate quaereret, utereturne rebus
veneriis, "di meliora", inquit, "ego vero
libenter vero istinc sicut a dominio
agresti ac furioso profugi".

Valerius

Sophocles autem aetate iam senior,
 cum ab eo quidam quaereret an
 etiam
 nunc rebus veneriis uteretur, "di
meliora", inquit, "libenter enim
istinc tamquam ex aliqua furiosa
profugi dominatione".

The exemplum is given in the chapter De Continentia et
Abstinentia. (1)

Sen. 55 - IV.3.5

Another exemplum to which Cicero gives a Catonian perspective.
 M. Curius' frugalitas is given a particular emphasis by Cato's personalized
 observation:

cuius quidem ego villam contemplan, abest enim non
longe a me, admirari satis non possum vel hominis
 ipsius continentiam vel temporum disciplinam.

This element is removed in Valerius' exemplum. He focuses on the
 image of M. Curius as he replies to Samnite envoys:

(1) See Valerius' treatment of Masinissa above in VIII.13. ext.1.

...Samnitium legatis agresti se in scamno adsidentem
foco eque ligneocatillo cenantem - quales epulas
apparatus indicio est - spectandum praebuit...

Cicero is less precise on the details - Curio ad focum sedenti
magnum auri pondus Samnites cum attulissent, repudiati sunt. Valerius
varies and expands Cicero's reference, giving a rhetorically inflated
version of Curius' dictum.

Sen. 60 - VIII.13.1

Cato speaks of the tradition which reported that Valerius
Corvinus lived to one hundred years:

M. quidem Valerium Corvinum accepimus ad centesimum
annum perduxisse...

Valerius Maximus gives the matter without this qualification:

M. Valerius Corvinus centesimum annum conplevit.

He is interested, as in other instances above, in the bare
numerical essentials, adding that between Corvinus' first and sixth
consulships there was a gap of forty-six years. (1)

(1) See Klotz, op.cit., p.13 - Pliny VII.157, gives a fuller version,
including idem sella curuli semel ac viciens sedit, quotiens nemo
alius; aequavit eius vitae spatia Metellus pontifex - this is not in
Cicero and Valerius (though it is implicit in Valerius' reference in
VIII.13.3 that Metellus also lived to one hundred years) and suggests
another collection of related exempla in which the author indulged in
numerical comparisons. See also below Sen. 69 - VIII.13. ext.4.

Cicero also mentions this gap, but characteristically adds a comment which is ignored by Valerius:

Ita quantum spatium aetatis maiores ad senectutis
initium esse voluerunt, tantus illi cursus honorum
fuit...

Sen. 63 - IV.5. ext.2

Praise of Spartan manners. Valerius gives a variation of Cicero's account:

Cicero

...dixisse ex eis quendam
Atheniensis scire quae recta essent,
sed facere nolle.

Valerius

Ferunt tunc unum e Lacedaemoniis
dixisse "Ergo Athenienses quid sit
rectum sciunt, sed id facere
neglegunt " .

Sen. 69 - VIII.13. ext.4

The long life of Argathonius of Cadiz. Cicero cites him, so does Pliny together with a number of other instances of exceptional longevity. (1)

(1) NH VII.156 - On Varro as a collector of such material, see the evidence marshalled by G. Ranucci, "Due fonti di Plinio il Vecchio nel brano De Spatiis Vitae Longissimis", Athenaeum, n.s. 1976, pp.131-138.

Valerius, for the second time in this externa section, chooses to cite his source - the third book of Asinius Pollio's history:

in tertio historiarum suarum libro centum illum
et XXX annos explesse commemorat... (1)

If Valerius could use Cicero directly and go to the trouble of supplementing him, there is no valid reason for denying that here he is actually consulting Pollio's history.

(1) The figure of XXX should be emended to XX, in the light of Cicero and Pliny (some manuscripts give XX - see Kempf).

.....

Valerius acknowledged in the preface that his aim was abridgement of famous authors (Urbis Romae exterarumque gentium facta simul ac dicta memoratu digna, quae apud alios latius diffusa sunt quam ut breviter cognosci possint. ab inlustribus electa auctoribus digerere constitui, ut documenta sumere volentibus longae inquisitionis labor absit). He lays no claim to originality in style or content. None the less, it is clear from the preceding discussion of the Ciceronian parallels (as well as the Livian ones) that Valerius did depart from his chosen authors in matters of expression and substance. It is likely that the patterns of selection, variation and abridgement that we have analysed in the two preceding chapters were repeated in relation to other authorities. Valerius did not simply excerpt his illustrious authors, preserving the essential characteristics of their presentation, he moulded and condensed his sources according to his own criteria of stylistic imitation and, more significantly, in the light of his own understanding of the moral issues and the institutional/political background involved. Explicitly he disclaimed ability to compete with the style of his auctores - quis compos mentis domesticae peregrinaeque historiae seriem felici superiorum stilo conditam vel adtentiore cura vel praestantiore facundia traditurum se speraverit. Yet the subtle shifts of emphasis and perspective probably derive from an impulse to use elements of originality as a means of competing with his models. In the Facta et Dicta we have the reverse of the inconsistency to be observed in the Ad Herennium.

The author of the Ad Herennium argued against the borrowing of stylistic examples from famous orators, poets and historians. (1) In his view, such eclecticism was detrimental to proper instruction in oratorical training. Selection of passages from Cato, the Gracchi, Laelius and Antonius, for instance, may cause the student to believe that none of these men attained all the necessary qualities and skills. It may also diminish a student's confidence in his own ability to attain comprehensive expertise in the varied techniques of persuasion. (2)

However, in spite of having expounded this case in considerable detail, the author of the Ad Herennium did not consistently adhere to his own avowed principles and borrowed his stylistic exempla from orators and historians. (3) For his part, Valerius does not conform to the announced intention of abbreviating material from his authorities, but injects, however misguidedly, a degree of originality, which reflects his limited appreciation of the distinctive judgements and conceptions of his models. Valerius documents for us the flavour, the aspirations and the limitations of rhetorical education.

Suasoriae and prosopopoeiae of the early Empire required of the students considerable amount of historical and antiquarian knowledge. (4)

(1) Ad Herennium IV. i-viii.

(2) Ibid.

(3) See detailed discussion in A.E.Douglas, "Clausulae in the Rhetorica ad Herennium as evidence of its date", CQ, 10, 1960, pp.65-78.

(4) Quintilian, III.viii. 50-52; R.Syme, Sallust, pp.314-351.

Familiarity with the key details of the political careers of republican leaders, like Pompey, Cicero and Antony, was an essential precondition for making the exercises convincing. (1) None the less, even in the hands of the most well-informed pupils, history was perpetually at risk in such compositions. There were simply too many pitfalls for the rhetorician - stylistic imitation could pervert and exaggerate the original; attempts to suggest authenticity could frequently result in glaring anachronism, as well as that not easily noticeable. (2) To complicate matters, there was possibly a great deal of spurious historical material in circulation. (3) In such a rhetorically charged climate, history was an obvious and inevitable casualty.

Our detailed examination of the Cicero-Valerius parallels has demonstrated the kind of restricted intellectual setting in which, it may be conjectured, much rhetorical education flourished. It is clearly unwise to underestimate the extent to which the transmission of the values and the experiences of the Roman tradition depended on minds like that of Valerius. There is a strong suspicion that Valerius gives us a set of influential rhetorical stereotypes, reflecting the popular conception of Roman and foreign history.

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- (1) Seneca, Suasoriae, VI and VII passim.
 - (2) Syme, Sallust, pp.323-337.
 - (3) Ibid.; M.I.Henderson, "De Commentariolo Petitionis", JRS, 40, 1950, pp.20-21; R.G.M.Nisbet, "The Commentariolum Petitionis: some arguments against its authenticity", JRS, 51, 1961, pp.84-87.

Right through our discussion, frequent comparisons have been made between Valerius' exempla and Pliny's abridgement of the antiquarian exempla literature. It remains now to explore the insights that were gained by Pliny's enquiring and critical mind.

CHAPTER 6

"PLINY'S RESPONSE TO THE EXEMPLA TRADITION"

The scale and ambitiousness of Pliny's Natural History recalls the great encyclopedic sweep of Varro. It is a prodigious feat of systematization and classification, with its basis in extensive and judicious reading, no less remarkable even if it can be shown that not all the authorities listed in the index to each book were extensively consulted directly. (1)

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- (1) A. Klotz (1942), p.8: "Die Nennung des Valerius Maximus im Index beweist nicht unbedingt seine Benutzung, da die indices auctores mehrfach auch nur Literaturangaben enthalten..." F. Münzer, Beiträge zur Quellenkritik der Naturgeschichte des Plinius, 1897, pp.177-198 - the section on "Varro als Vermittler von Bruchstücken älterer römischer Geschichtsschreiber" - the references to Cassius Hemina (see indices to books XIII, XVIII and XXXII) may not indicate that he was consulted directly. Great care needs to be taken, however, before this possibility hardens into dogma. Pliny was very severe with modern authors who copied previous authorities without acknowledgement (praef. 21 - 23), his own passion for work is uncontested. There is nothing improbable in supposing that he was thoroughly familiar with much of the material referred to in the indices, yet quite often chose to use those fragments that have already been extracted by others, adding as his distinctive contribution the specific identification of the original source. If a previous author (say Varro) failed to name Hemina when using him, to identify the source Pliny had to have some familiarity with Hemina himself. The implication of Pliny's criticism of others (praef. 23) is that he loved literary detective work and may have gained intense pleasure in restoring people like Hemina and Cato in the context of their work.

(1) cont.

There is no need to suppose that at XXIX.12 and 14, for instance, Pliny is not quoting directly from Hemina and the Elder Cato (considerable familiarity is displayed there with Cato's opinions and advice concerning the medical profession), though Cato is not cited in the index to book XXIX. However, given Pliny's pride in his extensive reading, it would be surprising if he had deliberately avoided mentioning in the index to a particular book a writer that he had used directly in compiling it.

Nihil enim legit quod non exciperet; dicere etiam solebat nullum esse librum tam malum ut non aliqua parte prodesset (Epist. III.v.10-11). This well-known description by the younger Pliny of his uncle's rare industry and insatiable curiosity gives little indication of the deep moral concern that must have guided his incessant toil, for even a cursory glance at the Natural History reveals that he was not a detached compiler of miscellaneous information. Frequently he is a stern critic of human pride, ambition and extravagance, freely offering sharp personal reflections on man's frail nature and on his (often cruel) impact on the natural world, his use and abuse of its generous gifts.

In previous chapters it has been suggested that Pliny inherits his perspective and much of this material from the exempla tradition. In the following analysis this debt will be examined and evaluated in more detail, with special reference to book VII, devoted entirely to human achievement - man's varied characteristics, habits and, above all, accomplishments.

In the index to book VII, Pliny lists the following Roman authors: "Ex auctoribus: Verrio Flacco, Gnaeo Gellio, Licinio Muciano, Masurio Sabino, Agrippina Claudii, M. Cicerone, Asinio Pollione, M. Varrone, Messala Rufo, Nepote Cornelio, Vergilio, T. Livio, Cordo, Melisso, Sebosio, Cornelio Celso, Maximo Valerio, Trogo, Nigidio Figulo, Pomponio Attico, Pediano Asconio, Fabiano, Catone censorio, actis, Fabio Vestale."

The mention of Atticus, Varro, Nepos, Messalla and Verrius Flaccus are a sufficient indication of Pliny's general familiarity with the antiquarian and prosopographical strand of the exempla tradition. Valerius Maximus is here too, though clearly his less systematic and derivative approach made him only an occasional guide. (1)

In the setting of his general survey of feats and inventions, Pliny selects, arranges and interprets material relating to the res gestae of key nobiles - Metellus Macedonicus, Pompey, Cicero, Caesar and Augustus. In a sense, he offers an interpretation of the Roman political tradition and its transformation in the principate of Augustus. He gives a serious and well-informed response to a range of exempla and their ideological implications.

Our analysis will concentrate mainly on Pliny's arrangement and comments, seeking to bring out his purpose and design. The general problem of his sources will only be considered whenever it throws light on this (e.g. the use by Pliny of Varro's material on Pompey's res gestae as a deliberate foil to Augustan material).

(1) Münzer, op. cit., pp.105 - 118 (note diagram on p.107); Klotz (1942) pp. 8-29; G. Ranucci, Athenaeum, 1976, pp.131-138. More importantly, there is Masurius Sabinus, whose collection was probably a more faithful continuator of the antiquarian strand of the exempla tradition than other collections of the early empire. See below his evidence on corona graminea pp.356-357.

Pliny's description of the extraordinary performance of M.

Sergius Silus (1) brings to light categories of achievement idealized in late republican exempla literature:

Verum in his sunt quidem virtutis opera magna, sed maiora fortunae:

M. Sergio, ut equidem arbitror, nemo quemquam hominum iure praetulerit, licet pronepos Catilina gratiam nomini deroget. secundo stipendio dextram manum perdidit, stipendiis duobus ter et vicies vulneratus est, ob id neutra manu, neutro pede satis utilis, animo tantum salvo, plurimis postea stipendiis debilis miles. bis ab Hannibale captus - neque enim cum quolibet hoste res fuit - bis vinculorum eius profugus, in viginti mensibus nullo non die in catenis aut compedibus custoditus. sinistra manu sola quater pugnavit, duobus equis insidente eo suffosis. dextram sibi ferream fecit, eaque religata proeliatus Cremonam obsidione exemit, Placentiam tutatus est, duodena castra hostium in Gallia cepit, quae omnia ex oratione eius apparent habita cum in praetura sacris arceretur a collegis ut debilis...ceteri profecto victores hominum fuere, Sergius vicit etiam fortunam.

(VII.104-106)

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- (1) M. Sergius Silus - Pr. Urbanus 197, see Broughton, I, p.333; M. Crawford, Roman Republican Coinage, I, p.302, denarius of M.Sergius Silus of 116 or 115 B.C., portraying horseman, holding a sword and a severed head. Catiline is described as nobili genere natus (Cat. 5.1 - see P. McGushin's commentary, p.60), yet surprisingly there is a paucity of information on his ancestors (Syme, Sallust, p.118 is uncharacteristically reticent on so crucial a matter). Yet there is some evidence in the annalistic tradition, as well as

(1) cont.

hints that prosopographers of the first century B.C. may have written on the Sergii. The Sergii have a Trojan ancestor - Sergestus (Aeneid V. 121 and of course 220-222 - see Wiseman, Greece and Rome, 21, 1974, p.154 and note 2), who, like Nautes, may have featured in a treatise on Trojan families. The family have a member in the second college of Decemvirs. The list as a whole is thought to be (Ogilvie, p.461) "a fabrication elaborated doubtless at the end of the third century". Livy IV.17.7 (and Ogilvie's comment) - L. Sergius Fidenas, perhaps the first member of the family to reach consular rank (437 B.C.). Fidenas - cognomen indicates origin, the old rural tribe Sergia lay between Via Salaria and the Via Nomentana and reached as far as Fidenae (ibid., p.560). There is a possible link of the Sergii with Servilii - the comission dispatched to investigate Fidenae contained a Sergius and a Servilius who also had the cognomen Fidenas (ibid.). See ibid., pp.568-569 on the cognomina of the Servilii.

There is no evidence on how Catiline used his ancestry. It is possible that Atticus and Messalla included references to famous Sergii in their work, perhaps if there had been a connection with the Servilii this was done in the context of a history of that family.

Who preserved the exemplum of M. Sergius Silus that Pliny transmits? Varro possibly. Pliny brackets Sergius with L. Siccus Dentatus, though he makes Sergius more distinctive. We know that Varro preserved an exemplum of Siccus Dentatus - V.M. III.2.24. It is likely that he also preserved that of Sergius. Livy's silence on Sergius' exemplary endurance may be an indication that this exemplum developed independently of the annalistic tradition (XXXII.27.7; XXXIII.21.9 and 24.4 - Malcovati, ORF, pp.97-98 - based on Pliny.) Catiline and his supporters may have had a hand in popularizing the image.

Sergius stands as a conspicuous example of courage, endurance and ability. Fortuna and virtus confront each other in vivid detail. Wounds, imprisonment, loss of his right hand - many are the barriers put up by adversity, yet Sergius manages to surmount every obstacle to survival and success. Sergius vicit etiam fortunam.

In isolating Sergius from other men with similar achievements to their lasting credit, and particularly from L. Siccus Dentatus, Pliny seeks to make a distinctive contribution. Varro treated the exploits of Siccus Dentatus (V.M. III.2.24) and he was clearly not alone in doing so (NH VII.101 - without a specific mention of Varro; Festus, p.208 L). The exemplum of Sergius was traditional, but Pliny asserts its uniqueness, giving it almost a category of its own. By doing so, he is revealing himself as a critical user of exempla literature, not just a transcriber of other people's classifications. (1)

In Pliny's scheme, Sergius - the praetor urbanus of 197 B.C. - has no rival in the field of res gestae. A deeper appreciation of the

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- (1) Livy (III.43 - Ogilvie, pp.475-476) places Siccus in a conspiratorial context, minimizes his importance and gives emphasis to his murder on the grounds of exciting a secessio. To account for this conception, Ogilvie (p.476) makes an ingenious suggestion - "Siccus and Sergius were so familiar a pair to Roman minds that the manner in which Sergius' descendant, Catiline, met his end was appropriately recalled by verbal associations in the death of Siccus". An odd contamination. If this guilt by association is true, why did Sergius Silus escape unscathed from the process? Gellius II.xi (scriptum est in libris annalibus) gives a more compressed version of Siccus' res gestae than Pliny, neither he nor Valerius Maximus argue for his bracketing with Sergius.

significance of this judgement in the context of book VII can be gained by considering Pliny's arguments concerning felicitas and noticing the historical exempla with which he chooses to illustrate them in chapters 130-150.

Si verum facere iudicium volumus (130). Clearly Pliny is endeavouring to challenge conventional judgements, superficial claims to felicitas, be it prosperity or happiness, made by the exempla literature. One such claim is to be found in Valerius Maximus VII.1.1 - a rhetorical exemplum that has been already examined above. Valerius is aware that prosperity and happiness unaffected by fortuna are rare, indeed he only offers one Roman instance. It is tempting to see Pliny's severe judgement on the question of Macedonicus' prosperity as a direct reply to this rhetorical affirmation. Of course Valerius was not alone in his conception of Macedonicus. The family tradition and prosopographical literature could have given a similar view (see above pp 106-110).

Valerius and Pliny are in agreement on the conditions necessary for felicitas - offices, commands, political success of one's sons; they only differ on the question of whether it is possible to attain such benefits and preserve them in the face of fortuna to the last. The Metelli are a useful pair of exempla for Pliny, their res gestae falling

into the traditional republican pattern of orderly competition and achievement. In fact, they project the very essence of the aspirations of the Roman governing class as transmitted by the exempla tradition. Yet Pliny chooses to inject a note of doubt. He admits that Lucius Metellus cannot be called infelix, but his blinding in the fire prevents one regarding him as felix. This is a sobering reflection on uncritical praise and admiration of human achievement.

In contrast to the legitimately successful Metelli stands Sulla, his cognomen gained in bloodshed of civil war. Such use of the word felix is for Pliny prava interpretatio -- perversion of meaning in the interest of political propaganda. This misuse of language stands condemned by history -- future generations pity his victims, universally hate him:

non melioris sortis tunc fuere pereuntes, quorum miseremur
hodie cum Sullam nemo non oderit?

Pliny's treatment of Sulla and the Metelli would not in itself excite curiosity. Taken from their context in book vii such judgements reflect an unremarkable pessimism and a scholar's desire to challenge conventional stereotypes of the exempla literature. However, the inclusion by Pliny of a survey of Augustus' misfortunes tends to transform the whole discussion of felicitas into something much more puzzling and worth closer scrutiny.

In the index to book VII Pliny supplies suitable headings for the convenience of those wishing to consult his material. The

achievements of Lucius Metellus stand under decem res in uno felicissimae, followed immediately by divi Augusti adversa. The contrast between the two is sufficiently sharp as to catch the eye of even a casual reader, particularly if the conventional image of Augustus was that of a felix.

When one examines this material in detail, numerous questions arise. Is it not strange that whereas one or two matters were considered to have been sufficient to question the conventional image of felicitas of the Metellan nobiles, Augustus requires an exhaustive list of adverse happenings? Is Pliny attempting something more than a general exposition of the theme that no mortal is truly felix? Is he deliberately setting up a distorted mirror-image of Augustus' res gestae?

Divi Augusti adversa is a fascinating list. It trivializes Augustus' principate in a most telling way (note the accumulation of disaster words - repulsa, proscriptionis invidia, fuga, naufragia, occultatio, cura, sollicitudo, ruina, as well as the concluding accumulation of evils - inopia stipendi, rebellio Illyrici, servitorum delectus, iuventutis penuria, pestilentia urbis, fames Italiae...iuxta haec Variana clades et maiestatis eius foeda suggillatio...inde suspicio in Fabium arcanorumque prodicionem, hinc uxoris et Tiberi cogitationes, suprema eius cura), he is presented as a victim of fortuna and of his own inadequacies. Pliny gives us a man totally at the mercy of events. The contrast with Sergius is instructive. Sergius saw each misfortune as a challenge, but Augustus is continually subject to fear and anxiety, not once exhibiting resolution or leadership. In spirit, though not entirely in content, Pliny's list anticipates that of the prudentes critical of

Augustus in Tacitus, Annals I, 10.

What were the antecedents of Pliny's list? Clearly some items came out from the invective of the triumviral period, others from hostile jibes during his subsequent career. (1) Suetonius (Augustus 55 and 56) indicates that Augustus was sensitive to criticism, particularly to that written under false names, and took pains to reply to it. Cremutius Cordus (Tacitus, Annals IV.34) justifies his praise of Brutus and Cassius by claiming that he is not alone in his admiration and that Augustus tolerated invectives against himself (Antonii epistulae, Bruti contiones). However, if the list given by Pliny is not his original composition, it must have been put together after Augustus' death, perhaps as a direct response to official propaganda.

Is it possible to be more specific? Cordus is one of the writers mentioned by Pliny in his index. His history was read before Augustus (Dio LVII.24; Suet. Tib. 61), so the portion available while Augustus was alive could not have been openly critical. But of course Cordus had ample opportunity to impose a negative verdict after 14 A.D. True, from the Tacitean version of Cordus' defence (Annals IV.34) it is not likely that he was responsible for any conspicuous adverse comments on Augustus, for surely this material would have been exploited by his accusers. On the other hand, we do know (Seneca, Cons. ad Marciam 26.1) that he condemned the civil war and the authors of proscriptions, presumably not sparing Octavian. He was dedicated to Pompey's memory (ibid 22.4 -

(1) K. Scott, MAAR, XI, 1933, p.12.

his comment on Sejanus' statue in Pompey's theatre - exclamavit Cordus tunc vere theatrum perire) and it is interesting to note that the oft-quoted reference by Augustus to Livy's praise of Pompey comes indirectly via Cordus' self-defence. His concern to recall this may be an indication of his own treatment of Pompey.

Cordus cannot be excluded as a possible source for either the whole of the list or some portion of it. In his comment on Tacitus Annals I, 10, Syme (Tacitus, I, pp. 272-273) suggests that there is no need to postulate that Tacitus discovered in an earlier writer the blame of Augustus as well as praise ("Surely it was his own congenial device - insisting upon the unfavourable side of things, demolishing, as it were, the conventional side of a funeral laudation."). This under-estimates the possibility that Augustus' definition of his own res gestae, in a way that was designed to outstrip in scale his predecessors (notably Pompey who received extensive commemoration in literature), had an impact on the generation after his death. Not all must have taken its claims seriously and resisted the temptation to satirize it. There is no need to think that Seneca was the first to do so in Apocolocyntosis. (1)

(1) In Apocolocyntosis 10, Augustus speaks in a deliberate parody of the Res Gestae. The verb dissimulare used by him here is an interesting anticipation by Seneca of one of the charges given by Tacitus in Annals I, 10 - his deception of Pompey, Lepidus and Antonius - imagine pacis, specie amicitiae, subdolae adfinitatis.

Whether Cordus' history served as an inspiration for parts of the divi Augusti adversa or not, it may have had some influence on Pliny's basic pessimism in respect of the achievement of the principate of Augustus. In Cons. ad Marciam 26.5 Seneca incorporates an imaginary speech by Cordus to his daughter. It is highly probable that this composition is adapted from some similar discussion in Cordus' writings, for it is unlikely that Seneca would have written for Marcia, who was well-acquainted with her father's work, something that contained ideas and sentiments unrepresentative of Cordus. It is therefore significant that this speech (the climax of the consolatio) contains reflections on felicitas and human existence that are very much akin to those that Pliny reveals in book VII. (1)

In his Res Gestae Augustus himself referred to fortuna:

Filios meos, quos iuvenes mihi eripuit fortuna...(14)

and Tacitus invokes her in alluding to the conduct of the two Julias:

Ut valida divo Augusto in rem publicam fortuna, ita domi
improspera fuit ob impudicitiam filiae ac neptis quas
urbe depulit, adulterosque earum morte aut fuga
punivit. (Ann. III.24)

In Pliny's dismal catalogue all aspects of Augustus' life are affected, almost as if Pliny is deliberately adding public to private misfortunes. The list is not a systematic challenge to the Res Gestae, its effect is to create an impression of numerous adversa, but some items -

(1) For Seneca's views on the fall of the Republic, see M. Griffin, Seneca, Oxford 1976, pp.182-201.

e.g. inopia stipendi - do nevertheless negate some central preoccupations of that document.

In the Annals (I.9.) Tacitus refers to the public fascination with such items of Augustus' career as the number of his consulships (in which he had equalled the combined totals of Valerius Cornus and Gaius Marius), the thirty-seven years of his tribunician power and twenty-one salutations as imperator (all in Res Gestae 4). This is precisely the kind of material that one would have expected Pliny to collect for book VII, and, clearly, as far as the Metelli are concerned, he is sensitive to the force of such tokens of success. Yet all similar items from the Res Gestae are ignored. (1)

Why does Pliny ignore the list of positive accomplishments provided by that document? Why does he offer instead a list of adversa? If he is only interested in challenging the common assumptions on felicitas, particularly in relation to Augustus, this purpose would have been adequately served by listing at least some of the items from the Res Gestae (in the manner of his treatment of the Metelli) and

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- (1) This is further emphasized by his citing this exemplum of Augustus - divus Augustus in reliqua exemplorum raritate neptis suae nepotem vidit genitum quo excessit anno M. Silanum, qui cum Asiam obtineret post consulatum Neronis principis successione, veneno eius interemptus est. (vii.58-59) The twelfth consulship of Augustus is recalled in connection with the exceptional fertility of a certain Crispinius Hilarus, who had eight children, twenty-seven grandchildren and eighteen great-grandchildren.

Pliny was familiar with Augustus' memoirs - II.24 and 94, though he does not list them as a source in the index to that book.

supplementing these by a few adversa to make his point. Why go to such an extreme with Augustus?

Does this arise from a political disapproval of Augustus, viz. of his attempt to monopolize power and by means of his Res Gestae to eclipse the gloria of other Roman leaders? Or does Pliny object to the nature of Augustus' achievement, to its lack of personal courage and strength, to its failure to conform to the standards of virtus of the exempla tradition?

The first of these possibilities should not be ruled out and is quite compatible with the second. However, material from the exempla literature included by Pliny in book VII suggests strongly that it was the nature of Augustus' claim to virtus that may have aroused Pliny's distaste.

Comparison has already been made above between Pliny's treatment of Sergius and that of Augustus, another can be made between the fortitudo of Siccus Dentatus and the princeps' reaction to his adversa. In describing the exploits of Dentatus (VII.101), Pliny delights in supplying statistics for the number of battles fought and rewards gained. In terms of recognition in book VII, Dentatus' simple military valour (coupled of course with the prosecution of T. Romilius) has a more

honoured place than the virtus and corona civica of Augustus - Res Gestae 34. (1).

In XXII. 6-14 Pliny devotes considerable attention to the priority and distinctiveness of the corona graminea:

Corona quidem nulla fuit graminea nobilior,
in maiestate populi terrarum princeps praemiisque
gloriae.

This introductory sentence is heavy with the suggestive vocabulary of Roman public life - nobilitas, maiestas, gloria. At the outset he places this particular reward at the heart of Roman military success, insisting that it is of greater significance than the civica:

Quod si civicae honos uno aliquo ac vel humillimo
cive servato praeclarus sacerque habetur, quid tandem
existimari debet unius virtute servatus universus
exercitus?

Like the corona civica, corona graminea was also sullied by

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- (1) NH XVI.7 - on coronae civicae - hinc civicae coronae, militum virtutis insigne clarissimum, iam pridem vero et clementiae imperatorum, postquam civilium bellorum profano meritum coepit videri civem non occidere. See E. A. Judge, op.cit., 290-293. Pliny (NH XVI.12) lists strict conditions (e.g. civem servare, hostem occidere) that had formerly applied, it seems that this is done as a deliberate critical reflection on later deviation from ancient standards. He is likely to be drawing his information from Varro, who is mentioned as a recipient of a corona rostrata.

subsequent misuse, though it too had strict and distinctive conditions attached to it. It is interesting to notice that the change is explicitly attributed by Pliny to Augustus, with specific allusion to the inadequacy of the corona civica:

Aemilianum quoque Scipionem Varro auctor est donatum
obsidionali in Africa Manilio consule III cohortibus servatis
totidemque ad servandas eas eductis, quod et statuae
eius in foro suo divus Augustus subscripsit. ipsum Augustum
M. Cicerone filio consule idibus Septembribus senatus
obsidionali donavit, adeo civica non satis videbatur.
nec praeterea quemquam hac invenimus donatum.

This passage is of considerable importance in determining Pliny's attitude to Augustan publicity. He quotes Varro on the award of the crown to Aemilianus and adds an aside to the presence of this information on the elogium of Augustus' Forum.

The award of the crown to Augustus by the Senate is in sharp contrast with the history of that honour, a contrast made more telling by Pliny's illustration that Augustus was himself aware of the proper traditional conditions governing it.

After Augustus there were no other recipients, as Pliny remarks, so he not only transformed the traditional conditions but made sure that

the new award was uniquely his own. Pliny's statement on the value of the corona civica at this point is intriguing. By asserting that that honour had already become debased in the consulship of Cicero's son he not only echoes his previous criticism (XVI.7) but also implicitly devalues a much more famous event - 13 January 27 B.C. (1)

- (1) In XXII.9-14 Pliny gives a list of the recipients of the corona graminea, a list that culminates with Augustus. First in this brief catalogue is L. Siccus Dentatus. The rarity of the award is self-explanatory in this case, but Pliny chooses to reinforce the notion by referring back to his preceding explanation of the corona's intrinsic worth (*ibid.*, 6-9). Exempla of P. Decius Mus, Fabius Cunctator, M. Calpurnius Flamma and Cn. Petreius of Atina follow.

The reference to Sulla is not properly part of the exempla sequence. In his case the award is seen in a critical light. Pliny does not state that Sulla actually received the crown, only that he claimed to have received it.

The perspective is critical and questioning, doubting the thrust of Sullan publicity. Next in Pliny's coverage comes Varro's report of Aemilianus gaining the corona graminea, the reference to the inscription in the Forum of Augustus and the award to Augustus himself. The critical reference to Sulla establishes one point - not all the awards were proper or just: to an extent this reflects on the allusion to Augustus, inviting a closer scrutiny of the context and the nature of that honour.

Varro is Pliny's source on Aemilianus. Sulla's memoirs and the painting in his villa are his evidence for that claim. With reference to Cn. Petreius of Atina he mentions auctores that he consulted (invenio apud auctores). Clearly Pliny is indebted to a complex tradition of information concerning the nature of the corona graminea and its various recipients.

It has already been suggested above that Varro may be a source of Pliny's material on Siccus Denatus in book VII (on the basis of V.M. III.2.24) and on various military crowns in general.

(1) cont.

Siccius Dentatus is prominent here, so it is not inconceivable that Varro is behind other items besides the reference to Aemilianus.

When Aulus Gellius made his notes on the subject of military crowns (V.vi. 1-27) one of his sources was Masurius Sabinus' Liber Memorialis - twice mentioned (V.vi. 13 and 27). Sabinus' discussion appears to have been wide-ranging and included contemporary exempla - Tiberius' ruling in a problematic instance when not all the necessary conditions had been fulfilled (ibid., 14-15).

Gellius selects only one exemplum of an award of corona graminea:

Hanc coronam gramineam senatus populusque Romanus
Q. Fabio Maximo dedit bello Poenorum secundo, quod urbem Romanam
obsidione hostium liberasset.

This is presumably from Masurius. Pliny also refers to Fabius' distinction. His coverage is fuller and is suffused with glowing admiration:

sedquo dictum est consensu honoratus est Hannibale Italia pulso,
quae corona adhuc sola ipsius imperii manibus inposita est
et, quod peculiare ei est, sola a tota Italia data. (ibid., 10)

Here, too (as in the case of Augustus that is to follow), the crown is given out of its customary context, but the feeling that Pliny projects into the award makes it appear as a logical and honourable extension of tradition. Here the cause is clear. In Augustus' case he avoids telling us why the corona graminea was judged appropriate, apart from the civica non satis videbatur. (ibid., 13)

But it is Pliny's extensive record of the res gestae of Pompey (for which Varro's books De Pompeio and De vita sua are an obvious source) that has a more direct bearing on the purpose of divi Augusti adversa. Nothing underlines the significance of the absence of material from Augustus' Res Gestae than Pliny's catalogue of Pompey's conquests - 95-99.

Why go back with such care and precision to Pompey when a more recent and a more extensive record of conquest and influence was at hand? Why recall that Pompey's victories equalled the fulgor of Alexander and almost those of Hercules and Bacchus, particularly when Virgil has already affirmed that Augustus surpassed the latter pair? (1)

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- (1) Note the use made by Livy of the adjective augustus in reference to Hercules and Romulus (I.8.3; Ogilvie, p.60). B. Rawson, "Pompey and Hercules", Antichthon, 4, 1970, pp.35-36. It is noteworthy that Pliny devotes so much attention to Pompey's dedication of the shrine of Minerva (VII.97). Beryl Rawson's article has amply documented the Pompey-Hercules connection and systematically illustrated an important aspect of Pompey's public image and his image of himself (p.30). It is interesting that Pliny testifies to the survival of the memory of this connection (aequato non modo Alexandri Magni rerum fulgore, sed etiam Herculis prope ac Liberi patris). Pliny must have been very well aware of the positive comparison of Augustus with Hercules and Bacchus in Aeneid vi 788-805 (see R.D. Williams, "The Pageant of Roman Heroes - Aeneid VI 756-853", Cicero and Virgil: Studies in Honour of Harold Hunt, 1972, pp.207-217). In view of Pliny's rivalry with Virgil and occasional criticism of the poet on various matters, it may not be too fanciful to postulate that a degree of deliberate challenge to Virgil's conception is being offered here. Pompey, not Augustus, is remembered in connection with Hercules and Bacchus. For Pliny's attitude to Virgil, see R.T. Bruere, "Pliny the Elder and Virgil", Classical Philology, 51, 1956, pp.228-246, see especially p.245. It has already been noticed in our discussion above (95-96) that Pliny did include elsewhere in his history material critical of Pompey's excesses in the matter of lavish displays (notably his image in pearls in XXXVII. 11-17). Other sobering exempla may have been adduced in the context of the catalogue of his conquests in book seven.

Rerum Gestarum Claritas Summa

95

Verum ad decus imperii Romani, non solum ad viri unius pertinet, victoriarum Pompei Magni titulos omnes triumphosque hoc in loco nuncupari, aequato non modo Alexandri Magni rerum fulgore, sed etiam Herculis prope ac Liberi patris. igitur Sicilia recuperata, unde primum Sullanus in reip. causa exoriens auspicatus est, Africa vero tota subacta et in dicionem redacta, Magnique nomine in spoliū inde capto, eques Romanus, id quod antea nemo, curru triumphali revectus et statim ad solis occasum transgressus, excitatis in Pyrenaeo tropaeis, oppida dcccclxxvi ab Alpibus ad finis Hispaniae ulterioris in dicionem redacta victoriae suae adscripsit et maiore animo Sertotium tacuit, belloque civili quod omnia externa conciebat extincto iterum triumphales currus eques Romanus induxit, totiens imperator ante quam miles. postea ad tota maria et deinde solis ortus missus infinitos retulit patriae titulos more sacris certaminibus vincentium - neque enim ipsi coronantur, sed patrias suas coronant; hos ergo honores urbi tribuit in delubro Minervae quod ex manubiis dicabat:

Cn. Pompeius Magnus imperator bello xxx annorum confecto fuis fugatis occisis in deditionem acceptis hominum centiens viciens semel lxxxiii depressis aut captis navibus DCCCXLVI oppidis castellis MDXXXVIII in fidem receptis terris a Maeotis ad Rubrum mare subactis votum merito Minervae.

98

Hos est breviarium eius ab oriente. triumphus vero quem duxit a.d. iiii kal. Oct. M. Pisone M. Messala coss. praefatio haec fuit:

Cum oram maritimam praedonibus liberasset et imperium
maris populo Romano restituisset ex Asia Ponto Armenia
Paphlagonia Cappadocia Cilicia Syria Scythis Iudaeis
Albanis Hiberia insula Creta Basternis et super haec
de rege Mithridate atque Tigrane triumphavit.

99

Summa summarum in illa gloria fuit (ut ipse in contione
dixit cum de rebus suis dissereret) Asiam ultimam provinciarum accepisse
eandemque mediam patriam reddidisse. si quis e contrario simili modo
velit percensere Caesaris res, qui maior illo apparuit, totum profecto
terrarum orbem enumeret, quod infinitum esse conveniet.

Pliny chooses Pompey in preference to Caesar, artfully dis-
claiming his own ability for an adequate account of such great conquests.

But why place Pompey in this context and not cite him in a more
obvious place - together with those who did not attain felicitas?
Rhetorical exempla (V.M. V.1.10) recalled his wretched death, pointedly
and vividly. It was an exemplum in philosophical discourse - Tusc.
I.86-87. On the face of it, Pompey was a better candidate to illustrate
Pliny's pessimistic theme than divus Augustus.

Did not Pompey see himself as felix? Did not others see him as
such? Did he not seek some association with that virtue?

The answers are not difficult to provide. Cicero in De Imperio
explicitly mentions felicitas together with scientia rei militaris,
virtus and auctoritas:

28 Ego enim sic existimo, in summo imperatore quattuor has
res inesse oportere, scientiam rei militaris, virtutem, auctoritatem,
felicitatem.

47 Reliquum est, ut de felicitate, quam praestare de se ipso
nemo potest, meminisse et commemorare de altero possumus,
sicut aequum est homines de potestate deorum, timide et
pauca dicamus...itaque non sum praedicaturus, quantas ille
res domi militiae, terra marique, quantaque felicitate
gesserit...

Timide, yet effectively, a claim is made. Pompey himself dedicated
a shrine in his theatre to Felicitas. (1)

Without entering into a systematic discussion of felicitas in the
propaganda of the late Republic, it is sufficient to note that Pompey's
association with it was as strong as that of Julius Caesar, certainly
stronger than that of Augustus. (2) Yet Pompey is spared in book vii
any negative reflection.

(1) B. Rawson, op.cit., pp.35-36, see particularly note 44; Weinstock,
op.cit., pp.38-39 - p.39 n.3; H. Erkell, Augustus, Felicitas, Fortuna,
Göteborg 1952, p.71.

(2) Caesar and Felicitas, Weinstock, op.cit., pp.76-77: p.117;
there is no particularly strong evidence for Augustus' special
identification with Felicitas - Weinstock, pp.196-197; H. Erkell,
op.cit., pp.108-120, for Augustus' felicitas invoked by Eutropius
in VIII.5.3.

This favourable presentation of Pompey's res gestae serves to emphasize the significance of Pliny's presentation of divi Augusti adversa. Both directly and indirectly Pliny negates the whole thrust of Augustan publicity in relation to the Roman exempla tradition. Augustus is not seen by Pliny as a natural and exceptionally glorious successor of former representatives of virtus. As far as he is concerned, Sergius, Siccus Dentatus and Pompey are more worthy of record and thereby glory than divus Augustus.

Finally, there is the extensive and glowing encomium of Cicero, recalling in some measure Nepos' tribute in De Viris Illustribus (Malcovati, fr. 57), but extending to an appreciation of Cicero's political triumphs (tuum Catilina fugit ingenium, tu M. Antonium proscripsisti). Pliny's conception of Cicero's lasting achievement serves even more forcefully than the list of Pompey's res gestae to bring out in sharper relief the dismal and humiliating image of Augustus.

VII.117

Salve primus omnium parens patriae appellate, primus in
toga triumphum linguaeque lauream merite, et facundiae
Latiarumque litterarum parens atque, ut dictator Caesar
hostis quondam tuus de te scripsit, omnium triumphorum
laurea adepti maiorem, quanto plus est ingenii Romani
terminos in tantum promovisse quam imperii.

Here is a memorial to the first parens patriae, fertile in political and intellectual skills, and it stands in remarkable contrast

to Res Gestae 34. The reference to Caesar's praise of Cicero recalls by implication the ingratitude of his heir - always a relevant consideration for sensitive students of the period (e.g. CD III.30). (1)

It is difficult not to take the passage as a deliberate comment on the régime that followed, (2) just as it is difficult not to interpret Pliny's fondness for Agrippa as an indirect comment on Augustus (3) - Agrippa's qualities being more in tune with the tradition of fortitudo than those of Augustus, particularly as he, too, had to face his share of difficulties that his birth predestined - VII.45. (4).

The praise of Cicero is also accompanied by references to Varro - his statue in Pollio's library is mentioned, and the naval crown that he received from Pompey. And it is, of course, Varro that is explicitly acknowledged by Pliny as the source of his traditional exempla material - auctor est Varro in prodigiosarum virium relatione (81), Varro on Rusticelius (Hercules appellatus mulum suum tollebat - 83) and on Strabo who had exceptional sight (85).

- (1) Cicero's death was seen as an exemplum by both historians and rhetoricians, see Livy and Cordus in Seneca, Suasoriae 6.1-27.
- (2) Pace R.E.Wolverton, "The Encomium of Cicero in Pliny the Elder", Classical Medieval and Renaissance Studies in Honour of B.L.Ullman, 1964, pp.159-164, who does not see current political implications in the encomium.
- (3) See the discussion of Pliny's references to Agrippa in M.A.T.Burns, "Pliny's Ideal Roman", Classical Journal, 59, 1964, pp.253-258.
- (4) Agrippa's useful constructions in his aedileship are contrasted with the extravagance of Scaurus and Curio - XXXVI.121. Pliny is familiar with Agrippa's memoir of his aedileship and quotes from that document.

It remains in conclusion to speculate on why Pliny chose to develop his negative image of Augustus and reinforce it by indirect allusion. Augustus was the obvious choice for a critic of the principate, in as much as it was his exemplum that guided the principes of the Julio-Claudian family. (1)

In addition, a recent change of dynasty may have turned the minds of the people to civil wars of Pompey and Caesar, reviving talk of Augustus' subsequent pacification of the Roman world. (2)

- (1) See Seneca, De Clementia I.9-11. Seneca's attitude to Augustus is a complex one in which cruelty of the civil wars and proscriptions was not hidden, but was sometimes contrasted with later improvements (De Clementia) or was seen as having been forced on him by circumstances (cum civibus primum, deinde cum collegis, novissime cum adfinibus coactus armis decernere mari terraque sanguinem fudit - De Brevitate Vitae, 4.5.). M. Griffin's view (op. cit., pp.211-212) is that on the whole Seneca considered Augustus in a favourable light.
- (2) M. Grant, Roman Imperial Money - argues that chief events of Augustus' career dominated the memories of his successors, and that this phenomenon was particularly apparent under Vespasian, who imitated Augustus in 70/71 - on the anniversary of the Battle of Actium. Against this, T.V. Buttrey, "Vespasian as Moneyer", NC, xii, 1972 - i) Augustan coin types scattered through Vespasian's principate, hence the specific link with Actium's centenary does not hold; ii) gold and silver coinage of Vespasian is admittedly highly imitative, but "it is by no means specifically Augustan in reference". Tacitus, Histories 50. Certainly these conflicts were never far from the minds of men in the first century A.D. Lucan's Pharsalia, Petronius' mock epic on the same theme (Satyricon, 119-290), Seneca's numerous references to Caesar, Pompey and the younger Cato (recently comprehensively reviewed by M. Griffin, Seneca, pp.182-201) testify to the continuing relevance of the old issues and personalities. Note the contrasting evaluations of Pompey in Seneca, De Beneficiis 5.16.4 and Lucan, Pharsalia IX.192 - 6.

Felicitas and Fortuna had contemporary relevance. Felicitas was revived as a slogan and it appears on the coinage during the new civil wars, highlighting the absurdity of official propaganda. A. Castro in a recent study, Tacitus and the "Virtues" of the Roman Emperor: the Role of Imperial Propaganda (Ph.D. Indiana 1972) has illuminated Tacitus' technique of picking up and exposing the terminology of the principate, as it appears on its coins. It is clear that Tacitus was deliberately exploiting official material.

In a sense, Pliny was anticipating him, though in a more rudimentary way. He made his criticism by means of exploiting the vast resources of the exempla literature. Atticus, Varro, Nepos - he used them all in book VII to revive traditional virtus and reveal the hollowness of Augustus' claim. In the rest of his history, he imbibed and exploited the moral perspective of exempla writers to develop a general view of the historical trends that produced ostentation and extravagance in the Roman world.

CONCLUSION

My general aim in this study has been to illuminate two distinct aspects of the Roman exempla tradition and through that analysis to give an account of the tradition as a whole. I have devoted relatively more attention to Valerius than to Pliny, even though I argued that the latter is by far the more perceptive of the two. This emphasis was deliberate. Focusing attention on Valerius seemed to me a particularly useful way of charting the range of historical understanding within the tradition. It was urged that his Facta et Dicta may reflect the bewilderment of the ordinary observers of the age of transition and the level of historical understanding promoted by rhetorical education. It was also suggested that in the collection we have a number of exempla (and exempla sequences) that stand outside the historiographical mainstream; consequently, by analysing this kind of material we are able to glimpse the character of public understanding of historical events.

In view of the initial Roman suspicion of the rhetoricians (Suetonius, De Rhetoribus I) and, given what we know of their social origins (e.g. ibid., III and V), it is to some extent ironic that the memory of the exploits and accomplishments of the nobiles should have been enshrined in this haphazard way. I stress and illustrate Pliny's revival of the antiquarian exempla, yet I also feel that it is important to describe and understand the images and perceptions located in the Facta et Dicta.

If it were not for the existence of the Facta et Dicta, we would not have known of Valerius Maximus. He appears to have been a man who left no other trace of his life. As Carter observes, "he could have been a Roman, an Italian or a provincial". (1) If it can be assumed that his kind of language and ideas were at all influential at the time, historians have strong reasons for examining him.

From the preceding discussion, it emerges that Valerius must be assumed to have read widely. He clearly had access to a fair library, if not a collection of his own. Books in antiquity were costly and difficult to obtain. (2) The very nature of the enterprise of undertaking to abridge a number of illustrious authors presupposes a familiarity with a set of very precious objects. However, antiquarian studies did tend to be voluminous; illustrated exempla literature, expensive to produce. It may be that some of the differences between Valerius and Pliny that have been consistently observed, derive in part from Pliny's having access to a greater range of literary material. Nevertheless, the essential differences of perspective and historical insight are due to the differences between antiquarian and rhetorical approaches. In Pliny, the abridgement of tradition does attain the status of historical judgement.

(1) C.J.Carter, op.cit., p.34.

(2) A.Marshall, op.cit., pp.252-264.

APPENDIX

Valerius Maximus in modern historiography

Taking only an impressionistic view, one may be inclined to remark that whereas at the beginning of this century Valerius was to be found near the centre of scholarship, these days he may be hard to discern even on the periphery of it. (1)

(1) See C.J.Carter, op.cit., p.26.

The kind of attention that Valerius is still receiving is illustrated by the following selection: M.L.Paladini sets out to write on "Rapporti tra Velleio Patercolo e Valerio Massimo", Latomus, 16, 1957, pp.232-251, but concludes her study on a less confident note: "Vi sono infine contatti tra i due autori che non si possono definire propriamente rapporti, ma che restano semplicemente constatazioni parallele di un dato di fatto." (p.250) More fruitful is the enquiry by J.M.André into the concept of otium in Velleius and Valerius, "L'otium chez Valère-Maxime et Velleius Paterculus où la réaction morale au début du Principat", REL, 43, 1965, pp.294-315. It sets Valerius' collection in the moral climate of the age and observes with reference to otium a degree of "relativisme moral" and "discrimination sociale", see also Woodman, Empire and Aftermath, p.4 and n.17. Cl. Van Nerom, "Le discours de Ti. Sempronius Gracchus père en faveur de Scipion L'Asiatique", Latomus, 25, 1966, pp.426-447, takes a fresh look at Valerius' IV.1.6, noting that it contains information not found in Livy XXXVIII, 56 (pp.432-434) and speculating on the relation of the exemplum to the original speech by the elder Gracchus. Valerius' reference to lex Caecilia repetundarum is re-examined by C.Busacca, "Valerio Massimo VI.9.10 e la quaestio istituita dalla lex Caecilia", IURA, XIX, 1968, pp.83-93. E. Badian exposes M. Duronius' speech in II.9.5 as Valerius' invention: "Valerius' purple patch deserves due admiration. But it, and with it the "orator" Duronius, should be deleted from the history of Roman oratory" - "Two Roman Non-entities", CO, 19, 1969, pp. 198-200. B.M.Marti looks at Valerius' treatment of M. Caesius Scaeva in III.2.23, "Cassius Scaeva and Lucan's Inventio" in The Classical Tradition: Literary and Historical Studies in Honour of H. Caplan, Ithaca 1966, pp.240-244. A number of other passages continue to attract some comment - I.3.3 - F.H. Cramer, "Expulsion of Astrologers from Ancient Rome", Classica et Medievalia, 12, 1951, pp.14-17; II.4.4 - Jean-Paul Morel, "La iuentus et les origines du theatre romain", REL, 47, 1969, pp.208-252; III.2.17 - in discussion of Tiberius Gracchus'

(1) cont.

intentions (A.E.Astin, Scipio Aemilianus, Oxford 1967, p.212 n.3), Nasica's actions (A.W.Lintott, Violence in Republican Rome, Oxford 1968, p.159 n.2) and Scavola's position in the crisis (ibid, p.166):
IV.1.13 - R.Seager, "Factio: Some Observations", JRS, 56, 1972, p.55.

But on close inspection it emerges that far from being completely neglected, his text is cited on a wide range of topics. (1)

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- (1) Instances of Valerius being the only ancient source referred to are more numerous than might be supposed. Some examples should suffice to illustrate the point. D.C.Earl, "Appian B.C. I, 14 and Professio", Historia, XIV, 1965, p.329 - documenting C.Calpurnius Piso's reaction to Lollius Palicanus' candidature for the consulship with III.8.2. T.J.Luce, "Marius and the Mithridatic Command", Historia, XIX, 1970, p.182 n.89, citing Valerius' account of Sulla's signet ring in VIII. 14.4. V.Ehrenberg, "Imperium Maius in the Roman Republic", AJP, LXXIV, 2, 1953, p.115, citing VII.7.6 as the only piece of evidence for an intercessio by a consul in a juridical decision of a praetor, also cited by E.S.Staveley, "The Fasces and Imperium Maius", Historia, XII, 1963, p.471. E.J.Weinrib, "The Prosecution of Roman Magistrates", Phoenix, 22, 1968, p.33 n.8 - citing VI.5.4 on tribunician sacrosanctitas; pp.37-38 discussion of Valerius' account (III.7.9) of the Vestal scandal of 114-113 B.C. On this passage see the full discussion by E.S.Gruen, "M. Antonius and the Trial of the Vestal Virgins", RhM, 1968, pp.59-63. S.Weinstock, Divus Julius, Oxford 1971, p.337 notes 6 and 8. Note 6 cites V.1.9 to document Pompey's attitude to the suppliant King Tigranes of Armenia, in this case allowing the King to wear a diadem. Note 8 refers to V.7 Ext.2 and the description given there of the installation by Pompey of Ariobarzanes II as king of Cappadocia. T.P.Wiseman, "Pulcher Claudius", HSCP, LXXIV, 1970, p.210 quoting III.5.3 on the popularity of Clodius Pulcher and Fulvia: New Men in the Roman Senate 139 B.C. - 14 A.D., Oxford 1971, p.225 number 132 Q. Considius: "a publicanus Q. Considius was a friend of L. Crassus (V.M. IX.1.1)." See also p.3 n.1 on M. Perperna (III.4.5). IX.15.1 - Valerius' description of Herophilus' popularity is incorporated in Z.Yavetz's treatment of the incident, Plébs and Princes, Oxford 1969, pp.58-60.

A careful student of Roman history is bound to come to a realization that a familiarity with the nature of the Facta et Dicta is essential. For example, Greenidge and Clay cite no fewer than fifty passages from it and E.Gruen's Roman Politics and the Criminal Courts indicates that a number of its exempla are of value. (1)

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- (1) A.H.J.Greenidge and A.M.Clay, Sources for Roman History, 122-70 B.C., 2nd ed., Oxford 1960, p.193; E.S.Gruen, Roman Politics and the Criminal Courts, 149-78 B.C., Cambridge (Mass.) 1968. It is interesting to note those instances in Gruen's book where citation of Valerius' evidence precedes other sources. Even where such order merely states a chronological relationship between sources, it nevertheless reveals that the historian is giving some consideration to this evidence. When it is not explicitly rejected or when the reference is reinforced by a quotation (not given from the other source or sources), a preference for this source may be presumed. Ch. 1 note 8, referring to VI.9.10 and quoting from it on the prosecution of L. Cornelius Lentulus Lupus lege Caecilia, also given is a reference to Festus, p.360 L; note 13 - citing II.7.9 and Frontinus, Strat. IV.1.26 on the character of L. Calpurnius Piso Frugi; note 21 - II.7.13 and Livy, Per. 51 on Scipio Aemilianus' cruelty; note 24 - II.7.11 on Q. Fabius Maximus Servilianus' paradoxical character (see also Astin's comment on this passage, op.cit., p.111 note 3); note 29 - VII.5.4 with Livy - Oxvr. Per. 52: Vir. III.61.3, on Q. Caecilius Metellus Macedonicus' double failure at the polls; note 45 - VI.4.2 with Vir. III. 58.9 and Dio, fr. 76 on the dispute between Scipio Aemilianus and L. Mummius Achaicus: note 52 - V.8.3 on T. Manlius Torquatus' judgement, see also the discussion on p.33. Chapter 2 note 49 - III.7.5 on Q. Pompeius' enmity with Furius, other sources cited are Dio fr. 82, Cic. De Off. 3.109, De Rep. 3.28; note 74 - IV.7.1 with Vell. Pat. II.7.4 and Sallust, Iug. 31.7 on the investigatory tribunal of 122 B.C.; note 76 - IV.7.1 and Cic. De Amicit. 37 on Laelius' role in 122: note 112 - a quotation from VII.2.6 and a reference to Plutarch, Tiberius Gracchus, 21.1 to back up the statement that "Opposition to the Gracchani was political, not economic". Chapter IV note 2 - VIII.5.3 with Cic. Brutus, 143-145 and De Orat. passim. on L. Licinius Crassus: note 24 - VIII.15.7 quoted and a reference

(1) cont.

given to Plutarch, Marius, 3.4 on the point of Marius serving under Scipio Aemilianus in 134 and being highly praised by him.

Chapter VI note 19 - II.3.2 with Frontinus, Strat. IV.2.2 on P. Rutilius Rufus; note 45 - IV.7.3 and Gran. Licin. 21, B on Caepio's exile: note 46 - accepting IV.7.3, rejecting VI.9.13 (referring to Caepio's death in prison). Instances of Valerius being the only source cited should also be noted - Chapter 1 note 43 - VI.4.2; chapter 2 note 71 - IV.7.1; note 75 - II.7.3; note 139 - IX.5.1; chapter IV note 1 - V.3.2; notes 133 and 134 - III.7.9 and VI.8.1; note 145 - VI.8.1; chapter VI note 111 - IX.7.3 - Valerius on the character of Nunnius; chapter VII note 94 - IX.5.2; chapter VIII note III.8.5, also note 68.

It would be wrong to give the impression that Gruen is uncritical of Valerius' evidence. For example, chapter 1 note 45 indicates that he considers IV.1.10 a falsification; note 60 indicates that IX.3.7 is "obviously exaggerated" and the force of Appian's contradictory account is accepted; note 70 points to the confusion in VIII.1 damn. 7; chapter IV note 24 proposes that the story in VIII.15.7 "may be spurious, but it indicates friendly relations between the commander and his junior officer." Two instances from other works may further illustrate differing attitudes to Valerius' evidence: E. Badian's bluntness in calling IV.3.6 "clearly spurious", Foreign Clientelae, Oxford 1967, p.157 note 3, and A. W. Lintott's caution: "C. Flaminius brought his land bill before the people per seditionem (Cic. Inv. ii.52). Val. Max. V.4.5: "ne exercitu quidem adversus se conscripto...absterritus" is probably fictitious or exaggerated, but may refer to the arming of citizens within the city." (op.cit., p.209)

It may be urged that in Gruen's case the instances of reference to Valerius are insignificant in the context of the total number of citations given in the monograph, but their very presence shows that some practising historians do find Valerius useful, though not many are prepared to explain clearly the extent of that usefulness. In this respect, T. F. Carney and A.E.Astin represent an important exception. Carney writes:

Amongst writers of the first century A.D. proper Valerius stands out as presenting far and away the largest corpus of historical data on the Republic. Moreover Marius is one of the Republican figures in whom he is especially interested... the sum of Valerius' references to Marius' career, when systematically collated and arranged, is of such dimensions and importance as virtually to constitute another major source... his medial position allows the dating of accretions to the tradition concerning Marius. (1)

Carney's "The Picture of Marius in Valerius Maximus" is by far the most systematic analysis of Valerius' material and has considerable pioneering significance. His study of Valerius' "picture" of Marius is open to criticism and qualification, but this should not detract from the value of the aims of the article. In detail Carney will be corrected, more refined techniques of analysing historical material transmitted by exempla may be offered in the future, but it is undeniable that it was

(1) T.F.Carney, "The Picture of Marius in Valerius Maximus", RhM, 105, 1962, pp.289-337.

Carney who for the first time attempted to give a more rigorous, more analytically exact technique to students of ancient historiography generally.

There is one fundamental objection to the kind of methodology adopted by Carney when it is applied to Valerius' exempla. It is arguable whether Valerius does have "pictures" of historical personalities in the same sense as Livy, Sallust and Tacitus have them. Carney collates references to and mentions of Marius, Sulla, Cinna, Scaurus, together with allusions to incidents in their careers. In respect to Sulla and Marius, he notes considerable inconsistency: Valerius does have a "bias" against Sulla, but this is not consistently maintained. (1) Valerius is at once "non-partisan" and "unfavourable" to Marius. (2) "Valerius' overall estimate of Marius as shown e.g. in his use as a type-figure chosen to illustrate an exemplum, shows that his verdict was on the whole unfavourable..." (3)

Carney sees in Valerius an uncommitted viewpoint. (4) But he also argues that "Valerius is rather more antipathetic to Sulla than to Marius, but sometimes uses sources favourable to the former (IX.7. Mil. Rom. I and VIII.6.2)". (5)

(1) Ibid., p.321.

(2) Ibid., pp.289-290; 334-5.

(3) Ibid., p.334.

(4) Ibid., p.290.

(5) Ibid., note 8.

Collation of this kind of material cannot fail to produce instances of favourable and unfavourable references. To interpret these one may adopt the method of counting each of them in turn, whichever happens to come out as numerically superior would then show what Valerius' verdict on, say, Marius or Sulla was "on the whole." (1) This is not altogether satisfactory. Valerius should not be presumed to have counted his references to a particular figure, nor would his readers undertake the exercise. Drawing on an immense reservoir of historical material, containing various shades of interpretation of controversial figures, Valerius was bound to come across exempla reflecting sharply divergent viewpoints. By citing exempla which reveal different facets of a personality, or in suggesting positive qualities in a man previously cited only for negative ones, Valerius was not working out his own picture, neither should he be presumed to have been deliberately trying to create a sense of ambiguity about great achievement.

True, the overall impression that he manages to create is that there are some great men whose lives exhibit a duality - a dichotomy of patterns of action. There are, in fact, exempla which sharply focus on this precise point:

Quae tum diversa tamque inter se contraria si quis apud
 animum suum attentiore conparatione expendere velit, duos
in uno homine Sullas fuisse crediderit, turpem adolescentulum

(1) Ibid., p.334.

et virum, dicerem fortem, nisi ipse se felicem appellari
maluisset. (VI.9.6) (1)

However, it is easier to believe that this is the result of natural controversy and debate about these men, which one presumes went on in the community and filtered through to the rhetoricians, rather than interpret it as in any meaningful sense Valerius' "picture." After all, the exact number of references to Marius in the collection is not really important. (2) That he and Scipio Africanus are frequently cited is interesting to know, and for scholarship's sake one might as well get the number of references right, yet the numbers themselves are not particularly significant. What one should get are the key exempla which not only mention Marius or Africanus, but depict them taking up some sort of a position in respect to their achievement. Having mentioned these cardinal representations of an historical figure, one has already given a good indication of the terms in which Valerius received him and was content to pass on to his readers.

To that extent it is irrelevant whether there are more unfavourable than favourable images, or vice versa: one favourable and one unfavourable mention already testify to a tradition of dispute. Their presence in the collection merely re-formulates the issues in dispute, setting off a new series of questions that cannot be invalidated or cancelled out by the superior number of discordant images.

(1) For a duality in Marius, see VI.9.14. For Pompey, contrast VI.2.8 (on his early actions, R. Syme, Sallust, 1964, p.123 note 7) with I.6.12; V.1.9 and 10; VIII.15.3.

(2) Carney, op.cit., p.189.

Valerius was not a careful or a systematic writer. The "pictures" or "images" that emerge through collation are most probably the incidental product of much haphazard accumulation of material.

Whereas Carney provides an elaborate and systematic account of his use of Valerius' material, Astin's succinct, common-sense comments make explicit a great deal of the thinking that must lie behind many citations of Valerius' text.

Astin feels that Valerius' "purpose and his manner of work combine to make him careless and unreliable in some respects". He also acknowledges that Valerius can be chronologically inaccurate, that he occasionally confuses one individual with another and that his dramatic and rhetorical manner leads to a distortion of the material that he is working on. However, Astin goes on to add:

Yet, despite these drawbacks, he remains a useful source. If the attempt to identify the particular authors from whom he took his examples must remain largely futile, nevertheless, writing in the reign of Tiberius, he had access to and evidently worked from a great volume of material, including works by Cicero and Varro. Sometimes he records events or sayings unattested elsewhere; and in other cases some of the useful circumstantial detail which he adds can scarcely be the product of rhetorical embellishment. (1)

(1) Astin, *op.cit.*, pp.10-11. In Appendix X there is an exceptionally illuminating analysis of sentiments attributed to Scipio Aemilianus in Val. Max. IV.1.10 which are in conflict with other evidence. Astin agrees with Aymard's previously stated view ("Deux anecdotes sur Scipion Émilien", Mélanges de la société toulousaine d'études

(1) cont.

classiques, ii, Toulouse 1946, pp.101 f.) that the exemplum is an invention - "propaganda for a policy of containment within existing borders and against further expansion." (p.230)

After all the negative features have been listed, it is still a reasonable assumption that Valerius must have got his material from somewhere and consequently, aspects of his presentation cannot be lightly disregarded. It would be instructive to see, briefly, how this assumption is actually worked out by historians in their reconstructions of some events in republican history.

Two of Valerius' exempla, III.7.8 and VIII.6.4, are commonly cited in discussions of the lex Varia:

- (a) Eadem M. Scauri fortuna, aequae senectus longa ac robusta, idem animus. Qui cum pro rostris accusaretur, quod ab rege Mitridate ob rem publicam prodendam pecuniam accepisset, causam suam ita egit: "Est enim inicum, Quirites, cum inter alios vixerim, apud alios me rationem vitae reddere, sed tamen audebo vos, quorum maior pars honoribus et actis meis interesse non potuit, interrogare: Varius Severus Sucronensis Aemilium Scaurum regia mercede corruptum imperium populi Romani prodidisse ait, Aemilius Scaurus huic se adfinem esse culpae negat: utri creditis?" Cuius admiratione populus commotus Varium ab illa dementissima actione pertinaci clamore depulit. (III.7.8)
- (b) Q. autem Varius propter obscurum ius civitatis Hybrida cognominatus tribunus pl. legem adversus intercessionem collegarum perrogavit, quae iubebat quaeri quorum dolo malo socii ad arma ire coacti essent, magna cum clade rei publicae: sociale enim prius, deinde civile bellum excitavit. Sed dum

ante pestiferum tribunum pl. quam certum civem agit, sua lex
eum domesticis laqueis constrictum absumpsit. (VIII.6.4)

A third exemplum, dealing with Marius' crudelitas, is sometimes referred to in the context of analyses of Varius' ultimate fate: "ut Vario Caesar piaculo caderet. (IX.2.2) (1)

Carney is curiously inexact in his discussion of III.7.8 and VIII.6.4. In the body of his article he asserts that "a pithily venomous comment on the activities of the tribune Varius is presumably drawn from Scaurus." (2) He does not specify the comment, but the footnote indicates that he is conflating two exempla:

The obvious source of Valerius' detailed information concerning law suits; the personal rancour in the charge, its concentrated spite, and the exaggerated denunciation of Varius as the originator of both Social and Civil Wars all indicate the resentment of the aged Scaurus, who had been arraigned by Varius. Significantly, lengthy direct quotation, as reported here, is very infrequent in the exempla. (3)

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- (1) Carney, op.cit., p.316 n.75. Carney follows the solution proposed by H.Bennett (Cinna and his Times, Ph.D. Chicago 1923. p.26 n.8) that Valerius has confused L. Caesar with his brother Gaius and attributed the former's offices to the latter, but that apart from this error he is essentially correct in identifying Gaius as the victim, apud seditionisissimi et abiectissimi hominis bustum.
- (2) Carney, op.cit., pp.315-316.
- (3) Ibid., p.315 n.73. On p.304 Carney discusses Valerius' reference (IV.4.11) to Scaurus' three books de vita sua (see chapter four above pp.212-214).

The first sentence must refer to VIII.6.4, the second to III.7.8. This conflation, if deliberate, suggests that Carney does not entertain the possibility that the two exempla may derive from two distinct sources, representing two different currents of attitudes to Scaurus and Varius. It may be that although Valerius knew of Scaurus' three books de vita sua (mentioned in IV.4.11), VIII.6.4 and III.7.8 could conceivably contain material from elsewhere. There is the other possibility too: both VIII.6.4 and III.7.8 may each contain a number of historical strands, traceable to distinct points of view. Each exemplum may be a fusion, achieved by Valerius or in the course of time, of partisan conceptions of events. Initially, therefore, it is best to examine these exempla separately, without presupposing Valerius' direct indebtedness to a unitary tradition hostile to Varius, deriving from Scaurus' memoirs.

R.Bauman, accepting that III.7.8 is a clear reference to a trial apud populum, directs his attention to the difficulty of reconciling this passage with Asconius (22C):

Q. Varius Hispanus M. Scaurum principem senatus socios in
arma ait convocasse; M. Scaurus princeps senatus negat;
testis nemo est: utri vos, Quirites, convenit credere? (1)

The contradiction is an important one. Either Scaurus was prosecuted by Varius quod ab rege Mitridate ob rem publicam prodendam pecuniam accepisset or on a charge of inciting the allies to arms.

(1) R. Bauman, The Crimen Maiestatis in the Roman Republic and Augustan Principate, Johannesburg 1967, pp.60-62.

Bauman attempts to resolve it by postulating a trial apud populum, with Varius as accuser, in which Scaurus was assailed on both counts - "his susceptibility in the East and his liberalism in the West could conveniently be visited upon him in one prosecution". (1) In Bauman's reconstruction, the prosecution failed, was followed by the lex Varia and a prosecution before a quaestio, this time conducted by Caepio (which avoided "further sneering references to Varius' origins"). (2)

Bauman's skilled analysis salvages Valerius' exemplum and incorporates it in a broad picture of this situation. E. Badian, on the other hand is sceptical about the confrontation between Varius and Scaurus taking place at a trial apud populum:

Whatever the precise circumstances of M. Scaurus proud retort to Q. Varius (and I accept Gruen's suggestion that it was a contio), the scene - like many others - certainly demonstrates popular support for aristocratic hauteur; and the suspension of the court, after a campaign for popular approval and clearly a successful one, speaks for itself. (3)

Whatever its exact context, the behaviour of Scaurus appears plausible to Badian on general grounds and he is prepared to accept it

(1) Ibid., pp.62-63.

(2) Ibid., p.63.

(3) E.Badian, "Quaestiones Variae", Historia, XVIII, 1969, p.467.

not only as essentially mirroring the position in 90, but specifically testifying to the attitudes of the people in the crisis of that year. And indeed, on the strength of III.7.8 and Asconius (21 and 22 C), Scaurus' influence should not be underestimated. If, as seems likely, he also escaped conviction on Caepio's charge lege Varia, his connections with the equites in that case must have been as decisive a factor as his standing with the people at Varius' contio. But the confrontation with Varius should not be taken to illustrate more than it does. True, the tribune failed in a contest with a great and proud nobilis, but Varius was a man sufficiently popular to have been elected to office and subsequently (with the support of some equites) to have carried a controversial law as well. (1) Moreover, just as Varius may have misjudged his chances against Scaurus at a contio, Caepio may have had similar misapprehensions in respect of an equestrian jury under the new law. The evidence generally suggests that popular and equestrian sympathies in that year may not have been easy to determine even by the participants, in particular Valerius' exemplum testifies to one extra stage in the political struggle (if Bauman's reconstruction is accepted.)

Gruen, in the article referred to by Badian above, in the course of his argument against the view that Scaurus was formally prosecuted

(1) Ibid., pp. 465-475 - a change in the composition of the quaestio was necessary before Varius could be defeated.

apud populum by Varius, felt it necessary to refer to Valerius' evidence. In examining Asconius' statement that Caepio instigated Varius to summon Scaurus belli concitati crimine adesse apud se, Gruen argues that the encounter took place before the people and not before a quaestio, on the grounds that Scaurus addresses his audience as vos, Quirites:

The story is twice repeated in substantially the same form with the clear statement that Scaurus faced Varius apud populum. Relying on prestige and authority rather than argument, Scaurus swiftly won over the populace and Varius had no recourse but to dismiss the hearing. (1)

At this point Gruen avoids the fact that the charge on which Scaurus faced Varius differs in Valerius and Asconius, for he is interested in establishing whether, granted that the incident took place before the people, it was a trial. He argues that it was not a trial, that the incident occurred when the tribune summoned a contio:

Vexatus hardly means "accused", and it is difficult to imagine a criminal prosecution dismissed by the mere words utri vos, Quirites, convenit credere? (2)

(1) E. Gruen, "The Lex Varia", JRS, 55, 1965, pp.59-73, for the above statement see p.62, also note 41. The two passages are III.7.8 and Vir. Ill.72.

(2) Ibid., p.63.

However, to this line of reasoning there is a crucial stumbling block, Valerius clearly states pro rostris accusaretur. Gruen chooses to discuss this in a footnote. He points out that the charge in Valerius is one of accepting bribery from Mithridates. This, in his view, probably reflects propaganda brought up by Varius against Scaurus on this occasion, reference to the Asiatic embassy being designed to damage Scaurus' reputation. Description of the scene as a trial, he urges, is surely a confusion of this incident with the earlier repetundae prosecution of Scaurus by Caepio. (1) In short, what Valerius describes in III.7.8 is not to be taken as a genuine accusation in 90.

It is important to grasp the implications of Gruen's argument. Fusing Valerius and Asconius he arrives at a composite view - Scaurus confronted Varius before the people, popular reaction to Scaurus' conduct was favourable. Further, it is possible that the charge of bribery was brought up by Varius on this occasion. The point that should be rejected is the description of the incident as a trial, that is a mistaken interpolation in an account which may be accurate in substance.

Carney's suggestion was that Valerius' material on the law suits derived from Scaurus. A plausible enough explanation of the origin of Valerius' material. Gruen explains the origin of Valerius' information in a different way. Reference to bribery, in conjunction with Varius' attack on Scaurus, reflects propaganda brought up by Varius against Scaurus at the contio. Now if Carney is correct about Valerius' use of

(1) Badian, Athenaeum, 24, 1956, pp.112-117.

Scaurus' de vita sua, how then to explain the substance of III.7.8?

While it is perfectly feasible that Scaurus would report briefly in his memoirs the actual charges against himself, it is highly unlikely that he would go on to mention other matters that did not directly relate to the accusation. There was surely no need for him to catalogue hostile propaganda. Taking Gruen's arguments into account, it is still possible to agree with Carney that Valerius may have been using Scaurus' memoirs, but an important qualification should be made. It is likely that Valerius contaminated this material with other sources (or source) which preserved the substance of the anti-Scaurus propaganda.

With so many possible currents of information or misinformation, and given Valerius' tendency to conflate and distort, the whole of III.7.8 appears suspect. The only information that we can securely draw from it about events is that which we can confirm by another source - in this instance Asconius. As a result, grave doubts are bound to be cast on the usefulness of postulating Scaurus' autobiography as Valerius' source. Even if he did use it, III.7.8 suggests that he could contaminate it and get the details wrong.

The only usefulness that the passage could have for historians is as a source for varying strands of propaganda and allegation:

- i) Varius may have been represented by his enemies in this fashion - as a man of doubtful citizenship, unable to withstand a spirited defiance by the princeps senatus,
- ii) Scaurus may have represented himself, or was represented by his friends (III.2.18 - is likely to derive from friendly admiration by others)

as an effective manipulator of popular sympathies,

iii) Scaurus may have been represented by his enemies as a betrayer of the res publica - accepting bribes from Mithridates, inciting the allies to arms.

Yet all this is of limited additional help since it is already in Asconius' commentary.

Badian's brief remarks on VIII.6.4 show that this passage is unlikely to be of any assistance in clarifying the chronology of the lex Varia, in defining its purpose and in establishing what happened to Varius after his condemnation. (1) Badian points to a previously unnoticed contradiction in the passage. In the first part, describing Varius' law and its passage, the impression is that the lex Varia was passed after the outbreak of the Social War. On the other hand, sociale enim prius, deinde civile bellum excitavit implies that Varius' conduct contributed to the outbreak of the conflict. (2)

A similar distortion is observed by Badian in Appian's account. This gives unexpected "validity" to the contradiction in Valerius' exemplum; if a similar view of the effect of the law is found elsewhere, Valerius' confusion cannot be taken merely as rhetorical aberration. It is fair to presume that VIII.6.4 preserves an anti-Varian interpretation of the law:

(1) Badian, Historia, XVIII, 1969, p.459-465. On Varius' fate: "Valerius Maximus, as so often, has no accurate information and is chiefly rhetorical: sua lex eum domesticis laqueis constrictum absumpsit. This cannot be taken as conveying exact information as to the nature of the penalty". (p.463)

(2) Ibid., p.459 and n.29.

We cannot tell where it ultimately came from: there must have been many anti-Varian accounts about just after the Sullan settlement; though the name of Sisenna will at least have to be borne in mind. At any rate, we shall see that this partisan version, ascribing the responsibility for the war to Varius and his supporters, perhaps goes back to what was alleged against him at his trial later: though it must be an exaggeration of these charges. (1)

In short, Badian holds that Appian, and, by implication, Valerius have in essence preserved some truth, even if this truth is only a propagandist perspective - or, more precisely, a mere fragment of one. This having been said, what is one to do with the fragment? After all, there is no way of telling whether one is dealing with genuine contemporary attitudes to Varius, or with views and conceptions determined subsequently (say after the Sullan settlement, or even later).

Similarly with the terms of the lex Varia itself. Badian accepts Asconius' version:

...Asconius in fact quotes the crimen Varianum for us, and he does so in a form reproducing at least one authentic sounding phrase of legal jargon: ut quaereretur de iis quorum ope consilioque (surely a quotation!) socii contra populum Romanum arma sumpsissent.

(1) Ibid., pp.459-460.

What then of Valerius' formulation? Is it his rendering of the original? Is he carrying over a formulation reflecting a view of the law current when the quaestio was operating? Is it possible that he, and not Asconius, preserves the actual phrasing of the law? Because of all these considerations, any discussion of the lex Varia has to refer to VIII.6.4 or explain why Asconius' version has been accepted. VIII.6.4 is a more indispensable piece of material than III.7.8.

It is now appropriate to draw some threads together. VIII.6.4 is at best a fusion of two accounts - an account that preserved (approximately?) the terms of the lex Varia and an account that attributed to Varius the blame for the conflict. Whether the fusion is Valerius' or derives from his source is irrelevant. The accounts must have been separate at some point in time, since it is inconceivable that those who would blame Varius for the conflict, would at the same time report the terms of his law that suggest that the law was passed after the conflict had already started. III.7.8 is also (at best) an amalgamation of two possible versions, preserving competing views of Scaurus. Therefore, each of the two exempla preserves fragments of attitudes and positions, but each is structured in such a way that makes it extremely difficult to cite it as a whole in an historical discussion. Exempla may be independent entities, yet some of them contain historical threads with competing purposes.

Skill and subtlety are necessary in order to make a citation from Valerius fit convincingly into a picture. Badian does this in his Todd

Memorial lecture - Lucius Sulla - The Deadly Reformer. (1)

He cites VI.9.6 to document the statement:

"Then suddenly, in 108, we find Sulla taken from the midst of his disreputable companions and walking straight into a quaestorship." (2)

In view of Badian's arguments based on the passage, and also because he does not hesitate on this occasion (as on some others) to commend Valerius' rhetoric, the passage is best seen in full:

L. vero Sulla usque ad quaesturae suae comitia vitam libidine, vino, ludicrae artis amore inquinatam perduxit. Quapropter C. Marius consul moleste tulisse traditur, quod sibi asperrimum in Africa bellum gerenti tam delicatus quaestor sorte obvenisset. Eiusdem virtus quasi perruptis et disiectis nequitiae, qua obsidebatur, claustris catenas Iugurtae manibus iniecit, Mithridatem conpescuit, socialis belli fluctus repressit, Cinnae dominationem fregit eumque, qui se in Africa quaestorem fastidierat, ipsam illam provinciam proscriptum et exulem petere coegit. Quae tam diversa tamque inter se contraria si quis apud animum suum attentiore comparatione expendere velit, duos in uno homine Sullas fuisse crediderit, turpem adolescentulum et virum, dicerem fortem, nisi ipse se felicem appellari maluisset.

(1) E. Badian, Lucius Sulla - The Deadly Reformer, Sydney 1970, p.6.

(2) Ibid.,

Would Sulla in his autobiography have taken pride in his dissolute life? (Badian suggests that we may presume that he did.) If Sulla did candidly reveal his youthful vices, then the fragment of Valerius that Badian uses must surely be from Sulla's autobiography. Sulla wished to disguise his early connection with Marius, what better way to do it than trace their hostility to the very beginning? (1)

However, there are some difficulties about this explanation. VI.9.6 affirms a duality in Sulla, the fusion in one man of the dissolute youth and the brave conqueror. The passage offers a summing up of Sulla's performance, balancing the earlier indiscretions with later success. The question then surely is - does this duality reflect Sulla's approach to his own self? Is it likely that this duality was a feature of the autobiography? If it is not, then we may presume that the duality is either Valerius' formulation or an outcome of competing perspectives that we have mentioned before.

Also, the reference to Marius' reluctance to accept Sulla may be from another source - favourable to Marius - which also traced the beginning of their discord to an early stage. If Sulla is presumed to be interested in distorting and disguising his early connections with Marius, why should not Marius and his supporters be presumed to have invented an early hostility between them as well? Reference to dissolute beginnings would give good grounds for later suspicion and mistrust, and it is surely more probable that one's enemies, not one's friends, would

(1) Ibid., pp.6-8.

remember a youth spent in vain pursuits.

On balance, Valerius' passage (IV.9.6) is best seen as incorporating a fragment of "genuine distortion" (a propagandist myth, attributable to Sulla or to Marius) in an over-view of Sulla's military exploits, which may derive from a tradition favourable to Sulla, incorporating Valerius' reflection on his material. Therefore, Carney is only partly right when he writes that VI.9.6 is a "passage which gives in outline Valerius' conception of the significant achievements of Sulla's life." (1)

Although it is possible to add qualifications of this kind to Badian's discussion of the origin of Valerius' information on Sulla's early life and Marius' supposed reaction to finding Sulla as one of his quaestors, it is undeniable that this particular citation is an excellent example of what constitutes justified use of Valerius' evidence. IX.7.2 mil is another fragment of information, valuable in the context of other considerations that induce Badian to suggest that the name of Pompeius Strabo be removed from the list of those prosecuted lege Varia. (2)

(1) Carney, op.cit., pp.318-319.

(2) E.Badian, Historia, XVIII, 1969, p.472: "As a matter of fact, we have a positive statement to the effect that no action was taken against Strabo over this matter: Valerius Maximus (IX 7, 2 mil.) reports the murder of Q. Pompeius at the instigation of Strabo and ends his account with the words: "tantumque scelus curia, castris cedere se confessa, inultum habuit." Of course, this means no more than that, as far as Valerius Maximus knew, no official attempt was made to punish Strabo. His opinion, by itself, would not be conclusive. But, taken together with the difficulties in which the hypothesis of a prosecution involves us, it may be allowed to be decisive."

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