

CRY FREEDOM: TACITUS *ANNALS* 4.32–35*

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I The Text of the Digression

For readers' convenience I print: (1.1) a Latin text; (1.2) a translation; and (1.3) a Loeb-style parallel text.

1.1 Latin text¹

4.32.1 Pleraque eorum quae rettuli quaeque referam parva forsitan et levia memoratu videri non nescius sum; set nemo annales nostros cum scriptura eorum contenderit qui veteres populi Romani res composuere. Ingentia illi bella, expugnationes urbium, fusos captosque reges aut, si quando ad interna praeverterent, discordias consulum adversum tribunos, agrarias frumentariasque leges, plebis et optimatum certamina libero egressu memorabant. **32.2** Nobis in arto et inglorius labor: immota quippe aut modice lacescita pax, maestae urbis res, et princeps proferendi imperi incuriosus erat. Non tamen sine usu fuerit introspicere illa primo aspectu levia, ex quis magnarum saepe rerum motus oriuntur. **33.1** Nam cunctas nationes et urbes populus aut primores aut singuli regunt: delecta ex iis et conflata rei publicae forma laudari facilius quam evenire, vel si evenit, haud diuturna esse potest. **33.2** Igitur ut olim plebe valida, vel cum patres pollerent, noscenda vulgi natura et quibus modis temperanter haberetur, senatusque et optimatum ingenia qui maxime perdidicerant, callidi temporum et sapientes credebantur, sic converso statu neque alia re Romana quam si unus imperitet, haec conquiri tradique in rem fuerit, quia pauci prudentia honesta ab deterioribus, utilia ab noxiis, discernunt, plures aliorum eventis docentur. **33.3** Ceterum ut profutura, ita minimum oblectationis adferunt. Nam situs gentium, varietates proeliorum, clari ducum exitus retinent ac redintegrant legentium animum: nos saeva iussa, continuas accusationes, fallaces amicitias, perniciem innocentium et easdem exitii causas coniungimus, obvia rerum similitudine et satietate. **33.4** Tum quod antiquis scriptoribus rarus obtrectator, neque refert cuiusquam Punicas Romanasne acies laetius extuleris: at multorum qui Tiberio regente poenam vel infamias subiere, posterii manent. Utque familiae ipsae iam extinctae sint, reperies qui ob similitudinem morum aliena malefacta sibi obiectari putent. Etiam gloria ac virtus infensos habet, ut nimis ex propinquo diversa arguens. Sed ad inceptum redeo.

¹ Texts: H. Furneaux; *The Annals of Tacitus: I. Volume I* (2nd ed., revised by H. F. Pelham and C. D. Fisher, Oxford 1896); C. D. Fisher, *Cornelii Taciti Annalium Libri* (Oxford 1906); J. Jackson, *Tacitus: Annals IV-XII* (Loeb ed. 1937); P. Wuilleumier, *Tacite: Annales Vol. 2* (Paris 1974); H. Heubner, *P. Cornelii Taciti, Tom. I Annales* (Teubner 1983); R. H. Martin and A. J. Woodman, *Tacitus: Annals IV* (Cambridge 1989); S. Borzsák, *Cornelius Tacitus I.1 Annales I-VI* (Teubner 1992).

The text is generally unproblematic. The main problem concerns the phrase before *quam si unus imperitet* in 33.2; in 33.1 the currently popular *conflata* is (in my view) probably not right, though this is not of much interpretative consequence. On these textual points see 1.3; 3.1.3.1; and note.²

1.2 Translation

4.32.1 I am not ignorant of the fact that many of the things which I have reported back and which I shall report perhaps seem small and slight in the commemoration, but let no one compare our annals with the writing of those who composed the old things of the Roman people. Those men commemorated with free digressiveness gigantic wars, stormings of cities, kings routed and captured, or, if they ever turned their prior attention to internal things, discords of consuls against tribunes, agrarian and corn laws, struggles between people and optimates. **32.2** But our labour is in a narrow area and it is inglorious: for there was unmoved or only moderately challenged peace, things in the city were gloomy and the first man had no care for carrying forward the empire. Nevertheless, it will not have been without usefulness to look within those things at first sight slight, from which the movements of great events often arise. **33.1** For all nations and cities are ruled either by the people, or by leading men, or by single individuals: a form of state selected and conflated from these is easier to praise than to happen or if it does happen it cannot be long-lasting. **33.2** Therefore, just as when formerly the common people being strong or when the senatorial fathers had power, the thing to understand was the nature of the masses and the means by which they might be controlled temperately and those who had most thoroughly learned the inner talents of the senate and the optimates were credited to be shrewd assessors of their times and wise, so the state of affairs having changed and the Roman thing being virtually no different than if

² I discuss the main textual problem, that of 33.2, in the main text, in section 3.1.3.1. As for the other textual problem, in the remarks about the ‘mixed’ constitution at 33.1, *conflata* (Kiessling, Harrison; accepted by Martin–Woodman and Borzsák) is an emendation of the meaningless MSS *consciata*, on the basis of Cic. *Rep.* 1.54 *formam rei publicae maxime laudant; probo anteponeque singulis illud quod conflatum fuerit ex omnibus*, a passage which Tacitus is certainly echoing (see main text, section 3.1.7, and n. 46); Ernesti’s *consociata* (accepted by Heubner and most earlier scholars) is a very small change to *consciata*. Martin–Woodman’s claim that ‘*consociata* gives an unacceptable meaning to that verb’ seems wrong: cf. the famous *Agr.* 3.1 *Nerva Caesar res olim dissociabiles miscuerit, principatum ac libertatem*, where note that *miscuerit* glosses *μικτρή*. Might therefore 4.33.1 be Tacitus implicitly ‘taking back’ his endorsement (or apparent endorsement: on these questions see section 7) of Nerva and Trajan in the *Agricola* after the ‘honeymoon’ of the first years was over? In that case, *consociata* would be highly pointed. The decision between *conflata* and *consociata* is in any case a nice one; on balance, I think *consociata* preferable.

one man were to give the orders, it will have been *ad rem* that these things be collected together and handed down, because few men distinguish honourable things from worse things, useful things from noxious, by intelligence, but many learn from the things that happen to others. **33.3** But just as these things will be advantageous, so they bring a minimum of oblectation. For descriptions of races, vicissitudes of battles, and the glorious exits of generals hold and refresh the mind of readers: we by contrast conjoin savage orders, continual accusations, false friendships, the destruction of innocent people and the same causes of their extirpation, an obvious obstacle by similarity and saturation of things. **33.4** Then the fact that to ancient writers the objector is rare, and it is of no import to anyone whether you exalt the Punic or the Roman battle-lines more joyfully: but of many who underwent punishment or disgrace when Tiberius was ruler there remain descendants. And granted that the families themselves are now extinguished, you will find those to whom similarity of character is an objection which makes them think that they are the subject when other people's wrong-doings are recorded. Even glory and virtue have their enemies, as arraigning their opposites by excessive propinquity. But I return to my start.

This translation, which is obviously not a thing of beauty, tries to reflect as much as possible of the Latin's verbal patterning, above all by the use of consistent English equivalents. The logic of some of the renderings will become clear in subsequent discussion.³ The translation also seeks to avoid the prejudging of interpretative controversies, hence, for example, the rendering of *nostros* (4.32.1) as 'our' supposedly allows the word to be understood either as a true plural or as an authorial one (see n. 55).

³ For theoretical attempts to justify this kind of translation see Martindale (1984); Moles (1988) 16-17; Tony Woodman is currently completing a translation of the *Annals* which will elevate these principles and their implementation to unprecedented heights of virtuosity. The present translations are my own and carry 'literalist' principles further than (even) I would normally do, in order to maximise the transference of meaning from Latin to English in an interpretative context.

1.3 Parallel text

4.32.1 Pleraque eorum quae rettuli quaeque referam parva forsitan et levia memoratu videri non nescius sum; set nemo annales nostros cum scriptura eorum contenderit qui veteres populi Romani res composuere. Ingentia illi bella, expugnationes urbium, fusos captosque reges aut, si quando ad interna praeverterent, discordias consulum adversum tribunos, agrarias frumentariasque leges, plebis et optimatum certamina libero egressu memorabant.

32.2 Nobis in arto et inglorius labor: immota quippe aut modice laccessita pax, maestae urbis res, et princeps proferendi imperi incuriosus erat. Non tamen sine usu fuerit introspicere illa primo aspectu levia, ex quis magnarum saepe rerum motus oriuntur.

33.1 Nam cunctas nationes et urbes populus aut primores aut singuli regunt: delecta ex iis et conflata rei publicae forma laudari facilius quam evenire, vel si evenit, haud diuturna esse potest.

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I am not ignorant of the fact that many of the things which I have reported back and which I shall report perhaps seem small and slight in the commemoration, but let no one compare our annals with the writing of those who composed the old things of the Roman people. Those men commemorated with free digressiveness gigantic wars, stormings of cities, kings routed and captured, or, if they ever turned their prior attention to internal things, discords of consuls against tribunes, agrarian and corn laws, struggles between people and optimates.

But our labour is in a narrow area and it is inglorious: for there was unmoved or only moderately challenged peace, things in the city were gloomy and the first man had no care for carrying forward the empire. Nevertheless, it will not have been without usefulness to look within those things at first sight slight, from which the movements of great things often arise.

For all nations and cities are ruled either by the people, or by leading men, or by single individuals: a form of state selected and conflated from these is easier to praise than to happen or if it does happen it cannot be long-lived.

Therefore, just as when formerly the common people being strong or when the senatorial fathers had power, the thing to know was the nature of the masses and the means by which they might be controlled tem-

<p>credebantur, sic converso statu ... <i>[The inserted dots are for visual convenience: they do not represent anything in the text.]</i></p>	<p>perately, and those who had most thoroughly learned the inner talents of the senate and the optimates were credited to be shrewd assessors of their times and wise, so the state of affairs having changed ...</p>
<p>Textual problem: MSS neque alia rerum Bringmann neque alia rerum <salute> quam si unus imperitet, Lipsius neque alia re Romana, quam si unus imperitet,</p>	<p>MSS reading leaves <i>alia</i> ‘hanging’ = and there being no other salvation for the state than if one man should give the orders, = and the Roman thing being virtually no different than if one man were to give the orders (<i>subjunctive of formally unreal comparison</i>),</p>
<p>haec conquiri tradique in rem fuerit, quia pauci prudentia honesta ab deterioribus, utilia ab noxiis, discernunt, plures aliorum eventis docentur.</p> <p>33.3 Ceterum ut profutura, ita minimum oblectationis adferunt. Nam situs gentium, varietates proeliorum, clari ducum exitus retinent ac redintegrant legentium animum: nos saeva iussa, continuas accusationes, fallaces amicitias, perniciem innocentium et easdem exitii causas coniungimus, obvia rerum similitudine et satietate.</p> <p>33.4 Tum quod antiquis scriptoribus rarus obtrectator, neque refert cuiusquam Punicas Romanasne acies laetius extuleris: at multorum qui Tiberio regente poenam vel infamias subiere, posterii manent. Utque familiae ipsae iam extinctae sint,</p>	<p>it will have been <i>ad rem</i> that these things be collected together and handed down, because few men distinguish honourable things from worse things, useful things from noxious, by intelligence, but many learn from the things that happen to others.</p> <p>But just as these things will be advantageous, so they bring a minimum of oblectation. For descriptions of races, vicissitudes of battles, and the glorious exits of generals hold and refresh the mind of readers: we by contrast conjoin savage orders, continual accusations, false friendships, the destruction of innocent people and the same causes of their extirpation, an obvious obstacle by similarity and saturation of things.</p> <p>Then the fact that to ancient writers the objector is rare, and it is of no import to anyone whether you exalt the Punic or the Roman battle-lines more joyfully: but of many who underwent punishment or disgrace when Tiberius was ruler there re-</p>

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2 Existing scholarship

This famous and difficult passage has been endlessly quoted and much discussed. The best contributions have come in Tony Woodman's seminal book, *Rhetoric in Classical Historiography*, and in the acclaimed joint commentary on *Annals* 4 by Tony Woodman and Ronald Martin, both of whom rank among the most distinguished living Taciteans (the commentary summarises the discussion contained in the book and makes additional points appropriate to the different context). T. J. Luce's 1991 paper on Tacitus contains many suggestive remarks. Patrick Sinclair's 1995 book on Tacitus has some interesting pages on the digression.⁴ Important new observations, both about the passage itself and (especially) about the parallel passages in book 1, are to be found in a 1997 Bristol doctoral thesis on Tacitus' *Annals* by Ellen O'Gorman, which naturally has not yet had time to make much impact upon Tacitean scholarship but of which I was fortunate enough to be external examiner in February of this year.⁵ There have been two perceptive studies of Cremutius Cordus' speech in chs. 34–35, respectively by W. Suerbaum and by H. Cancik-Lindemaier and H. Cancik.⁶ John Marincola's magisterial 1997 book on ancient historiography makes some valuable comments on the whole sequence, though the book's thematic organisation precludes systematic treatment.

To the insights of these scholars and of course of many others as well this paper is heavily indebted, but, obviously, it claims that there is much more to be said, and the title of the paper already indicates the general line of ar-

⁴ Woodman (1988) 160–196, esp. 180–90, substantially reprinted in Woodman (1998) 104–141; Martin–Woodman (1989) 169–84; Luce (1991) *obiter*; Sinclair (1995) 56–64.

⁵ O'Gorman (1997) 18–19, 64–5, 142–5.

⁶ Suerbaum (1971/1993); Cancik-Lindemaier and Cancik (1986); cf. also Steidle (1965) 105–114.

gument. That argument is by no means new in its broad thrust; but it will, I hope, be new in its understanding of the many different implications, and the sometimes radical character, of this freedom, and new also in the depth and detail of the demonstration.

I shall begin by summarising (with some re-ordering and some slight injection of non-controversial matter from elsewhere) Woodman and Martin's analysis of the digression. I shall then suggest some shortcomings or omissions in that analysis taken as a whole and proceed to offer my own interpretation, which will make use of certain of Ellen O'Gorman's observations while offering a radically different general perspective from hers.

2.1 Woodman and Martin's analysis

Annals 4 covers the years AD 23-28 in the reign of the emperor Tiberius. The book begins the second part of Tacitus' account of that reign, at the point when it changed for the worse under the influence of the powerful and sinister Sejanus. Within book 4, chs. 32-33 are formally a digression, as the conventional 'signing-off' formula *sed ad inceptum redeo* (33.4) indicates. This digression, like most digressions, separates one section of narrative from another; in this case, both sections are narratives of treason trials (chs. 28-31; chs. 34-35). The digression also makes a chronological separation between the years 24 and 25. There must obviously be some relationship between the digression of Tacitus the historian, which includes a defence of his way of writing history at this point in the *Annals*, and his subsequent narrative in chs. 34-35 of the trial, defence and suicide of the historian Cremutius Cordus in CE 25. (Cordus is charged with a new and unheard of charge, that of praising Brutus and describing Cassius as the last of the Romans, as in some sense Tacitus himself had done at *Ann.* 3.76.2;⁷ his condemnation is certain because the prosecutors are clients of Sejanus and because Tiberius receives his defence with ferocious expression; he defends himself and his history in a formal speech, goes out of the senate, and starves himself to death.)⁸

Interpretation of the digression needs to take account alike of its contextualisation within Book 4, of its contextualisation within the *Annals* as a whole, and of its own paradoxical and challenging character. The latter is evinced in many ways. It is striking in itself that a passage which has much of the flavour of a historiographical 'second preface' (marking another stage of the historiographical project) should not occupy the beginning of a book and should take the form of a digression; formal justification for this procedure can be found in rhetorical theory, which recommended that when a

⁷ Cf. also McCulloch (1991) 2932-33; *Ann.* 3.76.2 is quoted in sections 4.4.3 and 5.2.3.

⁸ I give the Latin and a translation of this sequence in the main text, in section 5.

writer's material was unattractive, he should use not a direct opening but the technique of *insinuatio* or 'disguised opening'. The very placement of the digression, therefore, conveys the unattractiveness of Tacitus' material. It is even more paradoxical that a digression should focus on unattractive material, since digressions were conventionally supposed to be entertaining. Tacitus' stress on the apparent unattractiveness of his material itself contrasts (as he points out) with normal expectations that historiography should be about big things, should bring the historian glory, and should offer the reader excitement, variety and pleasure. The contrast is all the greater because his own earlier work, the *Histories*, had proclaimed such conventional historiographical aims (*Hist.* 1.2.1–3). It is true that the stress on the apparent unattractiveness of the material is something of a feint, for the subsequent Tiberius narrative will provide in metatextual form some of the very things (such as wars and sieges) whose absence from that narrative he here bemoans. Or to put it another way, the 'internal-external' and the Republican-imperial boundaries of 4.32.1 are not in the event maintained. All these challenges and paradoxes combine to emphasise the completely different kind of historiography which is appropriate for the second half of Tiberius' reign.

This analysis is dense, brilliant, illuminating and true. Nevertheless, it is, I believe, open to serious criticism, both for its emphasis and for its omissions. As regards emphasis, the analysis seems excessively literary in a rather narrow sense of that elusive term. It is hard to resist the feeling that the analysis is essentially driven by Woodman's general views on the nature of ancient historiography, which risks being seen as a sort of closed system, a literary game (particularly a generic game) played largely for its own sake and with largely aesthetic ends, with little reference to 'things out there'. Hence, for example, the claim that 'Tacitus could hardly have written the digression in Book 4 if he and his readers had not regarded historiography as *primarily* [my italics] a literary activity'.⁹ It is true that Woodman and Martin do give this sophisticated 'literary activity' a purpose beyond itself, that of '[doing] justice to abnormal events',¹⁰ but that is not where the emphasis of their analysis lies. So they write of 4.33.3: 'this statement indicates a *basic truth* about the works of ancient historians: they were not written to be read as text-books or as source-material for a modern discipline called "history": *they were written to be enjoyed as works of literature in their own right*, contain-

⁹ Woodman (1988) 185. Cf. Henderson (1990) 194 on the unviability of 'scholastic attempts to appropriate Tacitus for an anodyne "Literature"' and 196–7 n. 16 for a considered critique.

¹⁰ Woodman (1988) 186, cf. Martin–Woodman (1989) 169 'T. is now tracing on the domestic front a disintegration of the moral order which is comparable with that accompanying civil war'.

ing *the same kinds of compulsive topic which today we associate more readily with historical novels or war films*' [my italics].¹¹

This general emphasis results in an undervaluing of the moral and political seriousness of Tacitus' argument (see section 4) and of its intense contemporary relevance, indeed of its intense relevance to any conceivable 'now'. With this undervaluing goes a rather too simple construction of Tacitus' immediate readership (see sections 4.4 and 4.4.1). Perhaps more surprisingly, the general emphasis also results in insufficient attention being given to some literary aspects of the passage, such as its extreme structural and verbal complexity,¹² its detailed links (both verbal and conceptual) with the subsequent narrative, and its many historiographical allusions or intertexts.

¹¹ Martin–Woodman (1989) 1.

¹² Woodman (1988) 181–84 provides a lucid structural analysis of the alphabetical type; Martin–Woodman (1989) 170 also makes useful observations. Nevertheless, the structure is more complex than either of these analyses suggests. A quasi-structuralist analysis might look something like this:

Reader vs historian (implicit)

Smallness vs bigness

Seeming vs reality

My *Annals* (marked by smallness of theme) vs Republican histories (marked by bigness of theme)

Digressiveness vs orderly narratives

Newness (implicit) vs oldness (Republican themes)

Lack of freedom (implicit) vs free digressiveness

Lack of glory vs glory (implicit)

Lack of movement vs movement

Usefulness vs pleasure (implicit)

Potential mediation of all these polarities: seemingly small things often in reality generate movements of great things.

The various possible political power structures (theory vs ...):

(a) people power

(b) oligarchic power

(c) monarchical power

(d) the mixed constitution (admirable but effectively irrelevant)

Our response to these power structures (practice)

(a) knowing and controlling the people

(b) learning the inner talents of the oligarchs

(c) learning the character of the monarch (unexpressed)

(d) since the state of affairs has changed and the Roman Republic effectively = a monarchy

(e) history's function is to teach by vicarious examples the ability to distinguish: honourable things vs worse things (one's relations with others)

useful things vs noxious things (one's self-preservation)

Advantage (~ usefulness) vs delight (~ pleasure)

Great usefulness vs small pleasure

These criticisms are not of course all self-evidently true; their justification must depend on the plausibility of an alternative reading which addresses these alleged shortcomings.

3 An alternative reading

I shall begin by isolating in sequence the main historiographical influences upon the passage (very few of which seem to have been noted hitherto) and, where applicable, follow each one through as it were vertically. I shall then bring them all together in a sequential reading of the whole passage (section 4). I hope that this method may enable each of the separate strands to be fully proved and may promote overall clarity, at the price, it is true, of a certain repetitiveness. Alternatively, for those who do not find each of the separate strands to be fully proved, the method may be regarded as advancing a series of separate and provisional hypotheses which are then revisited and checked to see if they combine to produce a convincing overall interpretation.¹³

Entertaining themes (movement, variety, difference, glorious deaths) vs tedious, repetitive themes; involuntary deaths

The journey of the historian and/vs the journey of the reader

The various ‘**ob**stacles’ on/to that journey:

lack of *oblectatio*

obviousness and similarity of historian’s themes

the ‘objector’

similarity of character (~ similarity of theme)

Unimportance of allocating praise or blame in Republican history vs its inevitable potential for offence in Tiberian history:

Tiberius’ victims ~ their descendants

Infamy vs glory (implicit)

Descendants vs extinction of families

Similarity of character where no descent

Glory vs infamy (moral)

Horizontal propinquity vs vertical descent

Similarity vs dissimilarity

Digressions vs narrative.

Most of this is obvious enough (and the analysis could no doubt be improved and refined); for more detail cf. e.g. n. 39 on the text as a journey and n. 25 on the ‘obstacles’ to/on that journey. Both the Woodman and the Martin–Woodman analyses miss a great deal of the passage’s quite prodigious verbal complexity; nor can the present paper hope to follow this through to any real depth; nevertheless, both the translation and the discussion should help to bring to light many verbal interrelationships unnoticed, or at least seemingly ignored, by previous discussions.

¹³ For the methodology cf. (*mutatis mutandis*) Plat. *Tim.* 61C–D: ‘we need at every step in our discourse to appeal to the existence of sense-perception, but we have so far discussed

3.1 Historiographical influences

3.1.1 Xenophon

The first sentence alludes to a famous¹⁴ sequence in a work of ancient historiography disdained by many modern historians but rightly accounted great by ancient readers: *Hellenica* 2.3.23-56, Xenophon's account of the trial and death of Theramenes as engineered by the tyrant Critias. In this account Critias accuses Theramenes before the Council of treason (2.3.23-34); Theramenes defends himself (2.3.35-49); the Council shows signs of favouring Theramenes; Critias removes Theramenes' immunity by striking him off the list of 3,000; Theramenes leaps to the altar, fully aware that he will die but determined to make a 'demonstration' of the impiety and injustice of Critias and the other tyrants; Critias' armed thugs seize hold of him. Then (2.3.56), 'they led the man away through the agora indicating in a very loud voice what he was suffering. One saying of his is preserved, the following: when Satyrus said that he would rue it, if he were not silent, Theramenes asked: "and if I am silent, shall I not then rue it?" And when being compelled to die he had drunk the hemlock, they say that having jerked out the remnants he said; "let this be for the lovely Critias". I am not ignorant of this, that these sayings are not worthy of account, but this I do judge admirable in the man, that when his death stood close at hand, neither his intelligence nor his playfulness [*παιγνιῶδες*] deserted his soul'.

Tacitus' first words in the digression, 'I am not ignorant of the fact that many of the things which I have reported back and which I shall report perhaps seem small and slight in the commemoration, but', pick up Xenophon's 'I am not ignorant of this, that these sayings are not worthy of account, but', with direct verbal parallels (*non nescius sum ~ οὐκ ἀγνοῶ*, *levia memoratu ~ οὐκ ἀξιόλογα*). There are obvious thematic correspondences: both historians are writing formally apologetic digressions triggered by treason trial contexts which are symptomatic of civil strife; in both trials the accused is

neither the coming to be of flesh, or of what pertains to flesh, nor the part of the soul that is mortal. It so happens, however, that we cannot give an adequate account of these matters without referring to perceptible properties, but neither can we give an account of the latter without referring to the former, and to treat them simultaneously is all but impossible. So we must start by assuming the one or the other, and later revisit what we have assumed'. I owe my knowledge of this important statement of method (acknowledging the inevitability of circularity but attempting to get round it) to Thomas Johansen's important paper, 'History, historiography and natural philosophy in Plato's *Timaeus-Critias*' (forthcoming in *Histos*).

¹⁴ Cf. Cic. *Tusc.* 1.40.96 (an ancient citation missed by Tuplin (1993) 190). In view of section 5.3, one has to wonder if *cum iam praecordiis conceptam mortem contineret* gave Tacitus the idea for Theramenes as the 'progenitor' of Cremutius Cordus.

innocent, speaks out, and meets an unjust death, and does so heroically. Both historians convey the same ambiguous attitude to the ‘bigness’ of conventional historiography, represented, implicitly, by Thucydides, a canon of ‘bigness’ which both simultaneously acknowledge and dispute. In so far as they dispute it, both imply two counter-claims: that the seemingly trivial can actually be important and that virtuous behaviour matters more than worldly success. In Xenophon, there is a strong Socratic colouring,¹⁵ and I shall try to show that this is relevant to Tacitus too. Further, both historians extend the judicial terminology of the surrounding narratives into the digressions: cf. Xenophon’s ‘I judge’ and Tacitus’ wording in 33.4. Both give this vocabulary a twist: Xenophon’s ‘I judge’ (*κρίνω*) puns on *Kritias*’ name,¹⁶ with the deft implication that Critias’ false judgement against Theramenes is overturned by Xenophon’s true judgement; similarly in Tacitus the use of *arguens* in 33.4 implies the ultimate victory of *gloria* and *virtus*.¹⁷ Beyond the false judgements of worldly courts lies the judgement of history. And texts are not just texts: they profoundly affect both *Leben* and *Nachleben*.

Tacitus’ use of Xenophon here, then, seems to me certain.¹⁸ The implications of the allusion are obviously already rich and they are easily ex-

¹⁵ Besides the manner of Theramenes’ death, Socratic are the ironic graveyard humour (cf. Plat. *Apol.* 27-8), the general ‘playfulness’, the combination of the serious and the playful (Xen. *Mem.* 1.3.8; 4.1.1) and the ethical justification of play (Xen. *Smp.* 1.1.1 ‘it seems to me that not only are the serious acts of virtuous men worthy of commemoration but also those done in their times of play’). Tuplin’s comments on the passage ((1993) 37) are excessively grudging

¹⁶ On name-plays in Tacitus and ancient historiography see Woodman–Martin (1996) 491-92; Harrison (1998) nn. 145-47; subsequent analysis will argue that the whole Cordus sequence is shot through with name-plays; there are of course, as here, significant thematic implications, but *naming names* is also vital to Tacitus’s entire historiographical enterprise: see section 5.4 and n.103.

¹⁷ Especially when a fuller reading of the passage reveals the pivotal position of 33.4 between 32.2 *inglorius labor* and 35.5 *illis gloriam peperere*.

¹⁸ Tony Woodman does not accept this, suggesting that: (a) the verbal and thematic parallels are unconvincing; (b) Theramenes is an implausible analogue for Cordus, because (b1) he was a very prominent politician whereas Cordus, although a senator, evidently was not; (b2) he was an ambiguous figure, guilty, in Xenophon’s opinion, of ‘orchestrating [a] miscarriage of justice’ (P. J. Rhodes in *OCD*³, 1507). As to (a), if there were such seeming verbal and thematic parallels between any two other classical texts, scholars would regard the intertextual relationship as proved beyond doubt: I cannot see why Tacitus should be different (or worse). As to (b1), the difference of political importance does not affect the broad parallels between their fates or their shared Socratic heroism. As to (b2), this objection falls into David West’s ‘fallacy of unrestricted allusion’: though Xenophon’s general estimate of Theramenes is indeed ambivalent, he explicitly admires Theramenes’ behaviour at the end, invests that behaviour with philosophical resonances and in so doing challenges Thucydidean canons, all of which provides Tacitus with rich

tendible (for example, Theramenes' speaking out even under Satyrus' threats of immediate punishment could be understood as a metaphor for the whole question of whether you speak out or keep silent under tyranny; the fact that in Xenophon the material 'not worthy of account' takes the form of *sayings* anticipates both the charge against Cordus (4.34.1 *laudato M. Bruto C. Cassium Romanorum ultimum dixisset* and his defence *speech*;¹⁹ the fact that Critias is the power-figure in Xenophon provisionally casts Tiberius in a tyrannical role, a role he immediately assumes in the narrative when he appears *truci vultu*, 34.2;²⁰ Critias' striking Theramenes off the list prefigures Cordus' *damnatio memoriae*; Tacitus also, as we shall see, later takes over and adapts the notion of Theramenes' 'playfulness'; Theramenes' Socratically heroic death prefigures all the 'Socratic' suicides of the *Annals* (cf. also n. 18), etc.).

In what follows I shall try to show that Xenophon's influence goes very deep, that in fact *Hellenica* 2.3.56 functions as the textual archetype both for the digression and for the subsequent narrative.

Although I am less concerned than are Woodman and Martin with the question of the digression's subversion of generic expectations and with the

material for allusion but does not entail that *everything* about Theramenes is relevant to the interpretation of the passage or the succeeding narrative. Intriguingly, Henderson (1990) 194 characterises Thræsea Paetus' libation to *Iuppiter Liberator* (16.35) as 'a traditional "Theramenes"-style toast' and interprets *Iuppiter Liberator* as a sardonic allusion to Nero, so called on his post-Pisonian coins (Huss (1978) 142 n. 100; Mattingly (1920) 38 already offered this interpretation). If the interpretation is right, it would have to apply to Seneca's libation (15.64) as well (cf. Mattingly; *pace* Henderson). A toast to Nero would neatly correspond to Theramenes' toast to Critias. This interpretation does not exclude other interpretations: the libation could have (and surely already does have) a range of meanings.

For obvious reasons, I find the interpretation tempting: not only would it give a sharp additional point to the general Theramenes-Socrates-Cremutius-Seneca-Thræsea *diadoché*, but we would have further reason for admiring Tacitus' architectural distribution of the Theramenes material. Griffin (1976/92) 371 n. 1, however, rejects the interpretation on the ground of the coins' being issued after Seneca's and Thræsea's deaths (nor do the divine thanksgivings attested in *Ann.* 15.74 support Nero's identification with *Iuppiter Liberator*). Some may find the coincidence with Nero's coinage too great but the chronological argument has force, as has the lack of 'feed' material within Tacitus' text. Nevertheless, the general Theramenes-Socrates-Cremutius-Seneca-Thræsea *diadoché* is sure, and one might argue for the retention of a certain Theramenean element in the behaviour of both Seneca and Thræsea because, unlike Socrates (*Phaedo* 117b), they actually make their libations.

¹⁹ This anticipation is strengthened by the fact that the wording of 4.32.1 also invokes biography's criterion of 'little things', a criterion which often includes sayings; see 3.1.2 and n. 22.

²⁰ Martin-Woodman (1989) 178: 'The ideal ruler was supposed to look with benevolence on his people but T. regards Tib.'s as the *vultus instantis tyranni*'.

consequent ‘shock’ to the ancient reader, it is worth pointing out *en passant* that any reader, ancient or modern, who spots the Xenophontic allusion (and indeed several of the other allusions discussed below) is likely to find the development of Tacitus’ argument rather less ‘shocking’ than Woodman and Martin claim it to be, though it certainly remains challenging, and challenging on several different levels.

One of the many reasons why the *Hellenica* was so influential within ancient historiography is its great generic diversity: part Thucydidean, part-Herodotean, partly events-driven history, partly individual-centred history, sometimes closely linked to the prose encomium, of which Xenophon was a pioneer, sometimes closely linked to political biography, of which Xenophon was also a pioneer.²¹

3.1.2 Biography and encomium

In view of the *Hellenica*’s pluralist generic character, then, it is no great surprise that Tacitus’ wording in the first sentence echoes not only *Hellenica* 2.3.56 but also related contrasts between biography’s and encomium’s ‘little things’ and historiography’s ‘big things’. Thus, for example, Plutarch’s famous claim concerning the difference between biography and historiography: *Alex.* 1.2: ‘It is *not histories* that I am writing but *lives*, nor is there always a manifestation of virtue or vice in the most conspicuous achievements; rather, a *small* thing—a remark, a *jest*—often makes a greater revelation of character than battles with thousands of dead, or the greatest battle-lines or sieges of cities’.²² Again, there are useful general implications: greater emphasis on the individual, on questions of morality, on exemplary or paradigmatic figures, whether good or bad, on the historian’s right and duty to concern himself with moral judgement.

3.1.3 Thucydides

Since both Xenophon and, by extension, Tacitus are engaging with Thucydidean historiography, we should expect direct Thucydidean traces. These are indeed everywhere in the digression: the obvious ones are the gigantic wars;²³ the central contrast between ‘usefulness’ and ‘pleasure’; the ambig-

²¹ I hope that this characterisation of the *Hellenica* is sufficiently plausible, though it is not so easy to parallel in current Xenophontic scholarship. For an overview of the problem (a shade negative for my taste) see Tuplin (1993) 11–41.

²² Cf. also Nep. *Praef.*, *Pelop.* 1.1, etc., with Moles (1989) 231–2; for a similar formulation within encomium cf. Polyb. 10.21.5–8 (Polybius’ *Encomium of Philopoemen* (see n. 41)).

²³ *Ingentia* seems slightly sardonic, hence anticipatory of the main argument, namely that Tacitus’ material is by no means as trivial and unimportant as it at first sight appears to be.

ous attitude towards the criterion of historiographical ‘pleasure’, on one level decried, on another assuaged; the contrasts between mere sight and insight and between seeming and the real truth; the interest in causality; the concern with change or lack of change. Once these are seen, we can discern other Thucydidean trademarks: the interest in power relationships and, concomitant with the contrasts between seeming and truth, the concern with language and its distortion. There are some clear verbal echoes of Thucydides. Tacitus’ very conception of the function of history in 33.2 echoes and reworks Thucydides’. Thucydides’ aim is to teach his readers practical political wisdom and his famous characterisation of the untaught Themistocles offers a paradoxical paradigm of his political ideal. Tacitus has the same emphasis on judging and discrimination, on the rarity of autonomous, unmediated, native intelligence, on the need for the majority to learn from paradigmatic examples as set out in the pages of history (of course the particular history of *this* author).²⁴

It will be noted that Tacitus deploys some of his Thucydidean allusions to teasing effect. For example, the first sentence of the digression reflects *both* Xenophon’s ‘rejection’ of Thucydidean canons (as we have seen) *and* Thu-

²⁴ Gigantic wars: ‘great war’/‘greatest upheaval/convulsion/change’ (κίνησις): Thuc. 1.1.1-3; 21.2; 23.1; usefulness vs pleasure: Thuc. 1.22.4; ambiguous attitude towards historiographical ‘pleasure’: Thuc. 1.22.4 (with, e.g., Woodman (1988) 28-32); sight vs insight: Thuc. 1.22.2-4; causality: Thuc. 1.23.5-6; change: Thuc. 1.1.2 (κίνησις); 3.82.1 (στάσις as κίνησις); seeming vs real truth: Thuc. 1.22.4: ‘and *perhaps* the lack of the *muthos* element will *appear* rather unpleasing to an audience’ (~ Tac.’s ‘*perhaps seem*’); 23.6: ‘the *truest* cause least *apparent*’; language and its distortion: Thuc. 1.23.5-6; 3.82.4 (in connexion with στάσις (huge bibliography)); on distortion of language and στάσις in Tacitus cf. e.g. Keitel (1984); Martin–Woodman (1989) 148 and O’Gorman (1997) 18, 64-5 (quoted in the main text); practical political wisdom: controversial, but see Moles (1999); Thucydides’ characterisation of the untaught Themistocles: 1.138.3: ‘Themistocles most clearly revealed the strength of *natural ability* and was particularly worthy to be admired in this respect, more than any other man: for by his *native intelligence* and neither having *learned* anything in advance towards it nor having *learned* afterwards, he was both the best knower of things present by means of *the least deliberation*, and the best conjecturer of the things that were going to happen, to the greatest extent of what would be; and the things which he took in hand he was able to expound and the things of which he had *no experience* he did not fall short of *judging* competently; and the better or worse course in what was yet obscure he foresaw the most. To sum up, *by power of natural ability and by brevity of study* this was the best man at improvising what was necessary’ (with obvious and important parallels both with Thucydides’ ideal in 1.22 and Tac.’s project in 4.33.2). I suspect also 33.2 *conquiri* of Thucydidean colouring: *-quiri* ~ Thucydidean ζήτησις; *con-* ~ Thucydidean ξυγγράφω. On 32.2 *illa primo aspectu levia, ex quis magnarum saepe rerum motus oriuntur* see further n.38. I emphasise ‘of course the particular history of *this* author’ because ancient historians are less concerned with the value of history in general than with the *especial* value of *their* history, and the distinction is important: see section 6.

cydides' own distinction between what 'perhaps seems' and what 'truly is'. And whereas Thucydides applies the category of what 'perhaps seems' to the alleged lack of the mythical element and its associated pleasure and contrasts this with his main historiographical purpose, Tacitus applies that category to 'small and slight things' which actually often eventuate in 'great', Thucydidean, 'movements'. Similarly, whereas Thucydides associates trivial things (as he regards them) with pleasure, Tacitus ostensibly associates pleasure with 'great things'. One may admire the literary ingenuity at work here; on the other hand, it is very obvious that these redeployments of Thucydidean motifs help to underpin various elements of Tacitus' argument in ways that essentially 'correct' Thucydides.

Thucydides' concern with linguistic distortion, especially under abnormal political circumstances like *stasis*, is instantiated in Tacitus' own kaleidoscopically shifting language, e.g. the switch from the correlative *ut sic* to the adversative *ut ita*, the near sound identity of *oblectatio* and *obtrectatio* to denote polar opposites, and the sustained play with different senses and meanings of the syllable *ob*.²⁵ Such plays are not mere play: as in Thucydides, their ludic paradoxicalness itself forces us to probe similarities/dissimilarities/appearances/reality/gaps, in a quest for truth sensitised by our constant awareness of the difficulty of attaining it. This complex educative process sets us on the road towards Tacitus' historiographical goal of distinguishing honourable things from worse things, useful things from noxious.

The Thucydidean strand in the texture underpins a crucial element of the political analysis. In 33.1 Tacitus distinguishes between rule by the people (democracy), by leading men (oligarchy), by individuals (monarchy). He then discusses the consequences of these distinctions for the kind of history one should write at a particular time; history, no doubt, has timeless didactic value, but what people may most usefully learn at a particular period varies according to the political system current. I shall return to this double aspect in section 6.

After the enumeration of the different types of constitution, the phrase *converso statu* in 33.2 must describe the great political 'change' to monarchy under Augustus and his successors. Furthermore, the phrase clearly echoes

²⁵ **33.3** *oblectationis adferunt. Nam situs gentium, varietates proeliorum, clari ducum exitus retinent ac redintegrant legentium animum: nos saeva iussa, continuas accusationes, fallaces amicitias, perniciem innocentium et easdem exitii causas coniungimus, ob-* via rerum similitudine et satietate. **33.4** *Tum quod antiquis scriptoribus rarus obtrector, neque refert cuiusquam Punicas Romanasne acies laetius extuleris: at multorum qui Tiberio regente poenam vel infamias subiere, posterii manent. Utque familiae ipsae iam extinctae sint, reperies qui ob similitudinem morum aliena malefacta sibi obiectari putent. Etiam gloria ac virtus infensos habet, ut nimis ex propinquo diversa arguens. Sed ad inceptum redeo. For the text as a journey see n. 35.*

1.4.1 *verso civitatis statu*, of Augustus' rule as opposed to the *res publica* (1.3.7), a phrase which in context must connote 'the republic'.²⁶ This is one of a cluster of echoes linking 4.32-33 to the opening chapters of book 1,²⁷ where Tacit-

²⁶ Both the sentiment itself ('how many were left who had seen the *res publica*?'), its immediate contextualisation (the contrast with the rule of Augustus, itself described as a 'change') and its broader contextualisation within the whole account of the changes in Roman history between *libertas* and kingship (1.1.1-3.7) assure *rem publicam* the meaning (in context) of 'the Republic': so e.g. Furneaux (1896) 184; Goodyear (1972) 118; Brunt (1988) 299 n. 42; O'Gorman (1995) 104-8; this is an available meaning of *res publica* in Tacitus: Furneaux and Brunt, *loc. cit.* (*Ann.* 4.19.3 is an especially clear example); Lacey (1996) 2 offers: 'public business in public hands', a rendering not incompatible with the notion of 'the Republic' as I understand it (below) but adopted by Lacey precisely to avoid that term. Lacey claims himself as one of a growing number of scholars for whom (15) 'the Republic is a modern idea with modern baggage, much of it imported from the French and American revolutions against monarchies'.

Now it is true that much recent scholarship has rightly stressed the ambiguity and fluidity of the term *res publica* and the scope it afforded for quite different sorts of 'party-political' interpretations and appropriations: cf. e.g. Morgan (1997) 27 and n. 30. Nevertheless, all that is required for my argument here and elsewhere is that: (a) *res publica* can sometimes be contrasted with monarchy or equivalent terms in such a way as to contrast a *monarchical* state (or ambition) with a *pluralist* one (in which application 'Republic' is not at all 'a modern idea with modern baggage'); (b) this contrast is sometimes regarded as constituting the essential difference between all Roman history after the expulsion of the Tarquins down to Augustus (with some grey areas) and the system implemented by Augustus and his successors; (c) Tacitus (like Seneca and Lucan) conceptualises Roman history and the Roman political system in terms of (a) and (b). These three propositions seem to me (and evidently also to Henderson (1990) and O'Gorman (1995) and (1997)) demonstrably true (cf. also n. 61): they are not in the least undermined by the undoubted facts that *res publica* can be used in many other ways and that Tacitus himself does not restrict his usage of *res publica* to 'the republic' (though these facts are often, and quite illogically, adduced as 'refutations' of propositions (a)-(c)). It is not required for my argument that (a) and (b) should embody a *correct* description of political or constitutional realities (though I do as a matter of fact think that, with due qualifications, they do in fact do so (cf. n.125). Cf. also n. 31.

²⁷ Thus: 4.32.1 *qui veteres populi Romani res composuere* ~ 1.1.2 *veteris populi Romani prospera vel adversa claris scriptoribus memorata sunt*; 32.2 *immota quippe aut modice lacessita pax, maestae urbis res, et princeps proferendi imperi incuriosus erat* ~ 1.3.6-7 *bellum ea tempestate nullum nisi adversus Germanos supererat, abolendae magis infamiae ob amissum cum Quinctilio Varo exercitum quam cupidine proferendi imperii aut dignum ob praemium. Domi res tranquillae*; 33.2 *converso statu neque alia re Romana quam si unus imperitet* ~ 1.9.4 *non aliud discordantis patriae remedium fuisse quam ut ab uno regeretur* ~ 1.6.3 *eam condicionem esse imperandi, ut non aliter ratio constet quam si uni reddatur* ~ 1.16.1 *hic rerum urbanarum status erat, cum Pannonicas legiones seditio incessit, nullis novis causis, nisi quod mutatus princeps licentiam turbarum et ex civili bello praemiorum ostendebat* ~ 1.4.1 *verso civitatis statu*. All these echoings are discussed in the main text.

There are also echoings of book 1 in Cordus' speech in the matter of the application of the *maiestas* law: see section 5.2.

tus had summarised the main features of Augustus' rule before embarking on his narrative proper, from the accession of Tiberius.

Ellen O'Gorman has made some very stimulating and penetrating observations about 1.4. After discussing Thucydides 3.82.3-4 (on the perversion of language under conditions of *stasis*), she writes: "Thucydides is, of course, a very Tacitean historian in general terms, and the *stasis* episode in particular has important resonances for the whole of Tacitus' *Annals*, hence the extent of my attention to this passage. Syme cites it as "highly relevant to the phraseology of the revolutionary age"; Tacitus' narrative of the Julio-Claudian emperors begins by setting up this era as not Republican—*quotus quisque reliquus, qui rem publicam vidisset?* (1.3.7) What instead characterises this period is a Latinised *stasis*, a perverse combination of unchanging, static and inverted, revolutionised elements. The Greek *stasis* embodies this contrast (and is therefore an intrinsically *ironic* term); Tacitus in effect translates it when he follows *quotus quisque* with *igitur verso civitatis statu nihil usquam prisca et integri moris*. (1.4.1) Indeed, the term *versus status* could be read as "translated stasis", under the sense of *vertere* as "to translate" (*OLD* 24a). As with *stasis*, under *versus status* the accustomed evaluations of words change, and the tortuous, obscure, difficult narrative both draws attention to and enacts the strain upon meaning. As I have already argued, understanding the text may be missing the point (or fatally getting the point)'. And in a footnote she smartly adds: 'arguably *versus status* is translated into English as "The Roman Revolution"''.²⁸

From a formal point of view, this analysis may be regarded as insufficiently grounded (one needs to show that Thucydides is 'in play' in 1.4.1; which indeed could be done easily enough). But it receives strong support from 1.16.1 *hic rerum urbanarum status erat, cum Pannonicas legiones seditio incessit, nullis novis causis, nisi quod mutatus princeps licentiam turbarum et ex civili bello praemiorum ostendebat*. O'Gorman's comments are again highly stimulating (I excerpt): 'The causes of both mutinies are linked to the transition of power from Augustus to Tiberius—*mutatus princeps*' (While) 'Augustus (seems to be

²⁸ O'Gorman (1997) 18; similar points are sharply adumbrated in Galinsky's analysis of Tacitus' opening chapters ((1996) 78 (cf. 9)): 'instead of being, in his own words, *auctor optimi status* (Suet., *Aug.* 28.2), Augustus perverted it (*verso civitatis statu*, 4.1) opportunistic nobles disclaimed the old ways and preferred the security of the present, "increased as they were" (2.1: *aucti*, from the verb etymologically related to *Augustus* and *auctor*) by the new "state of affairs" (*novis rebus*); the phrase *res novae* in Latin is almost always pejorative and usually means something like "overthrow"' (cf. also Ducos (1991) 3189-90); *contra* Galinsky (!) (1996) 9 (!): 'the only writer who speaks of a "revolution" in the Augustan context is Dionysius'.

The seminal insights into these matters (without the verbal detail) are provided by Keitel (1984).

set up) as a moderating influence, as limit embodied this limit is blurred by the accompanying statement that the causes of the mutiny are not new, except for *mutatus princeps*, since this was the first transition of power of this sort the summarising *status* of 1.16.1 is coloured by the *versus status* that is Augustan and post-Augustan Rome, a state that is not only displaced but translated from Thucydidean *stasis* or sedition'.²⁹ Or to put it in simpler terms, the vaunted Augustan *status* inevitably involves *stasis*, because (a) it was inaugurated by *stasis*, and (b) the succession principle which is part and parcel of the Augustan system entails 'change' and further *stasis*.

These analyses of 1.4.1 and 1.16.1 point forward to an important layer of meaning in 4.33.2, a layer of meaning which is there thoroughly grounded in a Thucydidean environment (whose presence we have just proved in detail) and which itself reflects back on the two earlier passages.

In 4.33.2 *converso statu* the 'change' is by no means a neutral change: *converso* links back to *motus* (32.2): both terms gloss Thucydidean *κίνησις*: war, revolution. *Converto* itself can be a very violent term (*OLD* 2a).³⁰ And, as Woodman notes, '*status*, used by republican writers to describe the political state of affairs, had subsequently been exploited by Augustus to suggest the continuity of his regime with the republic T.'s reference to "change" is thus pointed'; further, in context the collocation *converso statu* directly glosses the *stasis* of Thucydides' famous analysis of 3.82.

The implications are powerfully subversive. The republican term *status* was appropriated by Augustus to disguise the fact that his rule marked a radical constitutional change; Tacitus alludes to Augustus' celebrated but fraudulent claim to have restored the Republic after the civil wars.³¹ August-

²⁹ O'Gorman (1997) 64-5.

³⁰ Mellor (1993) 88 translates *converso statu* as 'now, after a revolution'.

³¹ Cf. Koestermann (1965) 115: 'Tacitus leuchtet auch hier hinter die scheinkonstitutionelle Fassade des Prinzipates, hinter der sich die reine Monarchie verberge'. Of course modern scholars divide over the question of whether Augustus should be understood as making a claim to have 'restored the Republic' (cf. *RG* 34.1; Ehrenberg-Jones 45; Ov. *Fast* 1.589; Vell. 2.89.3-4, etc.): for: (e.g.) Brunt-Moore (1967) 9; Ducos (1991) 3186; against: e.g. Millar (1973); Judge (1974); cf. also n. 26.

The debate seems to have withered somewhat in recent years (it is effectively, and regrettably, ignored in *CAH* 10 (2nd ed., 1996)), though cf. Galinsky (1996) 64-5 (with useful bibliography). All that is strictly required for my argument in the text is that some ancient authors should have interpreted, or represented, Augustus as claiming to have restored the Republic, and it seems to me patent that some did (Ovid, Velleius, Valerius Maximus, cf. Brunt-Moore *loc. cit.*; Ste. Croix (1981) 621 n. 1; Moles (1984) 244; cf. also Suet. *Aug.* 28.1 with e.g. Wallace-Hadrill (1983) 111 rather than Carter (1982) 127). Of course, the argument acquires greater force, and Tacitus' analysis greater intellectual and moral power, if Velleius *et al.* are thought to be reflecting official ideology (if not, what *are* they

tus' abuse of language, abuse characteristic, as Thucydides saw, of *stasis*, is stripped bare by Tacitus' own linguistic virtuosity: the fraudulent Augustan *status* was actually a Thucydidean *kinesis* (*converso*) or *stasis*. The Greek *stasis* and the Latin *status* are etymologically identical but in a political context mean precisely opposite things. Augustan *status* is 'destabilised' by Greek *stasis*.³² And *converto*, like *verto* in 1.4.1, can mean 'translate', so that *converso status* also implies 'status having been translated into *stasis*'; further, *converto* can be a rhetorical term for the 'transposition' or 'substitution' of words (*OLD* 2d); again, *conversus status*, like the simple *versus status*, is Latin for the Roman revolution.³³ The bilingual and rhetorical word play, emblematic of Tacitus' own position both as the Roman Thucydides and Republican constitutionalist, exposes the linguistic and rhetorical deceit and the concomitant constitutional illegitimacy of the political system enforced by Octavian.

3.1.3.1 The textual problem of 33.2

This brings us to the textual problem of 33.2 (I reproduce the parallel text for readers' convenience):

doing?) and/or correctly interpreting *RG* 34.1, and if, thus evidenced, the claim to have restored the Republic is thought duplicitously at variance with reality.

There is also, and importantly, the evidence of Tacitus himself. Not only 4.32.2 and 1.4.1 as here interpreted but the general thrust of Tacitus' treatment of Augustus in book 1 make little sense unless Tacitus regards himself as unmasking a deceit: 'for Cornelius Tacitus the essential falsity of the Principate lay in the fiction that the supreme authority in the Roman State was voluntarily offered and legally conveyed, or at least ratified. The opening chapters of the *Annales* deny the Republic of Augustus, reveal the workings of dynastic politics, and demonstrate that Tiberius was already in possession of authority before the Senate was invited to express an opinion' (Syme (1958) 412). It is true that two of Tony Woodman's most iconoclastic recent papers ((1995b) = (1998) 23-39, cf. Kraus-Woodman (1997) 105; (1998) 40-69 ('Tacitus on Tiberius' Accession')) provide perspectives to some extent at odds with Syme's assessment, but the problems with which these papers are concerned are extremely complicated (for measured dissent from (1995b) see Feldherr (1997)); the perspectives largely impinge on the Tiberian end of the equation; and the papers might even be said to provide support for the claim that the framework within which Tiberius was trying (or affecting) to operate was a formally Republican one.

In any event, Galinsky (1996) 64—'nor do later writers, such as Tacitus, employ a terminology that denotes "Republic"'—is (to put it at its mildest) highly misleading: Tacitus *constantly* employs a terminology that denotes "phoney Republic".

³² The creation of the bilingual play must have been facilitated by the fact that the rhetorical and legal term *status* corresponded to, and translated, the Greek *stasis* (in its 'stable' rhetorical and legal sense).

³³ So Tacitus in effect gives us a succinct (and to my mind by no means contemptible) definition of that much-disputed term: 'the violent overthrow of the Roman Republic by the Caesarian monarchists'.

33.2 Igitur ut olim plebe valida, vel cum patres pollerent, noscenda vulgi natura et quibus modis temperanter haberetur, senatusque et optimatum ingenia qui maxime perdidicerant, callidi temporum et sapientes credebantur, sic converso statu ...

[The inserted dots are for visual convenience: they do not represent anything in the text.]

Therefore, just as when formerly the common people being strong or when the senatorial fathers had power, the thing to know was the nature of the masses and the means by which they might be controlled temperately, and those who had most thoroughly learned the inner talents of the senate and the optimates were credited to be shrewd assessors of their times and wise, so the state of affairs having changed ...

Textual problem:

MSS neque alia rerum

Bringmann neque alia rerum
<salute> quam si unus imperitet,

Lipsius neque alia re Romana,
quam si unus imperitet,

MSS reading leaves *alia* ‘hanging’

= and there being no other salvation for the state than if one man should give the orders,

= and the Roman thing being virtually no different than if one man were to give the orders (*subjunctive of formally unreal comparison*),

haec conquiri tradique in rem fuerit, quia pauci prudentia honesta ab deterioribus, utilia ab noxiis, discernunt, plures aliorum eventis docentur.

it will have been *ad rem* that these things be collected together and handed down, because few men distinguish honourable things from worse things, useful things from noxious, by intelligence, but many learn from the things that happen to others.

The MSS reading, with its hanging *alia*, requires supplementation. Bringmann’s *salute*, approved by Goodyear, printed by Wuilleumier, Heubner and Woodman–Martin and accepted also by Sinclair and O’Gorman, evokes the idea that the Roman Republic was so sick that the only remedy was one-man rule (indeed, so supplemented, 33.2 becomes key evidence for the proposition that Tacitus himself conceded the necessity of monarchy).³⁴ This common idea is implicit in Livy’s *Preface*, a passage, as we shall see, of direct relevance to our digression, and explicit in *Annals* 1.9.4 *non aliud discordantis patriae remedium fuisse quam ut ab uno regeretur*, a sentence of exactly the

³⁴ E.g. R. H. Martin in *OCD*³, 1470. For other relevant passages see section 7.

same structure as the one here, one of the series of verbal parallels between the start of book 1 and the digression (cf. n.27) and probably itself an echo of Livy.³⁵

But, while in 4.33.2 Tacitus is clearly engaging with the views of Livy and of the imagined speakers of 1.9.4, he does not have to be saying the same thing as they are: he could be saying, or implying, the exact opposite. In the context of 4.32–33, *salute* must, I think, be wrong, despite the distinction of its modern advocates. It is a quite extraordinarily prejudicial supplement, and, if there is anything in the arguments so far advanced, the whole tenor of the passage goes against it, as do Tacitus' exposure of the Augustan *status* as Thucydidean *stasis* and the very uncomfortable fact that in Thucydides *stasis* is figured as sickness.³⁶ Lipsius' very neat *re Romana*, accepted by Furneaux, Koestermann, Shotter, Mellor and most earlier scholars,³⁷ is palaeographically much easier and far less intrusive; it creates an appropriate ring structure with the first mention of Roman Republican history in 32.1; and it reinforces the point that under Augustus the long-established Roman Republic was violently changed into unconstitutional monarchy. It also, as we shall see, interacts pointedly with *in rem* (an interaction I have tried to retain by translating *ad rem*, even though 'advantageous' gives a better 'local' meaning).

Further, given the prominence of Thucydides in the digression, the sentiment 'the Roman constitution being virtually no different than if one man were to give the orders' must be read as 'turning' the famous Thucydidean *aperçu* on Athenian democracy under Pericles: 'the result was in word rule by the people, but in deed rule by the first man' (Thuc. 2.65.9). While Thucydides celebrated this paradoxical Athenian reality, Tacitus stresses the illegitimacy and failure of its Roman equivalent. Failure, because the subsequent trial of CORDUS illustrates the continuing civil *DISCORDIA* even under the monarchy which was supposed to have removed it: monarchy did

³⁵ Liv. *Praef.* 9 (with e.g. Woodman (1988) 132–4 and nn. 65–79 on 152–4; Haehling (1989) 19, 213–15; Moles (1993) 151–2; cf. Liv. 3.20.8; 22.8.5, etc. *Ann.* 1.9.4 may well echo Livy (Moles art. cit.); for the thought cf. also *Ann.* 1.6.3 (quoted in n.27). This interpretation of Liv. *Praef.* 9 (which in itself I regard as certain) does not necessarily entail that Livy supported the established/permanent monarchy of Augustus, only that he supported monarchy as a relatively short-term solution; on the question of Livy's *libertas* see Syme (1959/79); Woodman (1988) 136–40; Badian (1993); Galinsky (1996) 280–87; Marincola (1997) 172; in general on this question, I favour Badian and Marincola; the question again becomes important at 4.34.3 (see section 5.2.3 and n.84).

³⁶ Thuc. 3.82.1–2 (with huge bibliography). Tacitus himself exploits this figure in *Ann.* 2.27.1 and 6.7.3 (of the *maiestas* trials, themselves a manifestation of *stasis*): Keitel (1984) 320.

³⁷ Furneaux (1896) 528; Koestermann (1965) 115; Shotter (1989) 162; Mellor (1993) 88.

not remedy a ‘discordant’ *patria* (1.9.4, quoted above): it introduced *further* discord, further ‘sickness’: the internal-external, Republican-monarchical, boundaries of 4.32.1 are again (cf. section 2.1) breached (cf. *discordias consulum adversum tribunos*).

3.1.4 Herodotus

We return to Xenophon *Hellenica* 2.3.23-56 as the archetype of *Annals* 4.32-35. After Thucydides, the other big historiographical influence upon Xenophon’s *Hellenica* was Herodotus. So we might expect to find Herodotus too in Tacitus’ digression. We do. Herodotus provocatively claimed to treat small things as well as big, on the basis that human prosperity never remained in the same place, all things being subject to a biological and cyclical process of birth, growth, prime, and decay. These ideas underlie Tacitus’ emphasis on the organic development of great things from small and other instances in the passage of ‘biological’ terminology. Herodotus also was renowned for the amplitude of his treatment and famously championed digressiveness. The ‘free digressiveness’ of Republican historians has a Herodotean ring, the tighter, narrower, more concentrated character of Tacitus’ work aligns it in this respect also with Thucydides. Herodotus also figured his *Histories* as a journey, a sort of moral and intellectual *Odyssey*.³⁸ The figure

³⁸ Small things as well as big things: Hdt. 1.5.3-4: ‘I shall then advance forwards into my account, going through small and great cities of men (~ *Od.* 1.3) alike. For of the cities that were great in the past, the majority have become small, and the cities that were great in my day were small formerly. Knowing, therefore, that human prosperity never remains in the same place I shall make mention of both alike’; Herodotean ‘biological’ concepts also > 35.4-5 (noble vs illegitimate parentage); Herodotean digressiveness: Hdt. 4.30.1, 7.171.1; Herodotus’ *Histories* as journey/*Odyssey*: 1.5.3-4 above; Moles (1996) 264-5, 270; Marincola (1996) section 1. To describe 32.2 *ex quis magnarum saepe rerum motus oriuntur* as a ‘commonplace’ (Martin and Woodman (1989) 172; cf. Kraus (1991) 322 n. 33; Sinclair (1995) 60, following Koesterman, misleadingly restricts the sentiment to Roman/Republican contexts) is on one level, and only on one level, correct, for to imply that its being a ‘commonplace’ drains it of argumentative significance is quite wrong. The sentiment combines: (a) the ‘commonplace’; (b) the Herodotean concern with small things and big things and their interrelationship; (c) the Thucydidean emphasis on *change*; (d) the Thucydidean distinction between ‘what seems’ and what really is (cf. n.24). In short, it is difficult to see how any sentiment could be more meaningful.

Again on the question of the frustration of generic expectation, any reader who spots the Herodotean concern with change from small to great (and vice versa) will not be so surprised by the development of the argument.

For the biological political and historical model in Tacitus see Havas (1991), esp. 2973-2986.

is brilliantly developed by Tacitus.³⁹ His text is a journey both for himself and his readers, who are thereby drawn still further into the interpretative quest. Note also that this journey involves awkward trading between historian and readers not only about the means of satisfying readers' desire for pleasure but also about the competing demands of delight and serious moral judgement (cf. n. 25). Note also that the figure of the text as a journey intersects with the moral, political and indeed physical journeys made by paradigmatic individuals within the text. Journeying through the text, with all the problems of that journey, instructs one in negotiating the tricky political geography of monarchical Rome.⁴⁰

3.1.5 Polybius

What other Greek historians? Polybius, encomiast of Philopoemen, may well be in the frame.⁴¹ Polybius the historian, constitutional theorist and enthusiast of the mixed constitution, must be in the constitutional analysis of 33.1; his advocacy of the mixed constitution is elegantly skewered by a name-pun: *haud diuturna*: exit the pretensions of the interminable and excessively long-lived *Poly-bios*, whose claims for the durability of the Roman

³⁹ Text as journey in Tacitus (already implicit in concept of 'digression'): *rettuli referam* (Tacitus 'reports back' as one who has gone first), *praeverterent libero egressu in arto immota* (material can't 'progress') *proferendi* (ditto) *motus* (< *immota*, possibility after all of 'movement' of the material) *adferunt exitus* (figure 'leaves' the path of the text) *retinent obviam* (and other *ob-* examples (n.25), which create 'obstacles' to the joint 'progression' of historian and reader) *refert extuleris* (different 'levels' of path) *ex propinquo diversa* (of those who have taken the wrong moral path) *ad inceptum redeo* (back to main narrative path after 'digression').

Moral/political journeys of individuals within text: above, but also, and very relevantly, 4.20.3 *inter abruptam contumaciam et deforme obsequium pergere iter ambitione ac periculis vacuum* (discussed in section 6).

⁴⁰ Cf. the relationship between the idea of narrative as space and the physical spaces that the narrative describes (and in a sense creates), a relationship explored in connection with Livy by (e.g.) C. S. Kraus and M. Jaeger and in connection with Suetonius by J. W. Burke: discussion and references in Burke (1998), especially n. 10.

⁴¹ I say this because: (a) the 'little-big' contrast of 32.1 is found within encomium as well as biography (n. 22); (b) Polybius' *Philopoemen* presumably recorded the famous description of Philopoemen as 'the last of the Greeks'; (c) Cremutius Cordus called Cassius the last of the Romans (*Ann.* 4.34.1); (d) Brutus had so hailed Cassius after the first battle of Philippi (Plu. *Brut.* 44.2); (e) Brutus knew his Polybius (Plu. *Brut.* 4.8), and so, surely, did Tacitus. All of which seems to me to make it unlikely that Polybius' *Philopoemen* is not somewhere present in 32.1. But this may be too roundabout for some.

μικτή⁴² were so spectacularly short-sighted. The demolition of Polybius will play its part in the overall argument: see sections 4.4 and 4.4.2.

3.1.6 Livy

We turn now to the Romans. Since our passage, besides being a digression, also functions as a second preface, indeed as Tacitus' single most significant prefatory statement in the *Annals*, we should expect interaction with the *Preface* of Tacitus' greatest Roman annalistic predecessor, especially as Livy too had used Herodotus and Thucydides in defining his historiographical project.⁴³ The parallels and interaction between Tacitus and Livy are indeed very extensive.

Both historians are concerned with the current condition of Rome, which they regard as bad; with the type of historiography best suited to that condition; with the contrasts between 'old' history and 'new' or 'contemporary' history and between 'old' or 'ancient' historians and 'new' or 'contemporary' ones; with negotiations between historian and readers over the constituents of historiographical pleasure and the trade-offs between pleasure and usefulness; with readers as third persons and as second person singular; with the paucity of 'glory' likely to accrue from their own historiographical labor;⁴⁴ with the *invidia* to which their historiography exposes them; with the 'documentary' or paradigmatic value of history, including *exempla* both positive and negative (see section 5.4); with the reader's need to know and to discriminate. Tacitus' use of *antiquis* (33.4) in the double sense of 'ancient writers' and 'writers about ancient things' and his extremely polysemous use of *res* convey implicit homage to the great AUC historian, who had done the same things in his preface.

⁴² Cf. also McCulloch (1991) 2932, who writes of 'Tacitus' almost contemptuous derailment of Polybius' facile interpretation of the Roman constitution'. Against my gloss on *haud diuturna* Professor David Bain objects that the Greek for 'long-lived' is μακρόβιος, not πολύβιος, which means 'very wealthy'. But in etymologising contexts the 'correct' meaning of words is generally irrelevant; πολύς both by itself and in compounds can certainly be used of quantity of time; and I do not believe that at [Lucn.] *Macr.* 22 the author of the *Makrobioi* was unconscious of interplay between Μακρόβιοι and Κτησίβιος and Πολύβιος.

On the textual problem of 33.1 and the possibility of implicit 'recantation' of *Agr.* 3.1 see n.2 and section 7.

⁴³ Moles (1993); cf. Luce (1991) 2908, 2914-16 for general remarks on Tacitus' engagement with Livy in the digression. The key section of Livy's Preface, *Praef.* 10, is quoted in section 5.4.

⁴⁴ On historiographical πόνος/labor see Marincola (1996) section 2; (1997) 148-56; cf. also *Ann.* 4.61 with Martin and Woodman (1989) 232.

But the fact that Livy wrote AUC and largely Republican history, whereas Tacitus writes monarchical history, creates major differences between their histories and purposes. Above all, where Livy prescribed monarchy as one of the two *remedia* for the sickness of contemporary Rome,⁴⁵ for Tacitus that monarchy is a major cause of the sickness, hence the description of the Roman thing as being virtually no different than if one man were to give the orders countermands Livy's hasty prescription. And whereas Livy directly exhorted each and every individual to join in the task of saving the Roman state, Tacitus' historiographical goal is ostensibly much narrower: to help individuals save themselves and other individuals within the treacherous state of monarchical Rome. I say 'ostensibly', because I shall argue that Tacitus has an extremely broad, ambitious, and multi-pronged libertarian project (see section 6). Indeed, the ambition of this project is immediately suggested by the interaction between *re Romana* and *in rem*: in some sense as yet undefined, his *Annals* will help the *res Romana*. Tacitus also suggests the greater critical penetration of his historiographical enterprise: 4.33.2 *introspicere* as it were 'trumps' Livy's less demanding *intueri* (*Praef.* 10).

3.1.7 Cicero

Our next Roman historian is Cicero, whose ideas about the themes most conducive to historiographical pleasure underlie 32.1 and 33.3, as Martin–Woodman note, with some direct verbal echoes.⁴⁶ But, *pace* Woodman and Martin, while Tacitus concedes something to historiographical pleasure, for him it is subordinate to history's 'usefulness': it is an *ob*-factor of which he has to take account if he is to keep his readers with him on their joint journey through the text.⁴⁷ The same nuanced criticism of Ciceronian canons appears in his description of the mixed constitution in 33.1. The wording directly echoes Cicero's, as Martin–Woodman note, glosses Cicero's preference with *laudari*, but dismisses the mixed Polybian/Ciceronian constitution as irrelevant to the real world of power relationships. Important here is the verbal interaction between *evenit* and *eventis* in 33.2: the experiences that happen to other people in the Rome of the Caesars are the things that matter, not highfalutin theoretical constructs, which hardly happen, or if they do happen, cannot last.

3.1.8 Virgil

⁴⁵ See n. 35 above.

⁴⁶ 4.32.1 and 33.3 ~ Cic. *Fam.* 5.12.4-5; 4.33.1 ~ Cic. *Rep.* 1.53-4 (quoted in n.2, with discussion of the textual problem).

⁴⁷ Cf. n. 25 above. For a similar emphasis to mine see Sinclair, as quoted in n. 55, and Luce (1991) 2915-16.

Our next Roman historian is more surprising. Editors note that 32.2 *nobis in arto et inglorius labor* recalls *Georgics* 4.6 *in tenui labor; at tenuis non gloria*.⁴⁸ There is a parallel: both writers work in restricted/trivial spheres, and a contrast: Virgil's *labor* wins *gloria*, Tacitus' does not. With the *Aeneid*, Virgil became the court historian of the Caesars. But he was already bidding for that role in the *Georgics*.⁴⁹ In Book 4 the bees represent the Roman state, and while the theme, *qua* bees, is *tenuis*, Virgil's *gloria* is not *tenuis*, inasmuch as he is celebrating the *gloria* of Octavian, victor in the civil wars and new ruler of the state.

What are the implications of this parallel and contrast between Virgil and Tacitus? One implication would seem to be that there is a difference between commemorating Octavian/Augustus and commemorating Tiberius. But, as we shall see, this distinction between the first two emperors cannot be absolutely maintained. Moreover, since the 'ingloriousness' of Tacitus' labour is formally contrasted with the (implicit) glory available to Republican historians, there is some sense that the text is making a broad contrast between Republican and imperial history, with little allowance for any distinction within imperial history between writing about different emperors. From the point of view of this broad contrast, the implication of the particular parallel and contrast between Virgil and Tacitus would seem to be that Tacitus fails to get *gloria* because, unlike Virgil, he is not an encomiast of the victorious Caesars, but rather an apologist of the defeated Republicans.

3.1.9 Sallust

Our passage has the flavour of a Sallustian digression: the concluding words, as editors note, echo Sallust's formula for ending digressions.⁵⁰ The contrasts between the superior past and the inferior present and the historical survey of constitutional change are thereby invested with a Sallustian flavour. Sallustian too is the general tone of pessimism and disillusion. Tacitus' observations about the problems of reader response (33.4) and his implicit concern with his own *gloria* (or lack of it) echo Sallust's in *BC* 3.2.⁵¹ There are also broader interactions with the preface of the *Bj* (see sections 5.2.3; 5.2.4; and 5.3). As we shall see, Cremutius' speech is also part of a wider Sallustian pattern (see sections 5.2 and 5.2.2). On the other hand, by the very density of his

⁴⁸ Tacitus' *inglorius* also interacts both with Livy (as already noted) and with Sallust (section 3.1.9; Woodman (1988) 183 and n.51 below).

⁴⁹ On the politics of the *Georgics*: e.g. E. Kraggerud (1998). (And of course Aristaeus ~ Octavian, Orpheus ~ Virgil, etc.)

⁵⁰ E.g. *Bj* 4.9, 42.5.

⁵¹ Kraus–Woodman (1997) 93.

own engagement with Thucydides, Tacitus is simultaneously wresting the mantle of Thucydides off Sallust's shoulders.

This completes our laborious excavations of the main historiographical allusions in the passage (though there must be more (I hereby nominate Theopompus)). Some aspects of some of the allusions have already been given interpretative point; for more general comments see sections 5.2.3 *init.* and 5.2.4 *fin.*

Since the most interesting question about Sallustian digressions is their relevance to their surrounding narratives,⁵² we too may now return to the interpretation of the whole.

4 A sequential reading of the digression

4.1 Digressions

The passage is formally a digression, a turning away from the main path of a narrative; the passage itself employs the metaphor of a road or journey for the main narrative.⁵³ The closing formula (33.4) makes plain the return to the main narrative path. This formal status, however, is challenged by the clear thematic links between the digression and its surrounds, both the preceding trial narrative and the subsequent narrative of the trial of Cordus. As in Sallust, the question arises: is a digression a digression? The passage's status as digression must also be brought into relation with the 'free digressiveness' enjoyed by Republican historians. What sense does it make that the concept of 'free digressiveness' (*libero egressu*) is applied to whole histories, whereas Tacitus apologises *within* a 'digression' (a passage that is itself recognisably an *egressus*) for the apparent triviality and restrictedness of the subject-matter of his historical narrative?

4.2 Literary and political freedom and constraint

On the face of it, the Republican historians could freely digress for three reasons: their themes were vast and varied; they could treat them *in extenso*; they could *choose* whether to write about external or internal things. (These three freedoms were different ways of implementing the qualified literary 'freedom' permitted within 'digressions'.⁵⁴) Although the Republican historians' freedom was in the first instance literary, it was also political: Republican history had such a vast canvas precisely because historical events were

⁵² There are stimulating remarks about Sallustian digressions in Kraus–Woodman (1997) 28–30, 39–41.

⁵³ Cf. n. 39.

⁵⁴ E.g. Plat. *Rep.* 394D; *Theaet.* 172Dff.; D. Chr. 12.38; Sall. *Bj* 4.9; Quint. 4.3.17.

not controlled by a single ruler. So the historical actors could do great things and win glory, and the historian by appropriately commemorating these great and glorious things could thereby attain literary glory for himself.

But the application of the concept of ‘free digressiveness’ to whole histories pulls in different directions: on the one hand, it emphasises those histories’ huge size; on the other, if whole histories are ‘digressions’, from what do they digress? Is the overriding narrative path that of monarchical history? Was the Republic just a digression, albeit a very extensive one, within the history of monarchy? The answer is a depressing yes: the Romans began and ended with kings: see the preface to *Annals* 1. It is a post-modern commonplace, however suspect, that there is no history ‘out there’: there is only textualised history. Tacitus makes a much more intelligent and interesting point: textualised history does not create history: it is a metaphor for it.

In contrast with the republican historians, Tacitus⁵⁵ is locked into apparent ‘smallness’ of theme, the reasons being absence of wars, stagnation and

⁵⁵ Sinclair (1995) 56-7, 60, building on the three neglected studies of F. Slotty (1927a), (1927b) and (1928), takes the plurals *nostros* (4.32.1), *nobis* (32.3) and *nos* (33.3) as ‘associative’ (so perhaps also Henderson (1990) 168, 194 (I’m not sure)); thus e.g. (60) ‘in this digression Tacitus refers to himself and his reader as the type of people who are interested in history for intellectual rather than merely aesthetic reasons, and he uses the associative “we” in conjunction with gnomic generalizations for much the same purpose that Aristotle advocates their use to broach a view contrary to common opinion’. These plurals are customarily taken as ‘authorial’: e.g. Martin–Woodman (1988) 170, 129.

Granted that: (a) as will become clear, I basically agree with Sinclair’s eloquently expressed interpretative conclusion about this passage ((62) ‘the “laws” governing social and political life at Rome apply equally to the writing of history: the overriding self-interest of those in power under the Principate makes singling out true glory and virtue in others virtually as dangerous for the historian as exercising them oneself in political life. For to recognise and celebrate true virtue may mean criticizing the Principate, which time and again rewards obsequious opportunism and calls it virtuous’); (b) Slotty has certainly demonstrated the existence of the *pluralis sociativus*; (c) Sinclair himself elsewhere demonstrates great Tacitean subtlety in variation of person; (d) Livy’s *Preface* uses (at the end) an ‘associative’ first-person plural (*Praef.* 13 with Moles (1993) 158); (e) Tacitus’ digression does envisage two types of reader: unthinking sensation-seekers (sc. Martin and Woodman) and serious/sophisticated, fellow-members of the senatorial elite whose value system is necessarily threatened by the monarchy (sc. Sinclair and Moles); (f) Sinclair is right to interpret Tacitus as subordinating purely aesthetic considerations to intellectual ones

Granted all these points, I do not believe that these particular plurals are ‘associative’: (a) the move from a simple singular to an authorial plural is certain at *Annals* 4.11.3 and 71.1 (Martin–Woodman (1989) 129), passages which Sinclair does not seem to consider; (b) since on any view *annales nostros* must at least include Tacitus’ particular *annales* (which being so, it is impossible to exclude the titular implication *annales* = *Annales*), and since 4.32.1 uses first person singulars and *videri* immediately introduces the notion of ‘the reader’, it is very difficult to jump from ‘I, Tacitus’ to ‘our annals’, in the sense of ‘the type of annals which I Tacitus am offering you in the form of my *Annals* and of which

oppressiveness in Rome and Tiberius' lack of interest in extending the empire. The effect of *parva* and *levia* is the reverse of encomiastic. There is a link between the 'smallness' and 'narrowness' of Tacitus' historical writing and the ruler, or the type of ruling power, at the period which he is writing about at this point in his text. Again, literary freedom or its lack links into political freedom or its lack. This link is powerfully reinforced by the first sentence's evocation of Theramenes' inspiring assertion of the right of free speech *in extremis* under tyranny. The parallel and contrast with Virgil also seems, from one point of view, to put Tacitus in the anti-Caesarian camp (as we have seen). But as far as free speech is concerned, the implications of these allusions seem opposed: the Theramenes allusion seems to say: even under tyranny we can be free and cry freedom; the Virgil allusion to say: no, we are beaten, we have to maintain inglorious, constricted, silence. The latter implication coheres with the size of Tacitus' digression, which, especially compared with the vast digressiveness of Republican history, is very small. The digression also makes play with the interplay between the paths of narrative and the moral and political paths of life. Thus the literary form of the digression itself dramatises simultaneously the literary and political restrictions under which Tacitus now labours, and his desire—and ability—to exercise something of the literary and political freedom enjoyed by the freely digressive republican historians (in accordance with the qualified 'freedom' permitted within digressions (n. 54)).

This latter project is evidently a supremely worthwhile one. Not only will it enable Tacitus to transcend (to a degree) his literary and political restrictions, but there is also a sense in which it is actually more important than that of the Republican historians. Their themes, however 'great' (etc.), represented only a 'digression' within the dominant narrative of Roman history; his themes, however, restricted, are part of that dominant narrative, the narrative of monarchy.⁵⁶ A fundamental interpretative question posed by

you, my intelligent readers (as opposed to conventional sensation-seekers), are my fellow, senatorial, historians'; (c) the contrast between the individual historian, writer of the present work, and his plural predecessors is utterly standard; (d) *inglorius* in 32.2 interacts with three historiographical individuals: Livy, Virgil and Sallust; (e) 4.33.3 is not generalising or gnomic but rigorously specific in its application to Tacitus' particular narrative, as the detailed verbal pick-ups (most of which are mentioned somewhere in this paper) demonstrate.

Note also that the overt (in effect) naming of Tacitus' ideal readership would spoil the implicit challenge Tacitus issues to that readership to define itself (see section 4.4).

⁵⁶ It is also true that: 'the author seems to despair of true emulation with those earlier writers. Yet clearly this is emulation and a covert challenge to his predecessors: the lack of "suitable" material makes Tacitus' task a *greater* challenge, and his achievement—a worthwhile history that will win for its subjects and its author immortality—is all the more admirable because achieved with a dearth of what was traditionally ennobling ma-

the digression, therefore, is: how does Tacitus achieve his admittedly restricted literary and political freedom? (Impatient readers can here skip to section 6.)

4.3 Who or what is restricting Tacitus' freedom?

But there is a key preliminary question: who or what is the force restricting Tacitus' freedom here, is it just Tiberius, or is it Tiberius and other emperors like him, or is it the emperors in general, Tiberius functioning merely as a particularly nasty specimen of the *genus monarchicum*?

At first sight, the answer seems to be just Tiberius: there are clear thematic links between this digression and its surrounds (the accounts of the *maiestas* trials in chs. 28-31 and 34-35); the sort of history that Tacitus writes in Book 4 is formally different from that which he wrote in Books 1-3; at the start of the digression Tacitus is explicitly talking about Tiberius and some characteristic features of his reign (predominant peace abroad, gloomy internal affairs, lack of concern for extending the empire). Yet the digression itself teaches us that what 'seems' 'at first sight' is likely to be wrong and emphasises the gap between 'seeming' and truth. Moreover, the argument in 32.2 and 33.2 for the utility of history will not work if Tacitus is constrained only by Tiberius. It will have been useful to 'hand down' an account of Tiberius' reign only if there is some prospect of the recurrence of emperors like Tiberius.⁵⁷ Of course, Tacitus and his contemporary readers had already experienced such an emperor: Domitian, whose reign had imposed similar constraints upon literary and political freedom, as the narrative of Cordus' trial will itself remind us (see section 5.1). When, at this point in the text, Tacitus propounds the future utility of his Tiberius narrative, that utility has already been retrospectively validated by the grim experience of his own generation.⁵⁸ So far, then, the answer to the preliminary question must be: 'Tiberius and other emperors like him'.

terial. So the author equals, and in some ways exceeds, his predecessors' (Marincola (1997) 251). Yet for reasons explicit or implicit throughout this paper I find such 'pure lit.' formulations, while on one level true, rather misleading, and, in the last resort, trivialising. For a similar emphasis to mine see Luce (1991) 2915-16; cf. also n. 9.

⁵⁷ Martin-Woodman's note here ((1989) 174)—'T.'s point is that since the constitution has remained unchanged since Tib.'s day, the events of the latter's reign are relevant to his readers'—is thus a little bland.

⁵⁸ Tacitus' shifting temporal and as it were spatial focalisations in the digression are very adroit and would repay close analysis. For some general observations on their significance see section 5.4. For more general (but obviously correct) insistence on the necessary relevance of Tacitus' commemoration/(re)construction of the past to his and his readers' construction of the present see e.g. Syme (1958) 301-3, 447-8, 470-4, 478-80, 483-

But it is difficult to restrict the answer even to ‘Tiberius and other emperors like him’. The description of Tiberius in 32.2 brings Augustus himself within the frame. When we read that Tiberius had no care for extending the empire, we cannot forget that he was here following the policy of Augustus in his final years.⁵⁹ Indeed, the whole description of 32.2 forms another echo (cf. n.27) of the Augustan summary of book 1: *immota quippe aut modice lacescita pax, maestae urbis res, et princeps proferendi imperi incuriosus erat* ~ 1.3.6-7 *bellum ea tempestate nullum nisi adversus Germanos supererat, abolendae magis infamiae ob amissum cum Quinctilio Varo exercitum quam cupidine proferendi imperii aut dignum ob praemium. Domi res tranquillae* Tiberius and Augustus are different (Tiberius is obviously, from Tacitus’ point of view, worse), yet essentially the same.⁶⁰

Further complexities derive from the way in which Tacitus proceeds to unpack the little vs big distinction: things may seem little but actually produce big movements. What are these movements? Are they movements within an existing political system or within a particular manifestation of an existing political system, that is, instances of *stasis* or war within Tiberius’ reign? Partly that, certainly, *stasis* being inbuilt into the Augustan system. But could they also be movements between different manifestations of a particular political system—that is, civil wars with violent changes of emperors? It is hard to see how that possibility can be excluded. If so, Tacitus’ focus is again not confined to Tiberius. Or could they even be movements between different political systems altogether? Why not? Indeed, the presence of the constitutional analysis is bound to raise this possibility, especially because of the interaction between *converso statu* and Thucydidean ideas of *kinesis/motus*. Similarly, the moral and political implications of the story of the death of Theramenes are so powerful that they are not easily confined to a single pe-

8, 495-8, 517-19, 524, 583-4; Classen (1988) 116; Henderson (1990) 167 and *passim*; and n.59. Kraus–Woodman (1997) 92-93 offer a more cautious formulation.

⁵⁹ Commentators note the historical fact, without registering the interpretative implications. The obvious contrast with the grandly expansionist Trajan, under whom Tacitus was writing Book 4 (Martin–Woodman (1988) 102), allows space for the qualification of ‘relatively good and bad emperors’ within the generic contention of ‘all emperors bad’. For this qualification see sections 4.4.2, 4.4.3 and 5.2.4; for a possible counter-balance see section 7. Kraus–Woodman (1997) 92 argue that the hypothesis that ‘since the tone of Tacitean historiography is largely critical, his account of the years AD 14-96 is intended as implicit praise of Trajan seems excluded by the author himself, since Tacitus prefaces each work by testifying to the impartiality of his treatment (*H.* 1.1.3, *A.* 1.1.3): there is thus no professedly critical stance from which approval of the present may be inferred’. This argument, if correct, would hardly exclude *ad hoc* allusions, and even as a general argument it goes wrong (or becomes too simple) at ‘professedly’.

⁶⁰ This is a recurrent theme of O’Gorman’s thesis (though naturally expressed with much more nuance and sophistication).

riod of history. Our passage conveys this: Tacitus' *arguens* redeploys Xenophon's *Kritias/κρίνω* play, at the very end, in a context which links past, present and future.

Indeed, it is difficult to suppress the sense of a broad generic contrast between Republican and imperial history, the former associated with literary and political freedom, the latter with literary and political constraint. The contrast between Tacitus and the Republican historians implies a broad Republic-monarchy contrast. Tacitus does not say: 'let no one compare *this part of my Annals* with the writing of those who composed the old things of the Roman people'. This broad contrast again echoes book 1: in both cases, 'the old' denotes the Republic (4.32.1 *veteres populi Romani res* ~ 1.1.2 *veteris populi Romani*, which is there contrasted with the *temporibus Augusti*). The Virgil allusion too conveys (on one level) a general contrast between Caesarism and Republicanism. Again, if Tacitus is indeed implying that Republican history was simply a digression within the story of monarchical history (section 4.2), the contrast between the Republican historians and Tacitus must be a generic contrast between Republican freedom and monarchical oppression. The description of the activities of the Republican historians as *liber* reinforces this, evoking the *Libertas*/Republic—slavery/principate/monarchy dichotomy fundamental to the political thinking of Tacitus, as of Seneca and Lucan.⁶¹ Finally, if the previous analysis of *converso statu* is right, Augustus himself, author of the Roman revolution (not Syme, you see), comes crashing into the frame. The conclusion seems to me certain: the essential focus is on the monarchical *system*.

4.4 The political argument

How precisely does this relate to the overall argument? Tacitus' analysis of different constitutions concentrates on power relationships and disparages the theoretical vapourings of Polybius and Cicero. The analysis is designed to have practical value. Who for? The answer must be: people who are in a sense themselves outside whatever is the power-base at the particular time, i.e. the political elite.⁶² Here sounds the voice of Tacitus 'the senatorial historian'. But it is a nice touch that this readership is unexpressed (*noscenda* does not acquire a dative of agent): *we* have to identify *ourselves* as the requisite readership (see section 4.4.1).

⁶¹ E.g. Tac. *Ann.* 1.4.2; *Agr.* 3.1 (quoted in n. 2 and discussed in the appendix); Luc. 7.695-6; Griffin (1976) 191-5.

⁶² In this respect Sinclair's analysis is right (see n. 55); cf. also Häussler (1965) 236-38; Luce (1991) 2914-16.

4.4.1 The swerve in the argument

Tacitus runs the sequence. Under democracy, you had to know and be able to control the people. Under oligarchy, you had to understand the senate and the optimates. Under monarchy what? We expect Tacitus to say, you have to understand the monarch, but he does not do so. Instead, the argument swerves⁶³ (so in a sense the argument within the digression mirrors the place of the digression itself within the surrounding narratives) and Tacitus uses Thucydidean analyses of *κίνησις*, *στάσις* and linguistic distortion under distorted political conditions to characterise the whole Augustan system as fraudulent and unconstitutional. But to see that he is doing this, you have to separate what seems from what actually is, you have to be able to distinguish honourable things from worse things, useful things from noxious, you have to be intelligent, but you need to supplement your intelligence with the lessons of Tacitus' history, with the lessons of the digression, which is itself progressively didactic. In a word, you have to *introspicere*, with Thucydidean (and no doubt also Sallustian) penetration and insight.

This process involves another transgression, or redefinition, of category boundaries. Whereas the Republican historians distinguished between 'external' and 'internal' things on a horizontal or spatial level (4.32.1), Tacitus' *introspicere* is as it were vertical: 'looking within those things at first sight slight'.

Now Sinclair has glossed 4.32.2 as follows: 'by formulating his statement in purely general terms—people easily misdiagnose political situations—Tacitus thereby challenges his readers to ask themselves to which of the two categories they belong: the *hoi polloi*, or the discerning few'.⁶⁴ Any reader who decodes the swerve in the argument in the manner above suggested is well on the way to inclusion in the latter category. We may congratulate ourselves on our perspicacity so far.

4.4.2 The emperors as unconstitutional tyrants

At this point in his argument, Tacitus' derisive dismissal of the Polybian mixed constitution acquires its full force. If the Roman world is now a mon-

⁶³ This 'swerve in the argument' is noted by O'Gorman (1997) 143–44, though she develops its implications along quite different lines from my own; the 'swerve' is seemingly missed (or at any rate insufficiently investigated) by Lana (1989) 31 and Martin–Woodman (1989) 172, 174. O'Gorman's interpretation of the swerve cannot be dissociated from her complicated linkage of the digression with *Ann.* 6.21–22 (astrological interpretation as analogous to reading and historical interpretation), but in any case to my mind she plumps much too readily for deconstruction of the *Annals'* utility: on all this see section 6.

⁶⁴ Sinclair (1995) 61.

archy, and both the product and promoter of *stasis*, so much for Polybius' double claim for the mixed constitution as (a) durable and (b) the unique underpinning of the enduring Roman republic. At this point also, the political analyses of Thucydides and Xenophon coalesce with devastating power. The Roman emperors were all tyrants, both in a constitutional sense (because they had no legitimacy) and in a moral sense (because they behaved like tyrants). Of course there are 'good' and 'bad' Caesars and the difference matters, but they are all Caesars. As Lucan so memorably puts it: 7.695-6 *par quod semper habemus / Libertas et Caesar*: while different, they are all the same. Note that Tiberius' status as *princeps* (another deceptive Augustan naming, cf. *Ann.* 1.1.1; 1.9.5) has also now been collapsed. He is not a *princeps* but a *rex*. For *rex* is etymologically connected with *rego* and when *singuli* control the state, they are *reges*.⁶⁵ Note the potential interaction between the ideas of *singuli* who *regunt* (> *reges*) and of the *reges* routed and captured who are one element of the great themes of Republican history—of politically legitimate history. (I shall return to this interaction of ideas in section 6).

At this point also, we see (*introspicere*) why Tacitus does not say, as he logically ought to, that under one-man rule one has to understand the inner character of the monarch. For since that monarchy is multiply (adv.) flawed—in that it dishonestly pretends to be a republic, it is itself a form of *stasis* and itself promotes *stasis*, and it goes beyond monarchy into tyranny—it would be positively dangerous for the historian explicitly to exhort his readers to understand the inner character of the monarch. Instead, Tacitus sidesteps into a formally different and more generalised statement of the function of history (*haec conquiri* etc.). But this formally different statement is implicitly relevant to the task of understanding the tyrannical and destabilising nature of the political system and the inner character of the particular monarch. Firstly, as we have seen, if we acquire the capacity of discrimination, we will be able to uncover the true nature of the multiple Augustan deceit; secondly, the apparently general prescription about the need to distinguish honourable things from worse things, useful things from noxious, has rather precise application to life under dangerous and treacherous tyranny. Distinguishing honourable things from worse things applies to one's relations with other people (behaving justly towards them), distinguishing useful things from noxious applies to one's self-preservation. The latter implication is guaranteed by the verbal interaction between *noxiiis* and *innocentium* in 33.3.

⁶⁵ Griffin's comment on this very passage ((1976) 145-6)—'Tacitus uses periphrases to avoid the word *rex*'—is thus misconceived. It is no objection to this interpretation that Tacitus himself sometimes uses *princeps* quite neutrally: context defines usage. Again on these fundamental issues Keitel (1984) is seminal.

4.4.3 Gaps and figured speech

On this analysis, then, if the reader is properly to interpret this text, she has to fill in a number of crucial gaps in the argument—implied statements about the dangers and deceptions of the reality of Roman monarchy and about the necessity of understanding the true nature *both* of the constitution *and* of any particular Roman monarch. Again on this analysis, Tacitus gives the reader a number of aids towards such interpretative moves: the fact that the narrative before the digression ends precisely with an example of imperial deceit (4.31.4 *Tiberius alia praetendens*); the Thucydidean emphases on the gaps between appearance and reality and the distortions of language; the raising of the possibility of *obtrectatio* in an apparently different context; the stress on the process of *introspicere*, a word, as Woodman–Martin note,⁶⁶ characteristically used of ‘introspection’ into inner character; it is significant that when the narrative resumes, great emphasis is placed on Tiberius’ *vultus* (4.34.2). But, with all these aids, the reader has to fill in the gaps for himself.

Can such an interpretative claim be theoretically justified? No doubt one could simply and robustly reply that no theoretical justification is required, if the text itself seems to enjoin such an interpretative approach. Nevertheless, there is a sure theoretical justification. The last two decades have seen much interpretation of imperial literature grounded in ‘figured-speech’ rhetorical theory.⁶⁷ As is now well known, this theory, called, among other things, *emphasis* by Greek and Roman rhetoricians (confusingly, since it means the opposite of the English emphasis), discusses the covert expression of criticism or admonition under autocratic political systems. Because the criticism is covert, wrapped up in compliment and always capable of positive interpretation, the autocrat cannot take it badly: to do so would be to acknowledge the criticism. Any base suspicions that the theory is just the wish-fulfilment fantasy of impotent rhetoricians are dispelled by the fact that the theory was known to and canvassed by such accomplished political survivors as Pliny the Younger (*Pan.* 3.4) and Ammianus Marcellinus (15.5.38). Further, as Woodman–Martin note, Tacitus himself implies readers’ awareness of it in this very passage, at 33.4.⁶⁸ Indeed, the *maiestas* accusation

⁶⁶ Martin–Woodman (1989) 172, cf. Lana (1989).

⁶⁷ E.g. Ahl (1984a) and (1984b); Dyer (1990); Moles (1990) 304; Bartsch (1994) 65–71, 93–7; for Tacitus cf. especially Sinclair (1991). The only weakness of Ahl’s brilliant and influential analyses is that he gives insufficient weight to the obvious fact (very relevant to Tacitus, as we shall see) that (even) figured-speech criticism often failed in the sense that the autocrat punished it.

⁶⁸ Martin–Woodman (1989) 175: ‘readers were evidently alive to hidden meanings, innuendo or—to use the technical term—*emphasis*’; cf. 183 (on 35.2); on 4.33.4 cf. also Sinclair (1991) 2817.

against Cordus itself rests on a figured-speech interpretation of his history; we shall also see later that Cordus himself registers close awareness of ‘figured speech’ theory (see section 5.2.4).

So again, Tacitus gives us a strong clue: *emphasis* is relevant to the interpretation of this passage but it is up to us to see that it applies not only in the context where it is explicitly located but also to the gaps in the argument which I have been probing. Gaps may speak as explicitly as what is said in words. Absent signifiers may signify just as much as present. So Tacitus himself at *Annals* 3.76.2: at the funeral of Junia, ‘Cassius and Brutus shone with pre-eminent brightness for the very fact that their portraits were not seen’: non-existent *imagines*, absent presents, sub-presents that cannot be suppressed. Note that the embedding in the digression of an interpretative mode called *emphasis* itself nicely dramatises the digression’s central concern: the gap between seeming and reality.

Now some might be tempted to argue that Tacitus’ introduction of ‘figured speech’ interpretation in this context is conditioned solely by the temporal and textual focalisations of the digression and the subsequent narrative. Or to put it more simply, Tacitus thinks that the use of, and the ability to interpret, figured speech is suitable under Tiberius or a monarch like him and in historiographical treatments of such monarchs, whereas they would be redundant under emperors such as Nerva and Trajan, under whom, famously, ‘it is permitted to feel what you wish and to say what you feel’ (*Hist.* 1.1.2). If so, in our context one might detect another implicit compliment of Trajan. But quite apart from the facts that the reigns of Nerva and Trajan were allegedly times of ‘rare felicity’ and that the timeless project of the *Annals* must, as we have seen, allow for the recrudescence of monarchs such as Tiberius, much of the political argument of the digression is set in a generalised, post-Republic, ‘now’ (33.2 *converso statu imperitet; pauci prudentia docentur*). In any case, the freedom allowed by Trajan can be exaggerated, and, as Ahl shrewdly comments on *Hist.* 1.1.2, ‘we should beware of taking Tacitus “at his word”’. There is at least a possibility that *Hist.* 1.1.2 is itself ‘figured’.⁶⁹

We resume explication of Tacitus’ argument. Tacitus’ stress in 33.3 on the tediousness of his themes cannot be confined to the literary and aesthetic: that tediousness itself signifies political repression and powerfully underscores—in Hannah Arendt’s memorable phrase—the banality of evil. Formally, of course, Tacitus is moving back to where he began: the particular repressions and oppressions of Tiberius. But once again, the text cannot

⁶⁹ Ahl (1984a) 207. Figured speech is extensively exploited in Dio Chrysostom’s *Kingship Orations*, directly addressed to Trajan at the very beginning of his reign (Moles (1990)); on Pliny’s heroic efforts in the *Panegyricus* to make language ‘stick’ (against all the odds under the imperial system) see Bartsch (1994) 148-87.

be confined to the evils of Tiberius' reign: all history is contemporary history (Croce): for descendants of Tiberius' victims, the past is the present, history may hold up an accusatory mirror to contemporary wrong-doers, praise of virtue cannot be separated from castigation of vice,⁷⁰ the historian's act of praising virtue in order to confer glory may win glory for himself but both the performance of glorious deeds in political life and the historian's celebration of those deeds which gets him his glory are politically dangerous under the monarchy. Nevertheless, contrary to 32.2 *inglorius*, it seems that both politician and historian may after all be able to secure such glory. All categories, then, vertical and horizontal, collapse into one another. Nor, even at the end of the digression, are emperors excluded from the process of judgement: 'that cap might fit both Tacitus' senatorial colleagues and the emperor himself (Martin)⁷¹ (and one might add: *any* senators at *any* subsequent period). The judging power of history is timeless and panoptic. *Arguens* picks up Xenophon's κρίνω/*Kritias* play and thus extends Tacitus' gaze to Critias' tyrannical Roman equivalents; all Roman monarchs come before the court of history, and from Tacitus' point of view, though their individual guilt varies greatly, their collective guilt as unconstitutional monarchs and tyrants is sure.

Of course, even as Tacitus claims the right to dispense the judgement of history, thereby seemingly transcending the grim political realities illustrated by the narrative of the trial and death of Theramenes, he simultaneously implies that he himself is 'on trial': the historian's task too is a perilous one—

⁷⁰ Such I believe to be the implication of 33.4 (though the manner of expression is of course characteristically, and entirely appropriately, a little slippery). Kraus–Woodman (1997) 93 gloss the passage somewhat differently: 'Tacitus says that readers often suspect double meanings even when they are not intended Here (4.33.4) Tacitus implicitly claims a lack of intent on his own part; but many readers may feel that the claim is disingenuous'. But Tacitus moves from focalisation by a/the reader (*reperies putent*) to an objective statement about the antipathy of virtue and vice, when the latter is convicted by being put into too close a chronological relationship (Woodman and Martin (1989) 176: 'the comparison is with the heroism (implied in *extuleris* above) of the Punic Wars, which, unlike more recent examples, is too far distant to produce significant comparisons with contemporary criminality'), and the *ut* phrase implies that vice is actually convicted. Furthermore, since (as we have seen) *arguens* corresponds to Xenophon's κρίνω, Tacitus himself is implicitly but necessarily involved in this judging process. There are also numerous verbal pick-ups of 33.4 in the narrative of Cordus' death and legacy; these seem to validate the correctness of the reader response in 33.4. Finally, the implication—praise of virtue and castigation of vice—sits well (arguably) with (one aspect of) Tacitus' historiographical project: see section 5.4.

The question whether praise of virtue does indeed imply castigation of vice becomes important in relation to the arguments of Cordus' speech (see section 5.2.3).

⁷¹ Martin (1981/1994) 38.

a politically perilous one. So the trial metaphor is again translated into grim reality in the next chapter.

5 The narrative of Cordus' trial and death

As we have already seen, the trial and death of Cordus (4.34.1-5) themselves signify civil strife and *discordia*.

5.1 The preliminaries to the trial

4.34.1 Cornelio Cosso Asinio Agrippa consulibus Cremutius Cordus postulatur, novo ac tunc primum audito crimine, quod editis annalibus laudatoque M. Bruto C. Cassium Romanorum ultimum dixisset. Accusabant Satrius Secundus et Pinarius Natta, Seiani clientes. **34.2** Id perniciosabile reo et Caesar truci vultu defensionem accipiens, quam Cremutius, relinquendae vitae certus, in hunc modum exorsus est.

When Cornelius Cossus and Asinius Agrippa were consuls Cremutius Cordus was summoned, on a new and then for the first time heard charge, namely that bringing out his annals and praising M. Brutus he had said that C. Cassius was the last of the Romans. The accusers were Satrius Secundus and Pinarius Natta, clients of Sejanus. That was destructive to the accused, and Caesar receiving the defence with ferocious expression, which Cremutius, sure of leaving life, began in this fashion.

The biological world (or perhaps just this analysis) goes haywire: enter in sequence a worm (*OLD* s.v. 'cossus' b), a silly ass, a difficult feet-first birth (*OLD* s.v. 'Agrippa' 3), a late-born lamb (*OLD* s.v. 'cordus'), offered as a burnt-offering (*OLD* s.v. 'cremare' 1c).

The emphasis on the charge as being 'new and then for the first time heard' echoes the opening words of Cicero's *Pro Ligario* ('a new charge before this day unheard'),⁷² thereby marking this trial as a further instance of the ongoing conflict between Caesarism and Republicanism, though also, implicitly and proleptically, contrasting Caesar's relative clemency with Tiberius' tyrannical ferocity. The emphasis also implicitly recalls later examples within the imperial period of similar charges, trials and outcomes: again, the narrative focus cannot be restricted to this one incident in the particular reign of Tiberius. Readers are bound to recall the cases of Aruleus Rusticus and Herennius Senecio under Domitian as cited by Tacitus himself in the *Agricola* (2.1-3 (quoted in section 7)). Indeed, it is difficult not to

⁷² Kraus–Woodman (1997) 97.

see Tacitus as here constructing a further intertextual relationship with his own earlier writings.

Tacitus' account of the charge is of course rather selective but hardly fundamentally misleading.⁷³ In any case, we are interpreting a text, not re-constructing history. *Perniciabile* (34.2) picks up *perniciem* (33.3): Cremutius' 'destruction' is an example of the 'destruction of innocent people' under Tiberius (and emperors like him). There are two immediate implications: first, Cremutius (like Theramenes) must be regarded as wholly innocent; second, death is the only possible outcome of this trial: nothing Cremutius can say will make any difference (again like Theramenes). Nor, therefore, is Cordus' suicide premature (and in 35.4 its appropriateness is immediately further confirmed by the senate's decree concerning his books). The next sentence turns to Cremutius himself. *Relinquendae vitae certus* is generally taken to mean 'resolved on suicide' (so e.g. *OLD*, *TLL*, Furneaux, Jackson, Koestermann, Martin and Woodman), which in itself the Latin could of course mean. But in context this interpretation is rather *praecox*. The Latin could equally well mean 'sure of leaving life' (by whatever mechanism),⁷⁴ and this gives a sharper and cleaner narrative sequence: (1) Cremutius' trial illustrates the 'destruction of innocent people'; (2) the accusers' being clients of Sejanus and Tiberius' ferocious expression guarantee this 'destructive' outcome; (3) Cremutius himself becomes 'sure' of this; (4) he makes his speech; (5) he then 'finishes his life by starvation' (becoming master of the process of *relinquendae vitae* by 'voluntary' suicide). This latter interpretation also fits the Theramenes paradigm (section 3.1.1) better, Cremutius' being 'sure of leaving life' corresponding to Theramenes' clear-sighted awareness that his various physical and verbal demonstrations can have no possible effect on the outcome.

5.2 Cordus' speech

This raises extremely difficult interpretative problems but a discussion of the digression and the narrative of Cordus' trial and death can hardly ignore

⁷³ Suerbaum (1971) 68-71; Martin-Woodman (1989) 177; Tacitus' 'selectivity' with regard to the charge is of course an important part of his creativity but space forbids; note, incidentally, that in his history Cremutius 'proscribed the proscribers' (*Sen. Marc.* 26.1); this factor and the requirement that one of Appian's sources for the proscriptions should have written post 19 BC (Gowing (1992) 263 n. 47) provide some support for old contentions that Cremutius was a source for Appian (and hence also for Henderson (1997)), despite the agnosticism about Appian's sources exhibited by Gowing *loc. cit.* and Henderson (1997) n. 33.

⁷⁴ So Shotter (1989) 81; this usage can certainly be paralleled; cf. e.g. *Ann.* 1.27.2 *exitii certus* with Goodyear *ad loc.*

them. A crucial preliminary point is that when Tacitus the historian includes within his narrative the speech of a fellow historian he is imitating Sallust, *Histories* 3.48, where the historian Licinius Macer, tribune in 73 BC, makes a speech to the plebeian assembly.⁷⁵ This is part of his continuing imitation of, and rivalry with, Sallust (see section 3.1.9), but, as we shall see (section 5.2.2), there are also important thematic implications.

4.34.2 ‘Verba mea, patres conscripti, arguuntur: adeo factorum innocens sum. Sed neque haec in principem aut principis parentem, quos lex maiestatis amplectitur: Brutum et Cassium laudavisse dicor, quorum res gestas cum plurimi composuerint, nemo sine honore memoravit.

4.34.3 Titus Livius, eloquentiae ac fidei praeclarus in primis,⁷⁷ Cn. Pompeium tantis laudibus tulit ut “Pompeianum” eum Augustus appellaret; neque id amicitiae eorum offecit. Scipionem, Afranium, hunc ipsum Cassium, hunc Brutum nusquam latrones et parricidas (quae nunc vocabula imponuntur), saepe ut insignis viros nominat. **34.4** Asinii Pollionis scripta egregiam eorundem memoriam tradunt, Messalla Corvinus imperatorem suum Cassium praedicabat; et uterque opibus

‘My words, conscript fathers, are arraigned: so innocent am I of deeds. But not even these words were directed against the first man or the first man’s parent,⁷⁶ whom the law of “majesty” embraces: I am said to have praised Brutus and Cassius, whose achievements, although very many have composed, no one has commemorated without honour.

Titus Livius, outstandingly and pre-eminently illustrious in eloquence and trustworthiness, exalted Gnaeus Pompeius with such great praises that Augustus called him a “Pompeian”; nor did that obstruct their friendship. Scipio, Afranius, this very Cassius, this Brutus, he nowhere names brigands and parricides (the appellations now imposed on them), but often as distinguished men. Asinius Pollio’s writings hand down an outstanding memory of the same men, Messalla Corvinus used to pro-

⁷⁵ Marincola (1997) 251, ‘tacitly’ correcting Martin–Woodman (1988) 176–7 (‘[Cordus] is the only historian in the whole of classical historiography to play so active a role or deliver a speech. T.’s unique presentation of a fellow historian in the context of his historiography is thus memorable and suggestive’).

⁷⁶ Shotter (1989) 164 takes this as ambiguous between Augustus and Livia (his translation in fact has ‘mother’); similarly some other commentators and translators. But in context allusion to Livia would be very intrusive and would spoil the implicit monarchical *diadoché* of Julius Caesar, Augustus and Tiberius; cf. also *Ann.* 2.50.2.

⁷⁷ Thus the usual punctuation; Woodman, in Martin–Woodman (1989), 179, prefers putting the comma after *praeclarus*, thereby linking *in primis* with *Cn. Pompeium*. The question is immaterial here.

atque honoribus perviguere. Marci Ciceronis libro, quo Catonem caelo aequavit, quid aliud dictator Caesar quam rescripta oratione, velut apud iudices, respondit?

4.34.5 Antonii epistulae, Bruti conationes falsa quidem in Augustum probra, sed multa cum acerbitate habent; carmina Bibaculi et Catulli referta contumeliis Caesarum leguntur; sed ipse divus Iulius, ipse divus Augustus et tulere ista et reliquere, haud facile dixerim moderatione magis an sapientia; namque spreta exolescunt; si irascere, adgnita videntur. **35.1** Non attingo Graecos, quorum non modo libertas, etiam libido impunita; aut si quis advertit, dictis dicta ultus est.

Sed maxime solutum et sine obtrectatore fuit prodere de iis quos mors odio aut gratiae exemisset. **35.2** Num enim armatis Cassio et Bruto ac Philippenses campos obtinentibus belli civilis causa populum per conationes incendo? An illi quidem septuagesimum ante annum perempti,

nounce Cassius his own commander; and each flourished completely in wealth and honours. To Marcus Cicero's book, in which he made Cato equal to heaven, what other reply did dictator Caesar make than a written speech in reply, as if before jurymen?

Antony's letters, Brutus' popular speeches contain many libels against Augustus, false indeed but expressed with much sharpness; the poems of Bibaculus and Catullus replete with abuse of the Caesars are read; but the divine Julius himself, the divine Augustus himself both bore them and left them alone, whether more through moderation or wisdom I should not find it easy to say, for things spurned grow into oblivion; if you become angry, they seem to be recognised. I do not touch on the Greeks, among whom not only liberty but also licence⁷⁸ was unpunished; or if anyone turned to punitive action, he avenged words with words.

But what was most exempt from punishment and without a detractor was to transmit an opinion concerning those whom death had removed from hatred or favour. For surely I am not inflaming the people by popular speeches for the cause of civil war Cassius and Brutus being armed and occupying the plains of

⁷⁸ Editors remark on the very rare use of *libido* = *licentia*, for which cf. *Ann.* 1.72.3 *libidine qua viros feminasque diffamaverat* (of the charge against Cassius Severus under the *maiestas* law), and, with the same sound play as 4.35.1, *Cic. De Or.* 3.4 *libidinem tuam libertas mea refutabit*. It is to retain that sound play that I translate *libertas* here by 'liberty' and *libido* by 'licence'; see further section 5.3.

quomodo imaginibus suis noscuntur (quas ne victor quidem abolevit), sic partem memoriae apud scriptores retinent? Suum cuique decus posteritas rependit; nec derunt, si damnatio ingruit, qui non modo Cassii et Bruti sed etiam mei meminerint.’

Philippi?⁷⁹ Or do those men, carried off 70 years before, just as they are recognised by their images (which not even the victor abolished), so retain a part of their memory among writers? Posterity recompenses each individual his own honour; nor will there be lacking, if *damnatio* assails me, those who will remember not only Cassius and Brutus but also me.’

5.2.1 Interpretative principles

Certain broad interpretative principles seem secure:

- (1) Cordus’ speech is Tacitus’ own invention.⁸⁰
- (2) Given that the narrative is set up in such a way as to guarantee Cordus’ innocence and to convey his Theramenean/Socratic philosophical heroism, it is implausible to suppose that any of Cordus’ arguments should be of low quality (though they might be tricky, and, as we shall see, some of them in fact are).
- (3) Given that death is the only possible outcome of this trial and that nothing Cordus can say will make any difference, the fact that he fails to persuade does not create any presumption that he has made any mistakes in his arguments.
- (4) On the contrary, given (2) above and (5) below, the presumption must be that his arguments are of high quality.
- (5) Given the intrinsic parallels between Cordus and Tacitus (both being historians, annalists, encomiasts of Brutus and Cassius, in some sense anti-imperial and on trial, Cordus literally so, Tacitus metaphorically (4.33.4)), Cordus’ arguments must say something about Tacitus’ own position and about the general tradition to which both belong.
- (6) Given all the foregoing considerations, any apparent differences, whether of tone or substance, between Cordus’ arguments and Tacitus’, or any internal inconsistencies, require careful attention.

⁷⁹ The strained translation seeks to avoid prejudging an interpretative dispute (see n. 82).

⁸⁰ Syme (1958) 337 n. 10; Martin–Woodman (1989) 178.

5.2.2 Cordus' argument

Cordus does not deny the charge itself (34.1 *quod dixisset*); he denies that his having said/written these things is in any way treasonable.⁸¹ The essential heads of his argument are as follows (Martin and Woodman provide a characteristically clear analysis, though there are points on which I disagree with them). I append a few comments on the legalities, without going into the notoriously vexed legal problems surrounding the *maiestas* law. Of course, for the purpose of interpreting Tacitus' meaning, what matters is the way Tacitus represents these legalities.

1. The charge of treason arraigns Cordus' words, not his deeds, so clearly innocent is he in the latter area (34.2, cf. 35.2). There is also some implication here that not even things said or written should come under the *maiestas* law. This implication is strengthened by the fact that Cordus' wording *verba mea arguuntur: adeo factorum innocens sum* pointedly contrasts with Tacitus' own comment at 1.72.2 on the general application of the law until the end of Augustus' reign: *facta arguebantur, dicta impune erant*. On the other hand, in 1.72.3 Tacitus himself notes that Augustus was the first to employ the law with regard to 'libellous writings', those of Cassius Severus against illustrious men and women, Cassius Severus has recently reappeared in the narrative (4.21.3), and one of the sequence of *maiestas* trials before the digression concerns a libellous poem against Tiberius, the composer of which Tiberius pardoned (31.1). So the implication that the *maiestas* law should not be applied to the word appeals to majority precedent but the reader knows that Augustus had already controverted that precedent and that under Tiberius the *maiestas* law was understood to cover words.

2. Cordus' words involved no attack on/criticism of Tiberius or Augustus, the only people to whom the *maiestas* law applies (34.2) (therefore the charge has no legal basis). Again, 1.72.3 both supports this restriction in a general way and provides the information that Augustus had again already deviated from precedent.

3. Cordus' words did not attack but praised (so again the charge has no legal basis). Clearly, in so far as the *maiestas* law could be applied to words, they ought to be words of criticism of libel.

4. Granted that Cordus praised Brutus and Cassius, all historians who have written about their deeds honoured them (therefore he is no different and deserves no punishment for it).

⁸¹ 4.34.2 *dicor* does not deny that he praised Brutus and Cassius; rather, it picks up *arguuntur, verba mea* and 34.1 *dixisset*, and by linking the idea of 'saying' to a charge of 'saying' reinforces the general implication that the charge is 'just words'.

5. The facts bear out this latter claim: historians contemporary with Augustus who honoured Brutus and Cassius or other Republicans did not suffer for it and indeed prospered under Augustus.

6. In the case of Cicero's encomium of Cato (by implication, a more extreme case, in that (a) Cicero praised Cato so highly and (b) Caesar was then dictator), Julius Caesar contented himself with a written response.

7. Both Julius Caesar and Augustus tolerated and allowed to remain before the reading public written material which was genuinely libellous and strongly hostile or thoroughly abusive; this policy showed both political moderation and wisdom, even more of the latter: ignore things and their effect wanes; register anger, and they acquire recognition (i.e. they attract public attention *and* they look as if they are justified). The legal point here is that if the *maiestas* law could be applied to the word, the words should be defamatory or libellous. But in fact neither Julius Caesar nor Augustus took legal redress.

8. A subsidiary argument: among the Greeks, liberty, even licence, of speech either went unpunished or was avenged in words only.

9. The greatest freedom was accorded in the expression of opinion about the dead, regarded as beyond hatred or favour, the more so the longer ago their death.

10. Favourable representation of Brutus and Cassius, even in their military campaigns, does not amount to fomentation of civil war in the present day, since (a) words are not actions (cf. 1 above); (b) Brutus and Cassius have been dead for 70 years.⁸²

⁸² Interpretation disputed: see Martin–Woodman (1989) 182-3 (with divergence between the two editors).

The usual interpretation is: 'for surely it is not the case that I am inflaming the people in support of civil war by public speeches at the very moment when C. and B. are holding the field in full armour at Philippi?', i.e. they are long dead and so is their cause. Woodman, however, argues for: 'for surely it is not the case that, just because C. and B. hold the field in full armour at Philippi [sc. in my history], I am inflaming the people by public speeches with civil war as my motive?'

The arguments are complicated, but I think that: (a) *pace* Woodman, given the preceding sentence, the *enim* and the objective chronological distance between Brutus and Cassius at Philippi and Cordus haranguing (or not haranguing) the people (now), this sentence must be making something of the 'time lag' argument; (b) *pace* Woodman, Cordus cannot be implying that his representation of Brutus and Cassius simply (neutrally) exemplified the 'immediacy [i.e. vividness] at which all ancient historians aimed': there is no question but that his representation was favourable (he praised Brutus and called Cassius the last of the Romans): the question is what that favourable representation implies now, under the Tiberian monarchy; (c) Woodman must, however, be right to think that the allusion to Brutus and Cassius refers to Cordus' *representation* of them, both for some of the reasons that he gives, and because this sentence needs to supply a reference for *prodere* in the previous sentence, and because the parallel and contrast with Macer (in Sallust),

11. Rather, just as Brutus and Cassius' images (which Augustus did not abolish) preserve their 'recognition', so writers who write about them preserve part of their memory.

12. Everyone is entitled to commemoration according to his deserts.

13. If he himself is condemned he, like Brutus and Cassius, will be remembered.

The overall logic of the argument is sufficiently clear. Cordus upholds the general right of free speech (cf. 8, 9), here specifically the right of praising those defeated by the Caesars. As a defence of *libertas*, the speech echoes Licinius Macer's speech in Sallust, for Macer had called the plebs to *libertas*. This parallel gives Cordus' plea real power and underlines that fundamental issues of *libertas* are at stake. Both historians also speak like historians, citing numerous past precedents on the side of *libertas*. But Cordus consistently denies that praise of Republicans entails active resistance to the Caesars or advocacy of civil war (1, 10): words are different from actions. This makes a sharp contrast with Macer's overt political activism and gives particular point to Cordus' denial that his activity amounts to stirring up the people in *contiones* (35.2). After propositions 2 and 3, propositions 4-6 might seem redundant but are designed to forestall the contention that praise of Brutus and Cassius implies criticism of the Caesars, hence it is important for him to show that such praise was tolerated by earlier Caesars. Proposition 7 extends the evidence of Caesarian precedent to material which was actively hostile to the Caesars and offers moral ('moderation') and prudential (rather than strictly legal) justifications for Julius Caesar's and Augustus' policy of toleration. Proposition 8 covers all categories (praise, criticism and abuse) in the Greek context. *Libertas* glosses *ἐλευθερία/παρρησία* of 'free speech', *libido* 'licensed abuse'/*λοιδορία* (e.g. abuse of the great in comedy), a Greek equivalent of the lampoons of Bibaculus and Catullus. Propositions 9-12 add to the claim that praise of Brutus and Cassius and their ilk does not entail active opposition to the Caesars the argument from lapse of time: Brutus and Cassius are beyond political hatred or favour and everybody is entitled to commemoration, whether good or bad. Proposition 13 ends triumphantly with the prophecy that his own condemnation will assure his commemoration (in accordance with the prudential argument of proposition 7).

Of course, given that the trial of Cordus the historian enacts in real life the metaphorical 'trials' of the historian Tacitus (34.4), the debate about the interpretation of Cordus' history can be read as a debate about principles of literary criticism, especially the validity of 'figured speech' interpretation of

who *does* harangue the people, conveys a contrast between words and actions (hence the requisite words must be Cordus' verbal *representation* of Brutus and Cassius in full civil-war mode).

historiography, but equally of course, this literary criticism is (as always) a matter of life or death.

5.2.3 Critical interactions with Tacitus' own arguments and other inconsistencies

Qua Republican historian and advocate of *libertas*, Cordus aligns himself with the (relatively) libertarian historiographical tradition of Livy, Pollio and Messalla. Inasmuch as the situations of Cordus and Tacitus are parallel and Cordus himself is Tacitus' historiographical precursor and inasmuch as Cordus' case implicitly recalls others such as those of Arulenus Rusticus and Herennius Senecio (section 5.1), Tacitus implicitly aligns himself with this essentially Republican libertarian tradition.⁸³ Of course, there is a pleasing irony here: 'let no one compare our annals with the writing of those who composed the old things of the Roman people' (4.32.1), quoth Tacitus *in propria persona*, formal contradiction neatly avoided by the fact that the speaker now is Cordus speaking about *his* annals. Political heir to the Republican historiographical tradition, Tacitus yet offers his readers a type of history more suited to the conditions under monarchy (4.32.2; 33.2).

Cordus' claim that he is transparently 'innocent of deeds' is endorsed by Tacitus (34.2 *innocens* > 33.3 *innocentium*, cf. 34.2 *perniciabile* < 33.3 *perniciem*). His statement that the *maiestas* law properly applied only to Tiberius and Augustus (among individuals) accords with Tacitus' own view (above). His claim that previous historians who had praised Brutus and Cassius did not suffer for it is supported not only by his own examples but also by Tacitus' description of the charge against him as 'new and then for the first time heard' (34.1). When he claims that Livy 'exalted Gnaeus Pompeius with such great praises that Augustus called him a "Pompeian"; nor did that obstruct their friendship', we recall Tacitus' observation in the digression that 'to ancient writers the *objector* is rare, and it is of no import whether you *exalt* the Punic or the Roman battle-lines more joyfully' (33.4).⁸⁴

⁸³ For development of this implication see Marincola (1997) 252-3; cf. also the prefaces to the *Histories* and *Annals* with Marincola (1997) 252: 'the preface is an attempt to align himself with the great line of republican historians: thus he mentions in each preface the *magna ingenia* or the *clari scriptores* who once flourished at Rome, precisely in order to suggest that he himself, under different circumstances, and maybe against greater odds, will now continue that tradition'. In hailing Cassius as 'the last of the Romans', Cordus was himself in fact imitating Brutus (n. 41), as Tacitus surely knew, but we probably should not 'feel' Brutus' presence here in the *diadoché* of libertarian historiography, especially given his explicit mention in the different context of 4.34.5. For Livy as 'libertarian' see n. 35 and n. 84.

⁸⁴ How anyway does Augustus' remark work? Martin-Woodman (1989) 179-80 comment: 'since the evidence suggests that Livy supported Augustus whole-heartedly (*RICH*

Cordus' allusion to the false appellations now imposed on Brutus and Cassius (34.3) reflects Tacitus' own Thucydidean concern in the digression and elsewhere with the abuse of language under distorted political conditions and thereby implies that it is rabid Caesarians who engage in civil war, not himself (proposition 10). Tacitus affirms this implication in his own comments at 35.5 (see section 5.3). Cordus' appeal to lapse of time as removing the ground for hatred or favour (35.1) coheres with Tacitus' own fundamental claim at *Ann.* 1.1.3 *sine ira et studio, quorum causas procul habeo*. Similarly, his allusion to Brutus and Cassius' images stands in some relationship to Tacitus' own remark at the end of book 3 (3.76.2) *praefulgebant Cassius atque Brutus eo ipso quod effigies eorum non visebantur*.

Cordus' defiant concluding prophecy of his own *memoria*, should he suffer *damnatio* (as he knows he will), is validated by Tacitus' text, both by the mere fact that he is commemorated within it and by verbal parallels between Cordus' remarks at 35.2-3 and Tacitus' own final comments on the whole episode at 35.5 (35.2 *decus* > 35.5 *dedecus*; 35.3 *meminerint* > 35.5 *memoriam*). Indeed, Cordus seems to be playing in a sort of 'silent', 'figured', way upon his own name: *suum cuique decus posteritas reppendit: nec derunt, si damnatio ingruit, qui non modo Cassii et Bruti sed etiam mei meminerint*. For *damnatio* seems to cover both 'condemnation' and *damnatio memoriae* and *posteritas reppendit* and *mei meminerint* remind us of the process of *reCORDatio* and the name *CORDUS*, which his *damnatio* will seek to repress but in the very repression preserve. Cordus' name is both absent and present (like Brutus and Cassius' *effigies*). Cordus' clear-sighted prophecy of what is to come also appeals to 'the verdict of history', just as Tacitus had done in the digression. Lastly, Cordus' pregnant 'posterity recompenses each individual his own glory' (where *decus* includes the possibility of *dedecus* (see section 5.4)) implies that history praises the good and condemns the bad and deploys this implication to protreptic and deterrent effect; many scholars would regard this as reflecting Tacitus'

136-9), it seems that Cordus has chosen to take literally a joking suggestion by Aug. that admiration for Pompey meant sympathy for his supporters too (*Pompeianus* being capable of either interpretation). If so, Cordus/Tacitus (since it is Tacitus who is writing the speech) is twisting the facts. But the Martin-Woodman argument is too sharp: (a) it remains controversial whether 'Livy supported Augustus whole-heartedly' (see n. 35); (b) granted that Augustus' remark must have been something of a joke (representing praise of the long dead Pompey as tantamount to active political support of him or his faction), it is a joke with an edge, because in Caesarian-speak the main point of calling people *Pompeiani* is to deny them political principle; (c) Livy's extreme praise of Pompey must have entailed disapprobation of Julius Caesar, hence large questions of civil-war responsibility etc. So Livy and Augustus do here appear on opposite sides politically and Cordus'/Tacitus' observation is reasonable enough.

own historiographical programme, or at least an important element of it (see again section 5.4).

So far so good. Other aspects of Cordus' speech seem harder to reconcile with Tacitus' own arguments and/or are problematic in themselves.

There are problems of tone. Why, for example, is Cordus seemingly so respectful of the memories of Augustus and Julius Caesar, more so, apparently, than the historical Cordus in his history (Dio 57.24.3), and certainly more so than Tacitus himself? (With this respect goes the otherwise surprising admission that Brutus' popular speeches contained 'false libels' against Augustus.) Granted that Cordus is partly addressing Tiberius, the current Caesar; granted also that Augustus and Julius Caesar did behave objectively better in their response to published praise of enemies of the Caesars than Tiberius is now behaving (*truci vultu*) and will behave (35.5); why this apparent respect, especially since Cordus has nothing to lose, his fate having already been decided? This respect even goes beyond tone, since the impression Cordus gives of Augustus' response to intellectual dissent is also rather rosy as to the facts, at least with regard to Augustus' later years. Why also Cordus' implicit *ad hominem* appeals, exhibited not only in the seeming respect for earlier Caesars but also in the commendation of *moderatio*, a virtue on which Tiberius prided himself,⁸⁵ in the appeal to posterity's verdict, an appeal of particular weight to Tiberius, pre-occupied as he was with his own *fama*,⁸⁶ and in the citation of Asinius Pollio, grandfather of one of the consuls, Asinius Agrippa, who was presumably present at the trial?

These *ad hominem* appeals are the more striking for the elegant sarcasm of 34.4 'what other reply did dictator Caesar make than a written speech in reply, as if before jurymen?'—as if a trial were a civilised civil procedure: the dictator Julius Caesar urbanely submits the question of Cato's worth to the judgement of history; on a similar question, Cordus is on trial for his life in a mockery of justice. Even the appeal to Julius Caesar and Augustus' toleration of abuse is double-edged in its relation to Tiberius. The reader knows that, on the one hand, Tiberius publicly refused to have verbal insults to himself or Livia treated as *maiestas* (2.50.2) and that he has just unexpectedly pardoned the composer of a libellous poem against himself (4.31.1 (a passage to which we shall return)) but that, on the other hand, Tiberius was, in Tacitus' opinion, enraged by anonymous poetic attacks on his savagery, arrogance and discord with his mother (1.72.4).

There are also problems with the arguments.⁸⁷ Despite Tacitus' own endorsement of Cordus' plea of transparent innocence of deeds, how can Cor-

⁸⁵ Martin-Woodman (1989) 182 and 192.

⁸⁶ Cf. Martin-Woodman (1989) 186; section 5.4, n. 101 and n. 111.

⁸⁷ Martin-Woodman (1989) 182-184 point to some of these problems.

dus maintain an absolute distinction between words and deeds, when Tacitus himself has emphasised that ‘small and slight things’, which, as we have seen, can certainly include words (cf. section 3.1.1 and n.19), can be important and can generate ‘movements of great events’? How can a historian committed to the power of the verdict of history take the position that historical judgements have no practical import? How can Cordus imply that praise of Brutus and Cassius (praise, fundamentally, of their pre-eminent political *virtus*) does not imply criticism of their political opponents, when Tacitus himself seems to have endorsed the proposition that the opponents of virtue are right to see themselves as rebuked by its celebration (33.4)? How can Cordus in effect deny the validity of figured speech interpretation of history, when Tacitus himself has in the digression upheld it and even himself exploited it?

These seeming inconsistencies seem to issue in a thoroughly illogical situation: on the one hand, Tiberius is damned for tyrannically interpreting mere words as tantamount to action and for adopting a figured-speech interpretation of a historical work; on the other hand, words are not mere words: they have real political power, and figured-speech interpretations are valid. Damned if he does and damned if he doesn’t. Very Tacitean, many would say, but that, if so, is hardly an adequate explanation.

One answer to the seeming inconsistencies is of course one of the answers given: that the contentious history was all a long time ago. Another, also given, is that everyone is entitled to their *memoria* in proportion to their deserts. But this latter answer reaffirms the pre-eminent virtue of Brutus and Cassius. And the salutation of Cassius as the last of the Romans actually implies the most radical of political claims, namely that the Republic *was* Rome and that with the fall of the Republic Rome is spiritually and politically dead, a claim with which Tacitus in the digression has already registered some sympathy (4.33.2). Nor is the former answer, lapse of time, immune from deconstruction: ‘you will find those to whom similarity of character is an objection which makes them think that they are the subject when other people’s wrong-doings are recorded’ (4.33.4): the boundaries between old things and new things are transgressed by Tacitus himself; time does not necessarily remove the dead from hatred or favour.

The deaths of Brutus and Cassius were not even that long ago: while Cordus’ words about Livy, Pompey and Augustus recall Tacitus’ comment in the digression, they remind us that there is a crucial difference: from the point of view of the republic/empire, old/new dichotomy, the Punic Wars belong decisively with the old, whereas Pompey, Brutus and Cassius all come within the same broad temporal frame, the ‘new’ times of Caesarian monarchy. Indeed, when Cordus notes that Brutus and Cassius are nowadays misnamed as ‘brigands and parricides’, he implicitly concedes a con-

tinuing political debate. The allusion to Brutus and Cassius' statues and the analogy between statuary commemoration and historiography are also double-edged, because of the ambiguities of 3.76.2: Brutus and Cassius were conspicuous by their absence: it was judged too dangerous to exhibit their effigies, yet the very absence of their effigies ensured Brutus and Cassius' presence. This edge acquires still sharper point from the verbal interaction between 34.5 *adgnita videntur* and *imaginibus suis noscuntur*. Brutus and Cassius' images maintain their 'recognition' and do so even when they are *not* displayed. It is not, then, always the case that 'things spurned grow into oblivion'; nor does an emperor's avoidance of anger at material which criticises him, whether explicitly (as in the case of Bibaculus and Catullus' poems) or implicitly (as in the case of Brutus and Cassius' statues), guarantee its non-recognition. Mere scurrilous abuse an emperor should and can shrug off; other material (Brutus and Cassius' statues or their honorific commemoration in historiography) is so powerful in its political implications that it is difficult to sanitise it within the monarchical system.

This latter implication is heightened by further intertextual allusion to Sallust. In *Bj* 4.1, 5-6 Sallust discusses the *usus* (cf. *Ann.* 4.32.2) or *virtus* of historiography. His main point is the encouragement it provides to virtue, which he illustrates by analogy with the effect of ancestors' *imagines* (5-6):

Nam saepe ego audiui Q. Maximum, P. Scipionem, praeterea civitatis nostrae praeclaros viros solitos ita dicere, cum maiorum imagines intuerentur, vehementissime sibi animum ad virtutem accendi. Scilicet non ceram illam neque figuram tantam vim in sese habere, sed memoria rerum gestarum eam flammam egregiis viris in pectore crescere neque prius sedari, quam virtus eorum famam atque gloriam adaequaverit.

For I have often heard that Quintus Maximus, Publius Scipio and other pre-eminently distinguished men of our state were accustomed to say that when they looked upon the images of their ancestors their minds were very strongly fired towards virtue. It is evident that that wax or figure did not have such great power in themselves but that that flame grew in the breasts of outstanding men through the memory of deeds done and that it did not subside before the virtue equalled those men's fame and glory.

This analogy is ironised, because Sallust immediately states that in the present degenerate days everybody vies with their ancestors not in uprightness and industry but in riches and extravagance (4.7-8). Nevertheless, the encouragement of virtue through history remains the ideal.

By taking over Sallust's analogy between historiography and *imagines*, Tacitus implies the continuing energy of Brutus and Cassius as representations of *virtus*; he also retains Sallust's division of time between the virtuous past and the degenerate present but whereas for Sallust that past had lost its potency for Tacitus it is still puissant (for Tacitus' further development of *Bf* 4.7–8 see section 5.3).

5.2.4 Interpretation of Cordus' speech

Final interpretation of Cordus' speech (if such a thing is possible) needs to factor in its interrelationships not only with the digression but also with the preceding narrative (see section 5.4) and with the closing narrative of Cordus' death and legacy (section 5.3). Nevertheless, it is reasonable to attempt some preliminary observations at this point.

The difficulties and inconsistencies in Cordus' arguments fundamentally derive from the conceptualisation of Liberty/the Republic and monarchy/the Caesars as polar opposites and from different practical responses to that conceptualisation. On one level, the conceptualisation is correct, on another it is susceptible of varying interpretation. Some useful practical distinctions and compromises can be made. While praising Brutus and characterising Cassius as the last of the Romans logically entails regret for the fall of the Republic and denial of the legitimacy of the present monarchical dispensation, it is (1) one thing to state and imply these things in a book (as part of one's considered historical judgement on the past), (2) another thing to state them in a *contio* (with intent actually to stir up the people against the monarchy), and (3) yet another thing actually to take up arms against the current Caesar, thereby running the risk of civil war. (It had always been possible for people of Republican views to view the latter as the greatest evil.) These three positions are all Republican yet obviously profoundly different in practice. It is wrong to characterise the first as merely intellectual or emotional or hypocritical Republicanism: it has content, there are implications, it affects attitudes and behaviour (see the appendix); nevertheless, it does not pose a direct and immediate threat to Caesarism. Republicanism position 1 can reasonably maintain a distinction between words and deeds *to some extent*.

Conversely, on the Caesarian side, there is scope for a range of responses to Republicanism position 1. Tiberius and his henchmen (or any emperor and his henchmen) can choose *amicitia* with (a) Cordus (as Augustus did with Livy); or they can tolerate him, just as he, in general, tolerates them, and just as Augustus and Julius Caesar, in general, tolerated similar intellectual dissent. Or they can crush him. In choosing the latter course, they elevate ideology above humanity, ultimate disagreements over immediate practical coexistence. People who do this are rightly damned as cruel ty-

rants. People of radically different ideological persuasions, persuasions which logically imply hopes of radically different final outcomes, can agree in a civilised way to coexist in the here and now, if they regard the cost of non-coexistence as being too high. Such coexistence involves the toleration of radically different opinions about the past and, by implication, about the present and the future. So today, for example, western liberal democracies at their best tolerate the presence of individuals and groups (certain sorts of Marxists or Islamic radicals, for example) who reject the values and politics of western liberalism but who are allowed to maintain and even, provided they stay within the law and eschew violence, to proselytise for their views. If western liberal democracies do not tolerate such people, they are rightly accused by civil rights groups of unjustifiable intolerance. The distinction between words and deeds has again a *certain* validity.

Within this general scenario, what is the point of Cordus' apparent (and seemingly unhistorical) respect for Augustus and Julius Caesar and of his somewhat rosy depiction of Augustus' response to intellectual dissent? No doubt they are partly to be explained in terms of Tacitus' belief that in one's dealings with emperors one should avoid *contumacia* ('abuse'), which only provokes and achieves nothing useful (*Agr.* 42.3; *Ann.* 4.20.3 (cited in section 6)). Here of course there is no prospect that Cordus' avoidance of *contumacia* will mollify Tiberius, who is already determined on Cordus' death. But the effect of Cordus' courtesy towards the Caesarian line of Tiberius' ancestry is to increase the sense of Tiberius' unreasonableness, especially when it is pointed out that Julius and Augustus Caesar actually tolerated 'abuse'. Even Caesarism does not have to be interpreted in such a cruel way as it was on this occasion: Augustus and 'dictator Caesar', while basically autocratic and monarchical, were less tyrannical than Tiberius. Tiberius could have chosen to follow their example.

Much the same applies to the apparent *ad hominem* appeals: Tiberius and Asinius Agrippa could have followed better courses, which would have been consistent both with their political and with their personal lineages. Neither Cordus' apparent respect for Augustus and Julius Caesar nor his over-rosy picture of Augustus is designed to persuade (the outcome of the trial is a foregone conclusion), but rather, through offering a vision of Caesarism at its best, to make a demonstration of the implacable tyranny of the Tiberian regime (and of the regime of any emperor like Tiberius). In its quality as a demonstration, Cordus' speech makes another parallel with Theramenes. Or to put it another way, Tiberius and his henchmen are shown to behave in such a way as to undermine still further the Augustan claim to have restored the Republic. They are incapable of implementing the tolerant pluralism of Augustan rhetoric and, to a limited extent, of Augustan reality. A more 'Republican' monarchy could have lived with Cordus, not only be-

cause of the demands of tolerant pluralism, but because the Republican past was after all the large part of the past, the largest constituent of the collective *memoria* of the *res publica*. A somewhat more ‘Republican’ monarchy, that of Augustus, did succeed in living with Cordus. But in a case that could not be more testing for the toleration of Republican feeling, Tiberius’ parade of constitutional Republicanism is exposed as a complete sham.

One main function of Cordus’ speech, therefore, is to re-emphasise the fact that although a monarchical system always and necessarily creates problems for freedom of thought and freedom of speech, the distinction between relatively moderate monarchs and outright tyrants matters. And since there is no infringement of freedom of speech or of thought under a Republic, the guarantor, even the epitome, of Freedom (see n.61), the monarch best fitted to cope with such freedom is the most Republican one—best fitted to cope with it, but also, and necessarily, least vulnerable to attack (explicit or implicit) from Republican thinking or other Republican manifestations. Further, his response to such attacks can itself lessen the force of the attack: if an emperor responds with Republican moderation, this in itself makes the nominal Republic that even the monarchy claims to be somewhat more of a reality.

In this context Tacitus’ contemporary readers could hardly fail to think of their own current emperor, Trajan, who celebrated Liberty and reissued the ‘Liberty’ coinage of Brutus and other Republicans⁸⁸ and from a libertarian point of view was undoubtedly a great improvement upon Domitian. This hardly justifies Martin’s interpretation:⁸⁹ ‘Cremutius too was a historian, who had written fearlessly about events that seemed to have a particular relevance for *his* contemporaries. The reader is left to apply the moral as he will. Cremutius’ outspokenness had cost him his life. Perhaps Tacitus, while asking the reader to admire his own outspokenness, is paying a deft compliment to his own times when such freedom of speech need not bring with it the fate of a Cremutius Cordus’. While some emperors are better than others, all emperors are monarchs/tyrants, and the deceptions and dishonesties of the whole Augustan system can only properly be exposed through figured speech, as in the digression. Within such a system, commemoration of Brutus and Cassius and their ilk is *always* problematic.

⁸⁸ Dio 68.15.31; cf. the typically jaundiced comment of Syme (1958) 250: ‘the design is manifest—to recall and solemnize the ancient glory of the Free State, to assert and demonstrate the continuity between past and present. It proved the contrast. The demise of Republic and Republicanism could not have been more clearly ratified’. How does he know?

⁸⁹ Martin (1981/1994) 137.

In effect, then, Cordus' speech aims to embarrass Tiberius *qua* monarch by conveying that the right way to respond to Republican manifestations is to be less monarchical, as Caesar and Augustus, Tiberius' predecessors, had managed to be under similar circumstances, but that this is a response of which the tyrannical Tiberius of the ferocious expression is largely incapable, despite all the pluralist, even Republican, rhetoric of the Augustan system, despite the example of Augustus and despite even Tiberius' own better self (4.33.1). As always, for 'Tiberius' read 'Tiberius or any emperor like him' (like Domitian of the angry flush).

The notion of embarrassing an emperor also comes into play precisely at the point where the words-deeds distinction becomes untenable. For, in another clear parallel with Tacitus himself in the digression, Cordus registers awareness of 'figured-speech' rhetorical theory: 34.5 'for things spurned grow into oblivion; if you become angry, they seem to be recognised'. Now of course Tiberius is already angry and beyond such advice, so that the phrase 'if you become angry', where 'you' is ambiguous between 'one' and Tiberius, the principal addressee, adds further force to the demonstration of Tiberius' tyrannical behaviour. Nevertheless, figured-speech theory maximises the possibility of safe criticism or admonition of kings or tyrants, under whom direct political opposition of the kind represented by Macer's speech to the plebs is hardly a realistic option. Even though the king or tyrant knows that he is being implicitly criticised he will lose face if he shows his knowledge by a violent reaction.

Cordus, therefore, can maintain a sharp distinction between Republican words and Republican deeds, because (a) this distinction is obviously valid to some extent; (b) to the extent that it is not, a reasonably self-controlled emperor cannot admit that verbal (or other) commemoration of the great Republicans does indeed constitute an implicit but still potent (see section 5.2.3) criticism of himself and of Caesarism in general.⁹⁰ As regards its central claim that words are wholly distinct from deeds, therefore, Cordus' speech is an exercise in 'figured speech'—again like Tacitus' digression. And again

⁹⁰ My analysis of Cordus' speech therefore has some parallels with Dyer's (1990) analysis of the *Pro Marcello*, e.g. 23-26 on 'the dilemma of clemency' (lack of clemency is despotic; implementation of clemency is despotic; despots should be killed; the way out of the bind is to restore the Republic). Is Dyer right? At the least he shows (developing the analyses of Ahl (n. 67)) that there is a mass of ancient rhetorical theory which can be enlisted in support of such an interpretation, and this is enough for my purposes. Levene (1997) 68-69 scores some points against Dyer but does not seem to me to dispose of Dyer's central claim: that from a Republican point of view Caesar's position is *intrinsically* anomalous, irrespective of whether he behaves well or badly on a particular occasion. On the other hand, Cicero's dreadful personal capacity for shameless sycophancy frustrates sure interpretation.

figured speech emerges as a key vehicle for relatively free expression. This is emphasised by the parallel and contrast with Sallust's Macer: Macer has complete freedom of speech and he can use it to argue for a radical interpretation of political freedom. Of course, even figured speech may not work with an out and out tyrant, who may allow his anger to override all other considerations (including his reputation). So Tiberius on this occasion or Domitian later. But even when figured speech fails in this sense, on another level, admittedly at a high cost to its practitioner, it scores a success, because the tyrant's behaviour demonstrates the truth of the criticisms. Thus figured speech opens the possibility of damage to a king or tyrant's reputation in a way that is analogous to the historian's power of conferring infamy on malefactors.

So far Cordus' speech, both in itself and in its relationship with earlier material, seems to be about the restraint of liberty, whether about restraints imposed or relaxed by Caesarian monarchs or about the restrained expression of liberty through figured speech. The interaction between Cordus' speech and the earlier narrative, however, creates a certain sense that Liberty cannot always be restrained, that she is as it were a force outside *anybody's* control: the suppression of Brutus and Cassius' *effigies* at Junia's funeral represented a restraint upon Liberty which was as it were tacitly agreed by both Republicans and Caesarians. But in the event Liberty burst free.

One last point for the moment. None of the above observations entails that Tacitus' position be the same as Cordus' in all respects (as scholars too readily assume). To point up the tyranny of Tiberius, Cordus is made to adopt a relatively benign portrayal of Augustus; Tacitus accepts that Augustus is less bad than Tiberius, but his portrayal of Augustus is less benign than Cordus' (see further section 6). And although Cordus should not be regarded as making any mistakes either in his speech or in his history (he could not know that in praising Brutus and Cassius he would fare worse under Tiberius Caesar than he had under Augustus or than Pollio and Livy also had under Augustus), it is open to Tacitus, with the benefit of historical hindsight and much greater political experience, to write a type of history more suited to the dangers of life under the established Caesarian monarchy and more politically adept. In some respects that history is of its time, the reign of Trajan, which was markedly less oppressive than those of Domitian or Tiberius, hence it can be more open in its condemnation of tyranny; in other respects, however, it aims to be a guidebook for life under a monarchy which is both *always* dangerous and deceptive *and* necessarily more or less oppressive according to the character of the current incumbent. Cordus uses the device of figured speech with some adroitness: Tacitus' use, and exploration, of ambiguity, double-speak, linguistic distortion, gaps between appearance and reality etc. etc. is far more wide-ranging and profound. Cordus'

handling of Brutus and Cassius was straightforwardly and obviously Republican: Tacitus' is subtler and more oblique (3.76.2). Cordus' history was also profoundly pessimistic: Cassius was the last of the Romans, the Republic, Rome, is dead. Despite the searing realism of the political analysis of the digression, of the preface to the *Annals*, and of his continuous narrative, Tacitus' political vision, surprisingly enough is not actually so bleak (see section 6).

There is, then, an important sense in which, although he is on several levels Tacitus' *alter ego* (for one level as yet unconsidered see section 5.4), Cordus also should be added to the long list of Tacitus' historiographical models in the digression and the surrounding narratives. Cordus, like Xenophon, Thucydides, Herodotus and all the rest, makes important contributions to Tacitus' historiographical conception, but ultimately the *Annals* is the *single most useful* historiographical text for the understanding of the problems raised by the never-ending struggle between Liberty and monarchy.

5.3 Cordus' death and legacy

4.35.4 Egressus dein senatu vitam abstinentia finivit. Libros per aediles cremandos censuere patres; set manserunt, occultati et editi. **35.5** Quo magis socordiam eorum inridere libet qui praesenti potentia credunt exstingui posse etiam sequentis aevi memoriam. Nam contra punitis ingeniis gliscit auctoritas, neque aliud externi reges aut qui eadem saevitia usi sunt nisi dedecus sibi atque illis gloriam peperere.

Then going out of the senate he finished his life by abstinence from food. The Fathers decreed that his books be cremated but they remained, hidden and brought out. Wherefore we have the more the licence to laugh at the stupidity of those who believe that the memory also of a subsequent age can be extinguished by present power. For on the contrary the authority of punished talents grows, nor have alien kings or those who have used the same savagery begotten anything other than dishonour for themselves and glory for *them*.

After making his speech, Cordus 'goes out' of the senate to finish his life. In this super-charged narrative the seemingly innocuous word *egressus* links back to the digression (itself an *egressus*) and to the 'free digressiveness' of the Republican historians. Cordus' *egressus* is literal but also metaphorical and metatextual: it is a 'digression' from what would have been the normal path of life had he not lived under tyranny and offended the tyrant and his henchmen; it instantiates the moral and political values of Tacitus' own 'di-

gression'; also, of course, Cordus now 'leaves' the path of Tacitus' own text. Cordus' digression is also, given the tyrannical context, for him now a true moral path: an expression of the 'free digressiveness' of Republicanism: an assertion of Socrates' and Theramenes' philosophical freedom. His death is also an example simultaneously of the *exitia* enforced by tyranny and of the *clari ducum exitus* of Republicanism as commemorated by the digression (4.33.3, cf. 4.30.3 *publico exitio*). Actions as glorious as any done under the Republic are still possible under the monarchy/tyranny.

Since Cordus had been accused of political 'incendiarism' (4.35.2), the Fathers' decree operates the *lex talionis* of cremating his books.⁹¹ This 'cremation' aims also to obliterate his very *nomen*: *Cremutius*. Again, distortion and control of language are at issue, and again, they matter, profoundly. To obliterate Cremutius' *nomen* would be to obliterate him, to destroy his legacy, his moral progeny, his books of *Annals*, which like Tacitus' *Annals*, praised Republican *libertas*. Or in another sense, to cremate 'Cremutius', both man and text, is an attempt to 'extinguish' his family: hence the 'also' in the next sentence and the further parallel with the digression (33.4 *familiae extinctae*). Of course Tacitus too is engaged in suppression: the suppression of Cordus' literal progeny (his daughter Marcia, dedicatee of Seneca's *Consolatio*). He too is controlling Cordus' legacy but this is control in the cause of liberty.

It is not, then, Cordus, who is the political incendiary but the senate. In addition to the other implications of their act of 'cremation', the parallel with Sallust, *Bj* 4.7-8 (quoted in section 5.2.3. *fin.*), brands the senate as attempting to extinguish the flame of virtue itself.

Despite these multifarious assaults, Cremutius' books 'remained', just as in 33.4 there 'remain' descendants of Tiberius' victims, and, after being hidden, were 'brought out', just as in 34.1 Cremutius had originally 'brought out' his annals. The historical tradition remains unimpaired, indeed strengthened, by repression.

Implicit in all this are two crucial puns, namely that between *liber/liber*: books are guarantors of freedom—and that between *liber/liberi*: books are a person's children. These puns powerfully underpin the assertion of intellectual and political liberty, the fight for the control of *memoria*, the construction of an unbreakable libertarian *diadoché*, and the articulation of all these things through the enduring philosophical tradition of Socrates. Horace used both these puns in his profoundly philosophical and overtly Socratic *Epistles*, and Socrates, at least as Platonised, claimed that literary works are a person's children.⁹²

⁹¹ Martin–Woodman (1989) 184.

⁹² Books ~ freedom: Hor. *Ep.* 1.20.1 with (e.g. W. R. Johnson, *Horace and the Dialectic of Freedom: Readings in "Epistles 1"* (Ithaca/London 1993) 69; relevant (at least at one remove)

The concluding sentiment *quo magis socordiam inridere libet*, which I have translated (of course inelegantly) as ‘wherefore we have the more the licence to laugh at the stupidity’ (etc.), is also crucial and packed with implication. Given the philosophical and Socratic underpinning of the context, we may recall that Socrates was the laughing philosopher *par excellence* and that the last act of the Socratic and Xenophontic laughing Theramenes was to laugh at a murderous tyrant who was the Greek equivalent of Tiberius. *Inridere* corresponds to *παιγνιῶδες* in *Hellenica* 2.3.56 and marks (for the moment: see n. 18) the final parallel between *Annals* 4.32-35 and its great Xenophontic archetype. The correspondence between *inridere* and *παιγνιῶδες* and the twin puns on *liber/liber* and *liber/liberi* evoke the further Socratic association of *παίζειν* / *παῖδες* / *παιδία* / *παιδεία* (play (verb), children, play (noun), education).⁹³ Socrates and Theramenes died laughing, even in a sense died for their laughter, but their laughter cascades down the generations, cheering us but also ‘educating’ us to the sheer stupidity of autocracy: its humourlessness (cf. Tiberius’ grimly unSocratic visage), its false values, its objective transience, its congenital incapacity to take the Herodotean long view (cf. *praesenti potentia*). Tacitus’ imitation of Xenophon here involves the pointed transference of the process of *inridere* from Socrates and Theramenes to ‘us’, Tacitus and the more perspicacious of his readers. From *their* heroic and inspiring example *we* learn to laugh. Laughter is profoundly subversive:⁹⁴ tyrants hate being laughed at (cf. again Tiberius’ ferocious expression). And, like Theramenes and Socrates, we, the oppressed, have the last laugh.

The very word *libet* is also highly significant. Often colourless enough (‘I’m inclined to do such and such’), it can be understood (by Roman writers) as etymologically related to *liber*, *libertas*, etc.⁹⁵ This possible link is activated in this context both by the proximity of *libros* (with its own contextual associations of *liberi* and *libertas*) and by the link back to Cordus’ wording in 35.1: *non attingo Graecos, quorum non modo libertas, etiam libido impunita; aut si quis advertit, dictis dicta ultus est*. Tacitus has already, as it were, set up a link between *libertas* and *libido*. For all these reasons, *libet* in 35.5 conveys, not only

are Isid. *Orig.* 17.6.16 *liber est corticis pars interior, dictus a liberato cortice*; Cassiod. *Inst.* 2 *praef.* 4 *liber dictus est a libro, id est arboris cortice dempto atque liberato* (from Maltby (1991) 337). Books (*vel. sim.*) ~ children: Plat. *Phaedr.* 275e; *Smp.* 209d.

⁹³ E.g. Plat. *Leg.* 2.656c; D. Chr. 4.30; Hor. *Ep.* 1.1.59-60 (*at pueri ludentes, “rex eris,” aiunt, “si recte facies.”*).

⁹⁴ Cf. in general Plass (1988) 3-25 (with, however, no mention of the Theramenean-Socratic type).

⁹⁵ Cf. e.g. *Inst. Iust.* 1.3.1 *libertas quidem est, ex qua etiam liberi vocantur, naturalis facultas eius quod cuique facere libet*; Isid. *Orig.* 10.160 *libidinosus a Libero* (these examples are filched from Maltby (1991) 337-8).

‘we may be pleased to’, but also, and more importantly, ‘we have the freedom to’: even *in extremis*, hounded to death by a tyrant, we are free because like Socrates and Theramenes we can laugh at him and his utter stupidity. A further function, then, of Cordus’ appeal in 35.1 to Greek practice in relation to *libertas* is to anticipate some fairly fancy Greek associations in 35.4–5. More prosaically, the verbal link between *impunita* in 35.1 and *punitis* in 35.5 reinforces yet again the injustice of punishing freedom of speech. So *libet* in effect conveys the idea of ‘licensed freedom’ or ‘free licence’. In a sense this principled and permitted laughter is a higher form of the libellous abuse of emperors (< 35.1, 34.5, 31.1).

The attribution in 35.5 of *socordia* to Tiberius and his henchmen also requires consideration. In the immediate context it seems to be explicit and unproblematic wherein their ‘stupidity’ consists (and presumably there is a particular side-swipe at the ‘asinine’ Asinius Agrippa of 34.1). But what is the relationship between this attribution of *socordia* in 35.5 and the statement in 31.2: *neque enim socordia peccabat (Tiberius)*? That comment arose from Tiberius’ pardoning of C. Cominius (who had composed a libellous poem against the emperor), an incident described by Tacitus as a ‘modest joy interjection’ into otherwise unremittingly gloomy things.⁹⁶ Tacitus (I think) is punning on different sense of *socordia*, or (and this is perhaps a better way of looking at it) ‘redefining’ *socordia* in 35.5.⁹⁷ The sequence of thought seems to be: (1) Tiberius did not go astray through ‘carelessness’ (i.e. when he committed those acts, he thought he knew what he was doing); (2) although his unjust punishment of Cordus was thus carefully considered, it was actually profoundly, and criminally, ‘stupid’. The effect of this shift in meaning is of course to emphasise that crowning criminal stupidity but it is also to direct our attention to the word *socordia* itself. Tiberius and co try to annihilate CORDUS; their attempt to do so is foredoomed to failure and is therefore SO- (or SE-) CORDIA. But it is also SOCORDIA because they are trying to kill the Republican COR of the bleeding *res publica*. (The next sentence will develop this biological theme.) So much for CONCORDIA. DISCORDIA rules. Yet the living fire of CREMUTIUS cannot be extinguished (*cremandos/exstingu*). Historical/historiographical RECORDATIO survives (< 35.3).

⁹⁶ 31.2 is a rhetorical ‘interjection’ (*OLD interiectio* 2), and since *adsiduis maestis* > 33.3 *continuas accusationes* and *maestis* > 32.2 *maestae urbis res*, it is an ‘interjection’ which contrasts with a ‘digression’ which is tantamount to the whole narrative, an ‘interjection’, therefore, within that ‘whole narrative’; the literary form again represents the essential nature of the things imitated.

⁹⁷ Tacitus can be regarded as exploiting the rhetorical figure variously known as *ἀντανάκλασις* (Quint. 9.3.68), *διάφορα* (Rutilius Lupus 8.12 Halm), or *traductio* (Quint. 9.3.71), whereby ‘the same word is used in two different meanings (the figure has) greater elegance when it is employed to distinguish the exact meanings of things’ (Quint. *loc. cit.*)

The children of liberty (*libros*) cannot be extinguished; 'hidden' for a time, they are yet 'brought out' (alike 'begotten', 'brought to birth', 'brought into public', 'published'). The 'heart' (COR) of the *res publica* cannot be extinguished. *Libertas* lives. Cassius was not after all 'the last of the Romans'. Cremutius himself carries forward the torch of freedom, and after him Tacitus.

The linkage between 31.2 and 35.5 also obliges us to consider the relationship between *laetitia* in 31.1 and *inridere* in 35.5. If an emperor behaves unexpectedly well, one can feel simple 'joy'; if he behaves like an unadulterated tyrant, one can 'laugh' at his stupidity. Even under the unlovely Roman monarchy, the freedom represented by joy and laughter are always possible.

Thus *libros*, *cremandos*, *socordiam* and *libet* all illustrate a process of multiply (adv.) punning redefinition of language, in all cases to pointed libertarian effect and in all cases to the discomfiture of the Caesarian monarchy. Tacitus trumps repeatedly, and turns to good ends, the systematic linguistic distortion practised by Augustus and his successors.

The final sentence drives a multiplicity of nails into the coffin of Caesarian autocracy and its wretched collaborators. 'The authority of punished talents grows.' Authority—author-ity. The historian Cremutius is one such *auctor*, 'punished' for his *libertas* (as we have seen, *punitis* < 35.1 *non attingo Graecos, quorum non modo libertas, etiam libido impunita*). Tacitus himself is another, Cremutius' fellow-historian and in several senses the figure for whom Cremutius stands. Because of these parallelisms, Tacitus can at once be (as it were) 'attracted' into the category of 'punished talents', but it is also objectively true that his own libertarian historiographical writings were silenced during the tyranny of Domitian, the recent tyrannical equivalent of Tiberius, and that such fellow-historians as Arulenus Rusticus and Herennius Senecio who did produce work under Domitian were indeed punished. The 'punished talents' are also the books themselves, Cordus' 'cremated children'.⁹⁸

The liberating *auctoritas* of *auctores* such as the historians Cremutius and Tacitus and of the books which they produce contrasts with worldly power (*praesenti potentia, externi reges* etc.). But there is also an implicit contrast between *this* sort of *auctoritas*, an *auctoritas* which grows over the generations, and political *auctoritas* in the conventional sense, which is necessarily more circumscribed in time. Thus although worldly power and *auctoritas* are in the first instance represented by the tyrannical Tiberius and his henchmen, a more general contrast is suggested between fundamentally different types of

⁹⁸ *Ingenium* of literary compositions (rather than the quality that informs them) is not easily paralleled (though Ov. *Trist.* 2.1-2 is not far), but the imagery makes the usage easy.

auctoritas, between fundamentally different value systems (some such contrast is of course already implicit in the philosophical underpinning of the passage). It becomes difficult therefore not to sense, beyond the immediate contrast between Cremutius and Tacitus on the one hand and Tiberius and his like on the other, a more radical, and general, contrast between the *auctoritas* of the whole libertarian historiographical tradition and the *auctoritas* of the whole oppressive monarchical system as represented by *Augustus*, thrice mentioned in Cordus' speech. Now although Cordus' mentions of Augustus are formally complimentary and serve, as we have seen, to demonstrate a difference between Augustus and Tiberius, we have also seen that Tacitus himself does not take nearly as positive a view of Augustus as that attributed to Cordus. On the contrary, Tacitus' view, as conveyed through the figured speech of the digression, is that the Augustan monarchy brought not growth and fecundity (*auctoritas*) but *stasis*, decay and perpetual death (4.33.2-3). While the natural processes entail cyclical change (kings rising as well as falling), there seems to be a pattern of growth to some extent independent of that cycle: the growth of the power and influence of libertarian historical tradition, subject of course to a key condition to which I shall soon return.

As in the digression, therefore, Republican liberty is contrasted not just with Tiberian tyranny but with the whole monarchical system, which is necessarily anti-libertarian and anti-growth. And given that the *auctoritas* of Cordus and Tacitus (and their like) is literally that of *auctores* in the sense of 'literary authors', it also becomes difficult not to recall the rival historiographical tradition of the Caesars, that of *Augustus*, whose historiographical disagreement with Livy Cordus has mentioned (34.3), Julius Caesar, whose literary attack on Cato Cordus has explicitly cited (34.4), and Valerius Maximus.⁹⁹

So far, Tacitus' use of *ingeniis* remains unconsidered. The word obviously takes its place within the general imagery of death, birth, growth. More important, *ingeniis* is here given its strong personalised sense of 'persons of talent/genius' (*OLD* 5b), whose *ingenium* has acquired 'external' recognition (cf., for example, Sen. *Ep.* 21.5 *profunda super nos altitudo temporis veniet, pauca ingenia caput inserent*). In this strong 'external' sense *ingeniis* contrasts with the *ingenia* of the senate and optimates, understanding of which was the desideratum when the senatorial fathers had power (33.2) and which were 'inner'. In the present context, too, the fathers have power (Tacitus here again implicitly collapses another chronological boundary between Republic and Empire),

⁹⁹ 34.3 *latrones et parricidas (quae nunc vocabula imponuntur)* surely contains a swipe at Valerius Maximus, who applied the term 'parricide' to Brutus and Cassius and Caesar's assassins generally (Val. Max. 1.5.7; 1.8.8; 1.6.13, etc.) and of Caesarian authors was much the most hostile to the memory of the Liberators: Rawson (1986) 105-6.

and their wretched decree externalises their *ingenia*. Contextualised within biological imagery, the fathers attract Tacitus' withering contempt: they behave not as true fathers but as fathers who try to destroy their children, not as fathers of liberty but fathers of *damnatio*. Their very name is a misnomer (another distortion of language).

The *ingenia* of Cordus and Tacitus are of the higher, 'external', class, and they are vastly superior morally. Cordus manifested his *inner* talent by his external praise of Brutus and Cassius and by the nature of his *egressus*. This narrative again enacts a central concern of the digression: the relation between outer and inner and the need to penetrate beneath the former. How does Tacitus manifest his *ingenium*? Firstly, of course, by preserving the memory of Cordus. This preservation of memory is itself an act of *libertas*. But secondly, we have to see into (*introspicere*) the inner nature of Tacitus' *libertas* and discern its *emphasis*: its figured-speech libertarianism. We too are 'on trial' (cf. 4.33.4). We are in this text, though we have as it were to put ourselves there (see section 4.4). Our *ingenia* are also at stake. To interpret this text rightly we need to love liberty, or at least to be able to respond to its moral power. Only thus will the statement that 'the authority of punished talents grows' be validated. Just as Cordus looked forward to the commemoration of himself as well as Cassius and Brutus and was indeed commemorated both by those who hid copies of his books and published them and by Tacitus in the *Annals*, so we have a duty to commemorate Tacitus by reading and interpreting him rightly, that is through the libertarian historiographical tradition of Cremutius Cordus and the historians to whom both he and Tacitus appeal.

It may be worthwhile at this point to reflect upon some of the salient characteristics of this whole sequence. The sequence is permeated with contrasts between appearance and reality, verbal plays and distortions and continual name-play. Its archetype is *Hellenica* 2.3.56, where the verb *σιωπάω*—be silent—occurs twice in the context of freedom of speech under tyranny. Within the sequence the historian repeatedly speaks in the first person and repeatedly plays on the name of his fellow-historian, Cremutius Cordus. The sequence alludes intertextually to *Agricola* 2.1-3, a passage in which Tacitus glosses the general suppression of freedom of speech under Domitian with an ironic personal *sphragis*: 2.3 *memoriam quoque ipsam cum voce perdidissemus, si tam in nostra potestate esset oblivisci quam tacere* (the next paragraph alludes to the *silentium* of the survivors of Domitian's reign). So Tertullian was to attack Tacitus with the scornful *idem Cornelius Tacitus, sane ille mendaciorum loquacissimus* (*Apol.* 16.3). (I owe this reference to Tony Woodman, who got it from Michael Reeve.) Other possible self-puns occur at *Ann.* 3.65.1 *ne virtutes sileantur* (a passage discussed in section 5.4) and 4.64.3 *neque tamen silebimus si quod senatus consultum adulatione novum aut patientia postremum fuit*. The

crucial political argument both of the digression and of Cordus' speech is articulated through 'figured speech', a rhetorical mode naturally associated with 'silence' (Quint. 9.2.68). The 'silence' imposed by Domitianic tyranny becomes itself a sort of figured speech.

So in this sequence Tacitus challenges us to penetrate his own claim to political greatness: Caesarian tyranny cannot render *Tacitum tacitum*. Conversely, of course, *Tacitus* sometimes speaks *tacite* (in the sense 'tacitly' (OLD 6)). The voice of *Tacitus*/the voice of *Libertas*: same difference.¹⁰⁰

We move on 'Nor have alien kings or those who have used the same savagery begotten anything other than dishonour for themselves and glory for *them*.' The virtuous beget virtuous children—their moral legacy, their libertarian writings, the vicious misbeget disgrace (by attempting to disgrace their virtuous victims), but this very misbegetting begets glory for the virtuous. Cordus' challenging 'posterity recompenses each individual his own honour' is exactly fulfilled. Note the reactivated vocabulary of the 'illegitimacy' of tyranny (characteristically implicated in unnatural sex/growths/children etc.) and the strong evocation of the life-affirming procreative imagery of the *Symposium*. The moral reversals begotten by tyranny are themselves reversed and redressed. Justice wins out. This sort of paradoxical play with moral reversals in such a way as to convey virtue's final triumph is again profoundly Socratic. So, despite 32.2, Tacitus the historian gets/begets glory after all. By contrast, as Woodman and Martin note, *externi reges* glosses Tiberius, later metatexted as an alien king, while *qui eadem saevitia usi sunt* glosses Sejanus and his savage accomplices. It is they, like the incendiary senate, who wage civil war, not Cordus. But civil war was intrinsic to the Augustan system and *reges* are nothing other than *singuli* who *regunt* (4.33.1), so there is an even more basic point: 'kings' are *always* alien to the *res Romana* (cf. 4.33.2): long live Republican *libertas*, which alone guarantees the true health and 'growth' of the *res publica*.

5.4 Cordus and a pre-eminent?/the pre-eminent?/duty of history?/annals?

¹⁰⁰ Henderson (1990) 195 n. 4 seems to see this name-play as generally implicit in the *Annals*: "“Tacitus” is not *silent* on the doublebind knotted in his writing, though as with other declamatory writers, most obviously Juvenal, readers are ill-advised to search his work for the editorial comment, the emotional outburst, the forced interpretation which betrays the historian's true-sincere-underlying-deep “View”, so do not expect to catch him with his rhetorical trousers down, his work is ironized beyond anything so crude'. This paper is confessedly ill-advised and crude (but actually, despite all the hype, Henderson's own reading of the *Annals* is fundamentally libertarian: see n. 117).

The digression, the narrative of Cordus' trial and death and Cordus' own speech all bear on central questions of commemoration: what is worth commemorating: small things or big things? How are they defined? What readership should one be appealing to? Can the historian avoid giving offence? Does praise of some imply blame of others? What are the implications of Cordus' having praised Brutus and Cassius? What effect does history have upon later generations? Will Cordus' own memory be damned or celebrated? Since Cordus is himself a historian and in some sense an analogue of Tacitus himself, these questions grow progressively more intense. Questions of memory and fame or infamy are again focused by Tiberius' speech in response to the proposal of further divine honours (4.38.1-3). In this speech, as elsewhere, Tiberius shows himself acutely concerned with his own *fama*, both contemporary and posthumous, and as aware as Tacitus himself that ceremonies and honours do not necessarily indicate a person's true reputation.¹⁰¹

How, if at all, does any or all of this sequence relate to the famous and much discussed passage in *Ann.* 3.65.1? There Tacitus states his practice concerning the recording of senatorial motions:

exsequi sententias haud institui nisi insignes per honestum aut notabili dedecore quod praecipuum munus annalium reor ne virtutes sileantur utque pravis dictis factisque ex posteritate et infamia metus sit.

This has been interpreted in three different ways:¹⁰²

1. The pre-eminent (*praecipuum*) duty of history is to commemorate virtue and stigmatise vice, so that: (1a) people may be stimulated towards great virtue by seeing it celebrated in history; and (1b) people may be deterred from vicious behaviour by seeing it stigmatised in history; in both cases because they know that future histories may pass judgement on *them*.

2. The pre-eminent duty of history is to commemorate virtue and stigmatise vice, so that people may be deterred from vicious behaviour by seeing it stigmatised in history.

¹⁰¹ Ginsburg (1981) 48-49; Martin-Woodman (1989) 186-93; Luce (1991) 2922-26; this of course affects the question of how one thinks Tiberius' speech in 4.38.1-3 'plays' (see n. 111).

¹⁰² The major recent discussions are Luce (1991) and Woodman (1995a), both tough articles which present their own interpretative difficulties; Woodman-Martin (1996) 451-56 resumes the controversy very fully; cf. also Kraus-Woodman (1997) 109-110; Marincola (1997) 31 accepts Woodman's interpretation.

On this interpretation, the prospective aspect of history is limited to deterrence of vice: commemoration of virtue is *ipso facto* a good thing and a memorial so constituted will survive into future ages.¹⁰³

A conventional translation which allows either of these interpretations would be that of Church and Brodribb:

‘My purpose is not to relate at length every motion, but only such as were conspicuous for excellence or notorious for infamy. This I regard as history’s highest function, to let no worthy action be uncommemorated, and to hold out the reprobation of posterity as a terror to evil words and deeds’.

There is some variation among exponents of interpretations 1 and 2 in their detailed understanding of the Latin syntax.

3. A duty of history, particularly annals, is to be selective. Thus Tony Woodman, who takes the *quod*-clause as parenthetical and *praecipuum munus* as ‘a very great responsibility’ (not ‘the greatest responsibility’). He punctuates the Latin as follows:

exsequi sententias haud institui nisi insignes per honestum aut notabili dedecore (quod praecipuum munus annalium reor), ne virtutes sileantur utque pravis dictis factisque ex posteritate et infamia metus sit.

And translates as follows:

‘It has not been my practice to go through senatorial motions in detail except those conspicuous for honour or of notable shame (which I reckon to be a very great responsibility of annals), lest virtues be silenced and so that crooked words and deeds should, in the light of posterity and infamy, attract dread.’

On this view Tacitus’ statement is apologetic of his necessary selectivity in the face of the extended senatorial material of previous chapters.

It is important not to confuse the initial interpretative question with questions of a different order—the plausibility of interpretation 1, say, is not weakened by the fact ‘that the lessons that Tacitus is supposed to inculcate

¹⁰³ Thus Luce (1991) 2911: ‘the moral excellence of men of the past must be brought to light and receive a place of honor in a memorial whose own high qualities will ensure its survival in future ages’. For both the commemoration of virtue and (even more) for the condemnation of vice ‘naming names’ is a vital strategy: Luce (1991) 2908–14; 2919–22; Woodman–Martin (1996) 445–6.

are by no means unequivocal' (Syme), or by difficulties one may well have with Goodyear's idea that Tacitus' moral criteria led him 'to see various historical figures as types, embodying good or evil, rather than as individuals'.¹⁰⁴ It is also important to note that, despite their differences, all three interpretations agree that: (a) Tacitus is undertaking to be selective; (b) his remark arises from its immediate context; (c) he does commit himself to the proposition that documentation of conspicuous vice has a deterrent purpose and that the deterrence is achieved by the thought that future histories can stigmatise one's own misbehaviour. Disagreement on these three points is about relative emphasis. On interpretations 1 and 2, (a) is implicit but not central to Tacitus' conception of history; on interpretation 3, (a) is explicit and very important but not the most important thing, which is simply not under discussion. On interpretations 1 and 2, (c) is central to Tacitus' historical purpose; on interpretation 3, it is something he does and it is important but it is not part of his historical purpose. As for (b), on interpretations 1 and 2, Tacitus moves out from the immediate context to a general statement of his history's pre-eminent duty; on interpretation 3, the immediate context remains the focus, although Tacitus does give a general rationale for what he has done. One might say that on interpretation 3 Tacitus' statement remains primarily local and *ad hoc*, whereas on interpretations 1 and 2 it broadens into a programmatic statement.

As for the areas of dispute, much debate has centred on the validity of parallels. Proponents of interpretation 1 adduce Sallust, *Bj* 4.5-6 (already cited and translated in section 5.2.3):

Nam saepe ego audivi Q. Maximum, P. Scipionem, praeterea civitatis nostrae praeclaros viros solitos ita dicere, cum maiorum imagines intuerentur, vehementissime sibi animum ad virtutem accendi. Scilicet non ceram illam neque figuram tantam vim in sese habere, sed memoria rerum gestarum eam flammam egregiis viris in perctore crescere neque prius sedari, quam virtus eorum famam atque gloriam adaequaverit...

and Livy, *Praef.* 10:

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

¹⁰⁴ Syme (1958) 520-1; Goodyear (1972) 27, 34-37.

in support of the idea that commemoration of virtue inspires appropriate emulation in the reader, and the Livy passage also for the reverse idea, namely that commemoration of vice deters.

Opponents of interpretation 1 deny that Sallust and Livy are parallel, on the grounds (a) that in 3.65 Tacitus is not explicit that commemoration of virtue inspires its emulation, and (b) that Sallust and Livy lack the idea that readers will be inspired or deterred by the thought of their commemoration in future histories. It is also argued that, while Tacitus occasionally emphasises the ‘exemplary’ character of events or behaviour, this does not encourage the view that this is central to his purpose. The search for parallels for the idea that vicious behaviour may be deterred by fear of exposure in future histories is in one respect necessarily less urgent since, parallels or not, Tacitus is certainly saying this. But parallels might help to influence the decision whether this is a central claim (as in interpretations 1 and 2). Diodorus Siculus has three passages where it is (1.1.5; 14.1.1–3; 15.1.1); he is an altogether unlikely source for Tacitus; on the other hand, he could suggest some more distinguished common source.

As regards other considerations, opponents of interpretation 1 have emphasised that 1a is not explicit; Woodman has urged against both 1 and 2 their exponents’ disarray as to how exactly the syntax should be understood; Woodman has also argued that only his interpretation takes proper account of the immediate context.

One can only briefly give one’s own reactions to this intricate debate.

As regards the contextualisation of Tacitus’ statement, I do not see that Woodman has demonstrated the superiority of his interpretation (even though exponents of interpretations 1 and 2 would be better advised to translate *institui* by a perfect tense, to emphasise that Tacitus’ statement at least takes its point of departure from the immediate context). Even on Woodman’s interpretation Tacitus’ statement must have *some* general implication, both for the specific question of the recording of senatorial motions (for it would be odd if Tacitus did not *subsequently* maintain 3.65.1 as a general principle) and for the larger business of commemorating virtue and stigmatising vice. Hence Woodman’s convincing demonstration that 3.65.1 perfectly describes what Tacitus has actually done in his treatment of senatorial motions does *not* shut the interpretative question down. Note here that *factis immediately* extends the focus beyond the commemoration of senatorial motions. It is not, therefore, wrong to describe 3.65.1 as at least partly ‘programmatically’¹⁰⁵ or to see links between it and the *subsequent* narrative. 3.65.1 would then work in the same way as 4.32–33: an initial apology broadens out into a programmatic statement. Woodman indeed admits, even stresses, the

¹⁰⁵ Pace Woodman (1995a) 119.

similar status of the two passages but (mistakenly, in my view) tries to restrict 4.32-33 to the apologetic (see n. 108).

As regards the alleged syntax problems inherent in interpretations 1 and 2, the fact that scholars disagree over the interpretation of the syntax does not necessarily indicate the error of their general approach: one understanding of the syntax may be better than others or the syntax may genuinely be somewhat fluid. Here, taking *quod* as ‘because’ and the subsequent *ne-* and *ut-*clauses as epexegetic of the *munus* (= ‘because I consider the pre-eminent duty of history to be that virtues should not be uncommemorated and that to crooked words and deeds there should be fear arising from posterity and bad repute’) is undoubtedly the ‘cleanest’ interpretation and one which produces unobjectionable Latin, as Woodman and Woodman–Martin admit. Taking the *quod* as ‘which’ with both backward and forward reference (that is, glossing *insignes dedecore*, and then receiving further definition in the *ne-* and *ut-*clauses), is also possible and is in fact the way I personally ‘feel’ the sentence. I also believe that this interpretation is ultimately truer to the broader implications of the statement or of the statement in its relationship to the subsequent narrative.¹⁰⁶ But one’s ‘feelings’ in such a matter, while perhaps not utterly valueless, can have no persuasive force (other people don’t share them), and the more important point is that if one is committed to rendering *praecipuum* as ‘the pre-eminent’, it is possible, one way or the other, to construe the Latin in a way that yields acceptable Latin.

As regards the respective merits of interpretations 1 and 2, 2’s notion of ‘pure commemoration’ of virtue in historiography (without any paraenetic or prospective force) seems, within the agonistic societies of Greece and Rome, not very plausible. Luce here relies heavily on the parallel with Herodotus, but this parallel is by no means unproblematic, since there is in fact scholarly debate as to whether Herodotean commemoration excludes or includes contemporary or prospective allusion, hence in effect warning or advice for current and future readers.¹⁰⁷ The Sallust passage (to which we shall return) also militates against the notion of ‘pure commemoration’: the essential idea being that history inspires those who come after to rivalrous imitation. Here, surely, a link with epic (the hero competes with his peers but also with his predecessors) and hence also a link with the Homeric Herodotus, who thus again emerges as not simply commemorative.

And several of the objections levelled against interpretation 1 seem invalid because too narrowly focused. For example, the idea that interpretation 1 locks Tacitus in to a moralistic purpose which is implausibly and uncharac-

¹⁰⁶ There is sufficient discussion of these matters of Latinity in Woodman (1995a) 112-113 and extremely full documentation in Woodman–Martin (1996) 451-2.

¹⁰⁷ Luce (1991) 2910-11; Moles (1996) 277.

teristically naïve fails to take proper account of 4.33.2 *haec conquiri tradique in rem fuerit, quia pauci prudentia honesta ab deterioribus, utilia ab noxiis, discernunt, plures aliorum eventis docentur*. Here an explicitly moralising purpose (*honesta, deterioribus, noxiis*) is given depth and complexity by the addition of Thucydidean intellectual penetration (see section 3.1.3). Such a moralising purpose allows for, indeed builds in, extreme interpretative difficulties. This same passage also gives short shrift to the claim that exemplary history is not a fundamental part of Tacitus' programme (*plures aliorum eventis docentur*).¹⁰⁸

As for the objection that the wording of 3.65.1 (*exsequi sententias haud institui nisi insignes per honestum aut notabili dedecore quod praecipuum munus annalium reor ne virtutes sileantur utque pravis dictis factisque ex posteritate et infamia metus sit*) does not make explicit that the commemoration of virtue works in the same way as the commemoration of vice, that is, by stimulating the reader into the appropriate response by reminding him that he too may come before the judgement of history, Cordus' words of warning in 4.35.2 could not be more germane: *suum cuique decus posteritas rependit*: 'posterity recompenses each individual his own honour'. Cordus' use of *decus* is in the first instance positive, since *decus* is itself almost always a positive term and Cordus is arguing for the positive commemoration of Brutus and Cassius, though it *also* allows for the negative, since it cannot be the case that every individual deserves positive commemoration and this negative *decus* is indeed what Tiberius and Sejanus receive, when they beget for themselves *dedecus*. The punning or ambiguous use of the single word *decus* in 4.35.2 covers both the *honestum* and the *dedecus* of 3.65.1 and envisages posterity's judgement on both.

It is difficult, therefore, to resist the impression that 3.65.1 bears some relationship both to 4.33.2 and to 4.35.2 and that it belongs within the larger question of historiographical commemoration and its purposes.

Tacitus' use of *praecipuum* also requires consideration. Woodman's rendering of *praecipuum munus* as a pre-eminent duty seems difficult: how can Latin thus distinguish between the definite and indefinite article? why does Tacitus use such a superlative-looking word?¹⁰⁹ More positively, since 3.65.1

¹⁰⁸ This passage refutes Luce's claim ((1991) 2911) that Tacitus 'nowhere states that one of his purposes in writing is to incite the reader to model his conduct on that of the personages who appear in his history', a claim the more surprising because Luce does discuss 4.33.2; nor (I think) could it be argued by anyone (like Luce) who takes *praecipuum munus* as 'the highest function' that the exemplarity of 4.33.2 can be dissociated from 'the highest function': 4.33.2 defines history's 'usefulness'. Equally unavailing is Woodman's dismissal of the relevance of 4.33.2 ((1995) 115 n. 1) on the ground that 'so far from being assertive, the tone of the passage is apologetic throughout': it is not apologetic 'throughout' and the 'apology' is anyway superficial.

¹⁰⁹ There is some admission of this in Woodman–Martin (1996) 453. cf. Mayer (1997) 315.

has *some* programmatic quality, Tacitus (I believe) is indeed echoing Livy *Praef.* 10 (just as the digression intertexts complexly with the *Preface*): *praecipuum* ~ *praecipue*. If so, there would be rich implications: Livy's history is explicitly 'exemplary' and *praecipue* links with 'moral choice' words (~ *capias*, *inceptu*);¹¹⁰ the theme of moral choice would be highly appropriate to the Tacitean context (there might even be a sort of reciprocal implication (typical enough in historiographical programmes) that just as Tacitus *qua* historian has chosen to select his material in such a way as to highlight great virtue and great vice, so his readers must choose between them). One could then see 4.33.2 and 4.35.2 as developing these potential implications.

Nor (it seems to me) are Luce and Woodman right to dismiss the relevance of Sallust, *BJ* 4.5-6 (itself one of the concatenation of influences on Livy's *Preface*), this passage forming part of the texture of the sequence at least from 3.75 (Brutus and Cassius' *effigies*) to 4.35.5, as section 5.2.3 has argued.

Finally, if, in a first-person statement, 3.65.1 *ne virtutues sileantur* ironically glosses *Tacitus* (or not-*Tacitus*, which comes to the same thing; see section 5.3 *fn.*), that is appropriate to a programmatic statement.

In my opinion, then, interpretation 1 of 3.65.1 is correct (and certainly the most fruitful in implication). The ways in which the programme of 3.65.1 is worked through by the digression and the whole Cordus sequence require more positive investigation. A crucial factor is Tacitus' manipulation of temporal focalisation. In the digression present time covers a whole range of times: the moment of writing, the moment of reading, the precise time described in the text (the reign of Tiberius), a more generalised, post-republic, 'now'. These different presents may clash, for example, commemoration of Tiberius' reign is complicated by the different possible reader responses (4.33.4), and, although the dominant political 'now' is a general, post-republic, 'now', the reader is invited to make comparisons and contrasts between different emperors (Augustus, Tiberius, Domitian, Trajan). More complicatedly, the usefulness of Tacitus' historiographical project, a usefulness which is as it were future in the text, has already been validated by the reader's past experience in life (for example, the similarity between Tiberius and Domitian, or the fact that Cordus' prosecution anticipated those of Rusticus and Senecio). Again, intertextual allusions to Tacitus' own earlier works, the *Agricola* and the *Histories*, raise the question: what does Tacitus think 'now'? Has he changed his position? Even more radically, thanks to the Herodotean perspective and the possibility of great political movements' including further constitutional change, the time frame is also projected into the future.

¹¹⁰ Moles (1993) 158.

In short, Tacitus' past is brought into a shifting, questioning, relationship with other pasts, with the present and even with the future. His project is not one of simple, inert, commemoration. A concrete example: the digression seems to say that the glorious exits of generals belonged decisively to the Republican past and the historians who wrote under the Republic. Nothing like that is possible under the monarchy: that is a consequence of our loss of liberty. In the event, however, Cordus' heroic behaviour enacts such a glorious exit (appropriately tailored to the new conditions). Tacitus' description of his behaviour is not simply commemorative: it points to one possible solution to a still existent problem, a solution that is of course to some extent validated by the fact that it has already happened (on the Aristotelian psychological principle that what has happened is persuasive (*Poet.* 9.1451 b 17–19)). The commemoration of Cordus' behaviour thus has exemplary value.

Clearly, Cordus' status as a historian must have some bearing on this shifting temporal framework, especially with regard to the validation of 3.65.1 and interpretation 1 thereof. Any historian such as Tacitus who holds out to his readers, as an incentive to virtue and a deterrent from vice, the future judgement of history has to show that such judgements have some chance of standing. His own judgements on figures within his historical narrative, whether these judgements are explicit or implicit, laudatory or condemnatory, have a certain persuasive force, especially since they are underpinned by his practice of 'naming names' (see n. 103). Readers will know that there is some prospect that they too will undergo similar scrutiny in the future. Nature precludes (though imaginative literature entertains) the most persuasive scenario of all: acquisition of knowledge of one's posthumous reputation. But will the vicious succeed in excising adverse judgements from the historical record?

The Cordus narrative goes some way to dealing with these problems. Cordus the historian praised Brutus and Cassius, praise which implied criticism of the Caesars. His judgements stood until threatened by his prosecution for treason. The last words of Cordus' speech remind Tiberius, Sejanus, Sejanus' accomplices and the senate at large that they too are on trial: the trial represented by the judgement of history. If they condemn him, they will be condemned and his fame guaranteed. The fact that they have already condemned him in their minds already condemns them. But will Cordus' death and the burning of his books destroy his memory and the chances of history making their condemnation stick? No—because *Cordus'* successor and commemorator, Tacitus himself, '*records*' the whole story. Then Tiberius's speech again raises the question of *his* memory. His rejection of divine honours and desire for unfeigned approbation closes with the words (4.38.3): *quandoque concessero, cum laude et bonis recordationibus facta atque famam nominis mei prosequantur* (sc. allies and citizens). The wording interlinks with

4.35.5 and 35.3 and all the way back to 3.65.1. Not only will any reader recall the rejoicing with which Tiberius' death was actually greeted (rejoicing no doubt described by Tacitus himself in the lost book 7) but *bonis recordationibus* is undermined by our memory of Tiberius' treatment of CORDUS (with all Cordus' many different aspects). Cordus' *decus* again underlines Tiberius' *dedecus*.¹¹¹ The memory of the virtuous triumphs.

On this analysis, then, one of the many functions of the Cordus narrative is to illustrate the historiographical project of 3.65.1 in action; that project is to record notable examples of virtue and vice in order to inspire readers to emulation and rejection respectively and to do so in both cases by reminding them that they in turn are subject to historical judgement; and that project is indeed the pre-eminent duty of history. Nevertheless, it would be possible to see the Cordus narrative as illustrating this double prospective function and 3.65.1 as implying it without committing oneself to the view

¹¹¹ Interpretation of Tiberius' speech lies beyond the scope of the present paper but the speech *is* part of the whole sequence from 3.65.1 and *something* must be said.

It is common ground that the apparent nobility of Tiberius' speech is at least to some degree threatened by the Cordus narrative: Ginsburg (1981) 48-49; Martin-Woodman (1989) 186; Luce (1991) 2925 (though I do not think that any of these scholars register the full extent of Tacitus' demolition of Tiberius in this narrative); all the same, Martin-Woodman see the narrative movement as characterised by 'manipulation of (Tacitus') readers' sympathies, first in one direction and then in another', and they speak of Tacitus' 'reluctant admiration' for Tiberius and of 'the nobility of the emperor's sentiments' (187, 186).

The ambiguities of Tacitus' general portrayal of Tiberius are indeed real and well recognised; nevertheless, I think that Tiberius' speech can be deconstructed to a high degree and *bonis recordationibus* < Cordus is only a beginning. E.g.: 37.2 *defensionem* (Tiberius is 'on trial'; cf. and contrast Cordus); 37.3 *omnia facta dictaque (Augusti) vice legis observem* < 33.2 *converso statu*; 38.1 *principem locum* < 33.1 *singuli regunt* (etc.); *meminisse memoriae meae* < 35.5; 35.3-4 (etc.); *posteris* < 35.3 *suum cuique posteritas rependit*; *mairobus meis dignum* < 34.3-5; 38.2 *effigies* < 37.3 *effigie* < 35.3 *imaginibus* < 3.75.2 *effigies*; *mansurae* < 35.5 *manserunt*; *iudicium posterorum* < 37.2 *defensionem* (etc.); *in odium vertit*, with Martin and Woodman's note (deleting the first clause and substituting: 'Tib. dishonestly slides over the fact'); 38.3 *nomini mei* < 35.4 *cremandos* (etc.); 38.4 *degeneris animi* (with Martin and Woodman's note); 38.5 *optimos* (with Martin and Woodman's note); *Liberum* < 35.5 *libet*, 35.1 *non modo libertas, etiam libido*, 32.1 *libero egressu*; 38.5 *contemptu virtutes* < 3.65.1.

Speeches of course can be morally good or bad according to the character of the speakers (Quint. 11.1.37), and practically *everything* that Tiberius here says is undermined by the enormity of his own earlier behaviour; the fact, emphasised by Woodman and Martin, that the criticisms supposedly voiced by contemporary opinion do not hit home (38.4-5) does not exonerate Tiberius: rather, we, the discerning, discriminating, readership, are called to interpret more deeply (for example, the deification argument of 38.5 is not a good argument in itself but the inevitable interaction between *Liberum* and the main theme of the Cordus narrative (indeed the main theme of the *Annals*) counts strongly against Tiberius). In short, I find this speech hypocritical and malign.

that 3.65.1 makes this history's 'pre-eminent duty': even the Woodman interpretation of 3.65.1 does (or should) imply that history does as a matter of fact do these two things.

6 Conclusion: libertarian responses to Caesarism

I shall now try to pull together the diverse but interrelated threads of this ridiculously long paper.

The sequence as a whole is fundamentally concerned with liberty: 4.32.1 *libero egressu*, 4.35.1 *non modo libertas, etiam libido*, 4.35.5 *libet* (as decoded in section 5.3). How does this concern relate to the concerns of 3.65.1? Quite simply, because virtue and vice are largely seen in terms of the fundamental liberty-kingship struggle.

Tacitus' complaint at the beginning of the digression looks purely literary: as a historian of Tiberius and of the Caesarian monarchs in general, he is excluded from the great historiographical themes open to historians who wrote under the Republic. But it soon becomes apparent that the question of political freedom is also involved. Since the regime of Augustus and his successors is effectively a monarchy, even a tyranny, liberty in general is severely restricted. There exists (as there has from the beginning of Roman history—cf. the preface to *Annals* 1) an existential struggle between Liberty and Kingship, though the degree of restriction varies according to the particular emperor (Tiberius was more overtly tyrannical than Augustus or Trajan). Freedom of speech is additionally difficult because Augustus and his successors fraudulently claimed that their system of government was not a monarchy but a restored Republic, hence linguistic distortion and deceit permeated public discourse. Under such circumstances, 'figured speech' is generally the most recommendable way (not the only way) of obtaining a degree of free expression (thus Tacitus' 'figured-speech' unmasking of the multiple Augustan deceit and 'figured-speech' swerve in the argument or Cordus' use of figured speech in contrast to the public political activism available to Macer under the Republic). The literary form itself of the digression embodies both the restrictions on freedom and the possibility of relatively free expression. For a digression is at once a circumscribed *locus* within a text and an opportunity for free expression: *libero egressu*. Its double-ness—its restrictedness and its freedom—is itself a metatextual expression of the figured-speech *libertas*, the restricted but real *libertas*, that remains possible under tyranny. Within the digression, the political argument is itself an exercise in figured speech and in its swerve it even imitates the relationship between narrative and digression. The literary forms themselves represent both the essential political problem and one of its solutions.

Tacitus achieves the alleged literary freedom from which he is supposedly excluded by means of comparable obliquity of expression and comparable manipulation of literary forms. He imports sieges and captures of cities into his narrative in metatextual form. But this literary freedom is also of course political freedom (Tacitus has not in the event been barred absolutely from writing what he likes). It is also political in a more direct sense, since (for example) the analogy between Tiberius and a besieging enemy forms part of Tacitus' judgement upon the emperor Tiberius. Of course, this literary freedom is itself somewhat restricted. But this corresponds with the 'figured-speech' expression of political *libertas* within the digression.

In its doubleness—its restrictedness and its freedom—the digression stands for the whole text of the *Annals* (and not just the second half of the Tiberian narrative). Not only does the digression explain and justify Tacitus' general historiographical procedures but since Republican history is explicitly a digression, there is a sense in which Tacitus' 'digression' is 'the main narrative'. So the digression, its immediately surrounding narratives, its interaction with those narratives, its interaction with related narratives (Xenophon's Theramenes narrative, for example) and the whole narrative of the *Annals* all combine to express Tacitus' response to the existential struggle between Liberty and Kingship/Tyranny.

Tacitus claims that his *Annals* will be 'useful', and 'usefulness' is defined as 'distinguishing honourable things from worse things, useful things from noxious [because] many learn from the things that happen to others'. His formal aim, then, is to provide his readers with morally useful vicarious responses to the monarchy/tyranny of the Caesars. But it is also an implicit requirement that one should be seeking the maximum *libertas* and the maximum political distinction possible under the monarchy.

Before we consider the range of range of vicarious responses that Tacitus puts forward, we need to bear in mind the typically modernist contention of O'Gorman that Tacitus' formal aims and claims are nullified by his narrative. Thus for example she writes:¹¹² 'this claim (that of distinguishing honourable things from worse things, useful things from noxious from the things that happen to others) is immediately undermined by Tacitus' characterisation of his subject matter as *easdem exitii causas obvia rerum similitudine et satietate*'; 'history's utility is undermined not only by the immediately subsequent fate of Cremutius Cordus (who) exemplifies the fate of good men under a bad emperor but also by the overall concerns of the narrative. The fate of the historian undermines the idea of reading one's way to safety, not only because his interpretation of history causes his own downfall, but also because he foresees his own imminent death'.

¹¹² O'Gorman (1997) 144-45.

There seem to be five points here: (1) since Tacitus' subject matter includes 'the same causes of extirpation' (etc.), there is little room for useful discrimination; (2) since that subject matter focuses on continual deaths, who here is learning any useful survival techniques? (3) Cordus is explicitly a good man who meets his death under a bad emperor (contrast *Agr.* 42.4); (4) since he is a historian, one might expect his understanding of history to save him but in fact it brings him down; (5) Cordus does achieve foreknowledge but it is foreknowledge of his death, not knowledge of how to survive.

All these points raise a more general question: is Tacitus committed to the view that it is *always* possible for the intelligent and virtuous to survive bad emperors?

The famous passage in *Agricola* 42.4 says: 'let those whose habit is to admire what is not allowed know that it is possible¹¹³ for there to be great men even under bad princes and for obedience (*obsequium*) and moderation, if industry and energy are added, to come out at that point of praise to which many have come out over precipitous places but have gained their glory by an ambitious death and with no usefulness to the state'.

This passage asserts only that this can happen, not that it is always possible under any circumstances. The passage cannot be dismissed as irrelevant to the *Annals*: it is in fact one of at least two passages in the *Agricola* seemingly intertextually related to passages in the *Annals*.

The relevant related passage is the equally famous *Ann.* 4.20.3. Following his praise of M. Lepidus, who was principled and successful in mitigating the harsh operation of the *maiestas* law yet retained Tiberius' favour, Tacitus comments: 'wherefore I am compelled to be in doubt¹¹⁴ whether princes' inclination for some men and antipathy towards others occur, like everything else, through fate and lot of birth, or whether there is something in our plans and *we are allowed* to pursue a road empty of *ambition* and dangers between *precipitous* abuse and dreary *obedience*' (the italics mark the parallels).

Martin and Woodman take the first alternative here as merely a foil for the second: 'T. is no more seriously concerned with fate and astrological determinism here than at 6.22.1-3'.¹¹⁵ Perhaps, but only if 6.22.1-3 can itself be discounted. Otherwise, greater weight is put on the second alternative; there

¹¹³ Translators divide, but emphasis and word order indicate that the syntax is either *posse* (impersonal) + accusative and infinitive or *posse* as the infinitive of an accusative and infinitive subject, rather than *posse* as the infinitive after *magnos viros*. The syntactical question affects whether Tacitus is talking about a phenomenon that is always possible under any circumstances or (only) sometimes possible.

¹¹⁴ To translate *dubitare* by 'doubt', as many do, implies that the first possibility is the less likely of the two, but *dubitare* does not necessarily imply this.

¹¹⁵ Martin–Woodman (1989) 151.

seems to be some correlation between the rationality of ‘our plans’ and the praise of Lepidus; and, as we have seen, the road imagery relates to the journey imagery of the digression, which has such rich moral and political implications. On the other hand, Tacitus is at least formally undecided between the two alternatives; the question is re-opened in 6.22.1-3; the two passages have therefore to be taken together; and furthermore, as O’Gorman insists, 6.22.1-6 is parallel to, and interactive with, the digression of 4.32-33.¹¹⁶

Ann. 6.22 is complicated. It is itself a digression prompted by mention of Tiberius’ apparently genuine prophetic and astrological skills, learnt from Thrasyllus, and the apparently true story of how Tiberius had first tested Thrasyllus’ credentials in Rhodes (he was led up the pathless and precipitous heights to Tiberius’ house by a trusted freedman, who was to hurl him into the sea on the return journey should he prove fraudulent; challenged over his own horoscope, he deeply ‘introspected’, foresaw impending disaster and became one of Tiberius’ intimates.) But then Tiberius expresses uncertainty: are human affairs governed by fate or chance? There is no consensus among the wise. The Epicureans believe the world to be of no concern to the gods, hence good people suffer and bad prosper. The Stoic uphold fate, but allow choice of life but once that choice is made there is a fixed order of future events; also good and evil are not as vulgarly conceived. Most people believe that all individuals’ fates are predestined from birth, though false prophecies discredit the many true prophecies of ancient and modern times. Tacitus closes the digression by promising to record in its proper temporal setting the prophecy of Thrasyllus’ son concerning Nero’s rule.

As O’Gorman well shows, the description of Thrasyllus’ ascent to Tiberius’ house; the whole business of prophecy; the question whether foreknowledge helps avert disaster; the dangers of close contact with Tiberius; the problems of whether human affairs exhibit fixed patterns or not and whether good and bad people receive their respective deserts: all these things offer suggestive analogies with the problems of writing, interpreting and making history. Hence neither 6.22.1-5 nor the first, quasi-astrological, alternative of 4.20.3 can be dismissed as mere irrational flummery or Tacitean sarcasm about such matters: they have some value as metaphors for historical problems.

The answer to the general question, therefore, is thus far rather unclear: if *Ann.* 4.20.3 pulls towards the proposition that, generally speaking, it should be possible to survive bad emperors with dignity, *Agricola* 42.3 allows only that this *can* happen, *Ann.* 6.22 is very problematic and O’Gorman’s difficulties with 4.32-35 remain. On grounds of common sense, however, we may

¹¹⁶ O’Gorman (1997) 139-146.

surely agree that it would be absurd for Tacitus to contend that it is *always* possible for the intelligent and virtuous to survive bad emperors: experience shows otherwise, as Tacitus himself notes (4.33.3) and Cremutius himself enacts. But this, as we shall see, does not necessarily vitiate the historiographical project.

We return, therefore, to the range of vicarious responses put forward by Tacitus to the problem of political life under Caesarian monarchy/tyranny. A fundamental prerequisite is proper understanding both of the nature and workings of the dangerous, deceptive, essentially illegitimate, Augustan system and of the character of the particular emperor. So one needs to be intelligent, and reading Tacitus' history will help to develop that intelligence. Interpretation of the 'figured-speech' complexities of the digression and of Cordus' speech and of all the difficult implications of the whole sequence is itself a training in political intelligence. But this intelligence is to be deployed in one's relations with monarchs/tyrants. How does one achieve success/glory/freedom under effective tyranny?

One extreme possibility is represented by the cries of Theramenes: heroic, inspiring, and, in several solid senses, genuinely useful. If through no fault of your own (whether moral or practical) you find yourself compelled to die by a tyrant, both Theramenes and Cordus provide excellent exemplars of what to say and how to die. They even themselves illustrate the process of learning from history. By Xenophon's anachronistic sleight of hand, Theramenes has as it were learnt from Socrates (who actually died four years later); Cordus, himself a historian and fully conversant with the historical tradition concerning Cato, Cassius and Brutus, recognises a tyrant when he sees one, immediately realises his death is certain, publicly convicts Tiberius of tyranny, assures his own commemoration as a symbol of liberty (a commemoration that has so far endured until September 1998), contributes mightily to the great tradition of libertarian historiography, knows how to make a noble death and continues to baffle sophisticated modern classical scholars with the subtle elusiveness of his rhetoric. May we all achieve as much.¹¹⁷

¹¹⁷ I labour the point that Cremutius learns, because the contention that figures within historiographical texts do not learn, a contention then used as an argument for reductionist or minimalist interpretations of historiographical 'usefulness', is depressingly widespread (and often depressingly crude in its conception of the process of learning).

On the heroic martyr cf. Henderson (1990) 194 and 210 n. 165: 'this is the kind of "exemplarity" the Consular Muse offers: a rejoinder to anyone who *agrees* that "Since the execution of Cicero, no man had been free to speak against the dynast with power of life and death, except to the extent that he permitted it" (Wallace-Hadrill). The political martyr refutes any prescription or proscription of freedom'. But this is *not* the *only* freedom.

But there is here also an obvious distinction (obscured by those critics who see the inner workings of the text as undermining the value of ‘history’ without asking themselves whether those workings undermine the value of *Tacitus’* history): neither Theramenes nor Cordus had the benefit of reading Tacitus and those who have read the *Annals* will necessarily be in a better survival posture than any previous generations. They will almost certainly achieve far less than Cordus but they (or most of them) will achieve something different and safer.

The opposite response to tyranny, excellent if you can do it and if the cost (for example, in civil war) is not too high, is to overthrow it. As Woodman has emphasised and as we have seen in more detail, Tacitus contrives to include within his narrative in metahistorical form several of the historiographical staples whose absence from his narrative he formally laments. These ingredients are the ‘gigantic wars’ (metamorphosed into the civil war endemic in the Augustan system), ‘stormings of cities’ (the tyrannical Tiberius effectively besieges Rome), ‘discords of consuls against tribunes’ (the political discord represented by the trial of Cordus) and the ‘glorious exits of generals’ (metamorphosed into Cordus’ *exitium/exitus*). The inclusion of these items is part of Tacitus’ general collapsing of the apparent boundaries between Republican and monarchical and internal and external. But the inclusion of all these other staples, the general collapsing of boundaries, the verbal interaction between *singuli regunt* and *reges* and the specific association of Tiberius with *externi reges* (35.5) inevitably remind us that the *Annals* also commemorates, and paradigmatically promotes, *Roman* kings routed and captured. This is not an anachronistic or impossibilist Republican dream: of the twelve Roman emperors with whom Tacitus is concerned, seven (or possibly eight) died violent or unnatural deaths, and of these seven, three—Gaius, Nero and Domitian—lost their lives to the forces of liberty (in some quite strong sense of the word). It is worth remembering that even as Tacitus’ contemporaries, Pliny and Dio, praise Trajan as the good ruler, they remind him that if he is not he will go the way of Domitian.¹¹⁸

Between the extremes of heroism in the face of sometimes unavoidable death and the overthrow of tyranny lies a third way, which Tacitus famously describes in *Ann.* 4.20.3 (translated above). Although this option is defined in relation to polar oppositions which cannot possibly qualify as ‘useful’ within the terms of the digression, its significance is validated both by Tacitus’ editorial commendation of it, by parallels in other Tacitean passages, by its integration into the road or travel imagery upon which the digression is based and by its location within the discourse of liberty and monarchy: this middle way still represents an attempt to maximise liberty within the constraints of

¹¹⁸ Cf. Moles (1990) 331, 345-6.

monarchy. For it is important to see that this third way explicitly excludes the ethic of *obsequium*, upheld by Tacitus in the *Agricola* and, following Syme, excessively canvassed in modern Tacitean scholarship. Here *obsequium* is *intrinsically deforme*.¹¹⁹ Figured speech will naturally form a large part of the armoury of such a third way. Figured speech is itself an important means of securing qualified freedom of expression.

Other useful responses to tyranny involve larger perspectives. One such response is Theramenean/Socratic laughter (preferably private: no emperor ever forgets a joke against himself; public or semi-public only if survival no longer matters).¹²⁰ Laughter involves at least four important insights which provide real consolation even when tyranny seems to triumph. The first is that we can despise tyrants' value systems. We are their superiors. The second is that the judgement of history can reverse injustices (Theramenes and Cordus are finally vindicated). The third derives from this: a historian of moral integrity and literary genius has practical power: his ability to reward virtue and castigate vice by conferring *decus* or *indecus* may influence the future behaviour both of monarchs and of those who live under them (33.4, 35.5; cf. *Ann.* 3.65.1). History is the ultimate judge. The fourth is that the change that is built in to Herodotean and Thucydidean models of history will inevitably bring about some changes for the better. Not only are some monarchs better/less bad than others but if one takes a long view, a Herodotean view, one knows that, just as we ourselves die, so one day New Labour will die, American hegemony will fall, Bristol Classics will perish. So Tacitus knew that one day there would be no more Roman emperors or tyrants. He foresaw the fall of Romulus Augustulus in 476, the final *κίνησις* or *motus* when Caesarism was expunged (or 1453, it doesn't matter).

Such large-scale political changes are not of course independent of people's responses to monarchy. Leavisite claims for the supreme moral value of great literature and of great literary criticism are easily derided. But not only do we need to love liberty to interpret this inspirational text rightly, the text itself will only actually work, the authority of punished men of talent will only grow, if we its readers enact the text: if we ourselves become both *auctores* and *actores*, promoters, writers, enactors and advocates of *libertas*. If enough of us do this for long enough, then perhaps there is a chance that in

¹¹⁹ *Agr.* 42.4; Syme (1958) 28; and (e.g.) Classen (1988) 100-103; also McCulloch (1991) 2932-33 sees Lepidus and Cremutius as paralleling *Agricola* and Tacitus *qua* historical actors and historians respectively and all as ideal representatives of their respective roles. Valid to a degree, this interpretation nevertheless greatly diminishes the complexity of Cremutius' libertarianism and the even greater complexity of Tacitus'. Syme (1958) 547 concedes the possible inappropriateness of *obsequium* to the post-*Agricola* world.

¹²⁰ Admirable in its way was the behaviour of Petronius (*Ann.* 16.19).

the fullness of time the current proportions of digression and narrative can be flipped and monarchy will become a digression within the great narrative of Liberty. ‘Those things at first sight slight, from which the movements of great things often arise’. The *Annals* itself, at first sight ‘slight’ in much of its subject-matter, in its Xenophontic, Herodotean, biographical and encomiastic character, which contrasts with the ‘biggism’ of conventional historiography: this ‘slight’ text can change our life/the world—but only if we let it. We all have a great libertarian responsibility.

But equally, of course, one knows also (and Tacitus too knew it) that just as Caesarism died in 476, so also it came alive under Charlemagne, the Kaiser, the Vice-Chancellor of Durham University. Hence the *Annals* are always useful: *par quod semper habemus / Libertas et Caesar*. Only clever fools announce the end of history.

The *Annals*, then, is a radically and profoundly libertarian text, which dramatises and enacts both the restrictions upon liberty imposed by monarchy and the diverse means by which those restrictions can to some extent be overcome. But it also celebrates liberty in a more positive sense. For liberty always speaks. Sometimes she shouts aloud (Theramenes), but even if she seems to be silenced by tyranny, either she speaks through *emphasis (tacite)*, as in the digression, or through the whole libertarian historiographical tradition, or that silence itself speaks (the silence under Domitian, the absent *effigies* of Cassius and Brutus). While the circumscribed digression represents both the restriction and the expression of freedom, all digressions are transgressions, the boundaries cannot hold, sooner or later Liberty will always break free. Ultimately, *Libertas* cannot be circumscribed. Tacitus the deconstructionist So the text of the *Annals* is: under the *ipso facto* tyranny of the Caesars, even at their most tyrannous, we can be free, and there many different roads to that freedom. Cry freedom.

7 Appendix: objections to this paper

No doubt there are many objections to this objectionable paper. Here I briefly consider two (which are in fact closely interrelated);

1. If Tacitus’ voice is the voice of ‘the senatorial historian’ (section 4.4), how plausible is to claim the *Annals* as ‘a radically and profoundly libertarian text’? There are several good answers, themselves of ascending radicalness:

(a) If Cordus represents the cry of the human spirit against despotism, what does it matter if the celebrant is a narrow-minded elitist? (Cf. the motley crew of Tories (as well as principled left-wingers) who rightly opposed the recent emergency powers act at Westminster.)

(b) There is the ‘narrow but noble’ defence. Thus the cynical romantic Syme:¹²¹ ‘Once again the Balkan lands witnessed a Roman disaster and entombed the armies of the Republic—“Romani bustum populi”. This time the decision was final and irrevocable, the last struggle of the Free State. Henceforth nothing but a contest of despots over the corpse of liberty. The men who fell at Philippi fought for a principle, a tradition and a class—narrow, imperfect and outworn, but for all that the soul and spirit of Rome’.

(c) There is the thin-end-of-the-wedge, ratchet, defence. Thus the hard-headed but not unprincipled Brunt: ‘while the higher orders retained a share in the government (sc. under the Principate), if only as servants of the monarch, and the new system respected their material class-interests, the people forfeited not only its electoral, judicial, and legislative rights, but eventually “equal liberty” before the laws. It is symptomatic that Augustus (or Tiberius) would invest the consular prefect of the city with arbitrary powers of coercion not only over slaves but over “that disorderly element among the citizens whose audacity could be deterred only by force” (*Ann.* vi. 11). This was one step along the path that would lead to the imposition on the humble of penalties once thought appropriate only to slaves, and bind them to the soil in the interests of treasury and landowners. The optimate critics of the Gracchi were proved right; attempts to “restore” the power of the people led on to monarchy, and monarchy destroyed popular freedom more completely than senatorial’ (and one might stress that it was monarchy, not senatorial power, that destroyed popular freedom).¹²²

(d) There is the seemingly objective fact that actually the Roman elite under the Republic wasn’t actually that elite.¹²³

(e) There is the fact that Tacitus’ voice is not *only* the voice of the senatorial elite (however defined). Thus *Ann.* 1.4 laments the loss of *aequalitas* (‘equal rights’), and it is a mistake to restrict Tacitus’ understanding of *libertas* to *libertas senatus*, and this for two reasons: (1) like Seneca and Lucan, he sometimes uses it as a virtual synonym for ‘the Republic’ (see *Agricola* 3.1, discussed below and n.61); (2) explicit concern for *libertas senatus* does not entail concern *only* for *libertas senatus*; one may be concerned for it precisely because it represents one of the last vestiges of the overall *libertas* of the Republic. This implication is quite clear in the *Agricola* and in the *Annals*.¹²⁴

(f) there are reasons for characterising the Republic as in some quite strong sense a democracy.¹²⁵

¹²¹ Syme (1939/51) 205.

¹²² Brunt (1988) 350.

¹²³ Brunt (1982); Hopkins (1983/85) 31–119 (co-authored with G. P. Burton).

¹²⁴ For the *Agricola* see the main text; for the *Annals* e.g. 1.74; 13.49.

¹²⁵ Millar (1998) with bibliography at 1, n. 1.

(g) Tacitus can envisage the possibility of a *motus* (or *motus* plural) which will overthrow monarchy itself (sections 4.3 and 6).

2. Is this paper committed to the proposition that Tacitus ‘rejected’ the principate/monarchy, and, if so, how does it explain those passages (mostly in works other than the *Annals*) which seem to show him ‘accepting’ the principate/monarchy?

The two most important passages are:¹²⁶

(a) *Agricola* 3.1 *nunc demum redit animus; et quamquam primo statim beatissimi saeculi ortu Nerva Caesar res olim dissociabiles miscuerit, principatum ac libertatem, augeatque cotidie felicitatem temporum Nerva Traianus...*

(b) *Hist.* 1.1.1 *postquam bellatum apud Actium atque omnem potentiam ad unum conferri pacis interfuit, magna illa ingenia cessere...*

Passage (a) requires full contextualisation (*Agricola* 2.1):

Legimus, cum Aruleno Rustico Paetus Thrasea, Herennio Senecioni Priscus Helvidius laudati essent, capitale fuisse, neque in ipsos modo auctores, sed in libros quoque eorum saevitum, delegato triumviris ministerio ut monumenta clarissimorum ingeniorum in comitio ac foro urerentur. (2) scilicet illo igne vocem populi Romani et libertatem senatus et conscientiam generis humani aboleri arbitrabantur, expulsis insuper sapientiae professoribus atque omni bona arte in exilium acta, ne quid honestum usquam occurreret. (3) dedimus profecto grande patientiae documentum; et sicut vetus aetas vidit quid ultimum in libertate esset, ita nos quid in servitute, adempto per inquisitiones etiam loquendi audiendique commercio. memoriam quoque ipsam cum voce perdidissemus, si tam in nostra potestate esset oblivisci quam tacere.

(3) *Nunc demum redit animus; et quamquam primo statim beatissimi saeculi ortu Nerva Caesar res olim dissociabiles miscuerit, principatum ac libertatem, augeatque cotidie felicitatem temporum Nerva Traianus*

Passage (a) attests a paradox: Nerva has ‘mixed’ two long irreconcilable things: the Principate and *Libertas*. Ogilvie and Richmond interpret *libertas* here as ‘freedom of judgement’/‘the right of a senator to make his own contribution in the senate and in the service of the state’, on the ground that ‘at this period the principate was accepted as inevitable and republicanism, except once after the death of Caligula, was never seriously envisaged’.¹²⁷ This argument, while of a type all too common within attempts to define *libertas* under the empire/monarchy, is grossly circular. Shotter, by contrast, does at

¹²⁶ On the assumption that *Ann.* 4.33.2 does not qualify (section 3.1.3.1).

¹²⁷ Ogilvie-Richmond (1967) 136-67 (following Wirszubski).

least try to find solid content in the attribution of *libertas* to Nerva's rule,¹²⁸ but he cannot be right to restrict the paradoxical *principatus–libertas* package to Nerva's reign: *augeatque cotidie* etc. (building on Nerva's lead, Trajan does even better).

In fact, Tacitus is deploying an utterly commonplace polar contrast between the Principate and the Republic,¹²⁹ so as to make the paradoxical point that Nerva has blended them together in a remarkable new *μικτή*,¹³⁰ a true Mommsenian dyarchy. Such is the meaning conveyed by the language itself, if read without prejudice (that is, prejudice concerning the 'real' historical circumstances). But analysis of the context also supports this interpretation. 2.3 *ultimum in libertate* and *quid (ultimum) in servitute* correspond (chiastically) to *libertatem* and *principatum*, the worst manifestations of particular phenomena as compared to ones that are better in themselves and have now become better still because 'mixed' together. Thus the Republic at its most anarchic and outright tyranny have been replaced by a combination of Republic and Principate. These two pairs of polar oppositions themselves look back to the contrast in 2.2 between the tyrannical Domitian and his henchmen and the Roman state at large: *vocem populi Romani et libertatem senatus* etc., a sort of hyped-up libertarian gloss on the traditional formula *senatus populusque Romanus*. The phrase *libertatem senatus* does not in the least validate a restricted, senatorial, interpretation of *libertatem* in 3.1: the phrase is used with specific reference to the senatorial *libertas* of Arulenus Rusticus, Herennius Senecio *et al.*, but their senatorial *libertas* is one component of a composite whole. Thus the broad contrast in 2.2 is between everybody else and the tyranny of Domitian, and in 3.1 everybody else is glossed by *libertas*, while the tyranny of Domitian is replaced by the principate-Republic 'mix' of Nerva and Trajan, to the unprecedented felicity of all.

How does this passage, then, affect any claim that Tacitus 'rejected' the principate/monarchy? 'Rejection' is itself an ambiguous term, but if 'reject' means 'disapprove of', then, on the one hand, this passage might seem to make against the claim that Tacitus 'rejected' the monarchy. On the other hand, strictly interpreted, the passage implies that *only* with Nerva and Trajan did Tacitus accept the principate. When living under earlier emperors or writing about them, he did not accept it, nor, presumably, would he accept it in the future, in the event of bad emperors holding power, as they assuredly would. The passage, then, as it stands, entails three important things: (1) Tacitus' attitude to the principate is bound to be affected to some extent by the character of the particular 'prince' (any sensible person natu-

¹²⁸ Shotter (1978).

¹²⁹ Cf. n.61.

¹³⁰ Cf. n.2.

rally prefers Nerva or Trajan to Domitian); (2) he is concerned with liberty in a strong Republican sense; (3) other things being equal, the best ‘prince’ is the most Republican one. Or rather, the passage entails these three things, if it is ‘sincere’: one must of course make some allowance for the obvious fact that *Agricola* 3.1 reflects the official line under Nerva and Trajan. Moreover, *Ann.* 4.33.1 spells out crisp abandonment of the *μικτή* concept (the more pointedly if *consociata* is read).¹³¹ There are other signs of a hardening attitude, e.g. the rejection of the *obsequium* policy towards bad princes advocated in the *Agricola*.

Passage (b) briskly adduces the utilitarian justification for the principate. It does not mark constitutional acceptance of the principate. Again, there are some signs of a hardening attitude, e.g. Tacitus’ ‘rejection’ in the digression of *Ann.* 4.32-33 of the *Histories*’ ‘pleasure/excitement’ view of historiography in favour of nitty-gritty engagement with the severe political problems posed by effective one-man rule.

Finally, of course, there is the matter of Tacitus’ unfulfilled promises. Despite several protestations, he does not write a separate historical work about Nerva and Trajan. A question is raised: it is unanswerable. Kraus–Woodman make a poised comment: ‘Tacitus’ repeated retreat from his own age in favour of ever more distant material carries the suggestion (which may of course be as false as it is intentional) that the reigns of Nerva and Trajan did not justify in practice one of the very grounds on which the historian had commended them in theory: namely that the reigns contrasted with that of Domitian and offered the opportunity for free speech and thought’.¹³²

Does this paper, then, entail Tacitus’ ‘rejection’ of the principate? The answer, of course, is yes and no. His concern for freedom spawns a whole range of possibilities: from a strong conviction that the monarchy was illegitimate, to contemplation of the disappearance of monarchy in the ebb and flow of historical change, to removal of particularly obnoxious monarchs, to philosophical and heroic defiance of monarchs, to principled practical compromise, to advocacy of the sort of monarch who is hardly a monarch at all, because his behaviour is as Republican as it can be, to a general implicit exhortation to his readers to ‘think libertarian’. All this, of course, with a cool recognition of the practical inadequacies of the late Republic (e.g. *Ann.* 1.2.2). Yes and no, then, but far more ‘yes’ than ‘no’.

¹³¹ Cf. n.2.

¹³² Kraus–Woodman (1997) 92.

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