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# Ancestor Masks and Aristocratic Power in Roman Culture



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## I

## The Significance of *Imagines*

*Maiorum gloria posteris quasi lumen est, neque bona neque mala eorum in occulto patitur.*

(Sall. *Jug.* 85. 23)

WHY investigate Roman ancestor masks (*imagines maiorum*)? Or, to put it in a different way, why is the study of *imagines* of general interest to the student of Roman society and customs? An answer can be found in two ancient texts which reveal the role and significance of *imagines* in widely differing historical contexts. This chapter offers a reading of Sallust's version (*Jug.* 85 = T66) of the speech that Marius delivered as consul in 107 BC, and of the senate's decree condemning Gnaeus Calpurnius Piso in AD 20. Both sources provide explicit and complex evidence about ancestor masks.

While showing a glimpse of the situation on two particularly dramatic occasions, these texts also have wide-reaching implications for everyday practices in politics, oratory, and the law. The two passages were written about 60 years apart, and shed light on both Republic and Principate. The information gleaned about the *imagines* shows two sides of the same coin. Sallust indicates what the *imagines* meant for a *novus consul* at his moment of triumph over the traditional office-holding families: the senate's decree reveals their import for a distinguished *nobilis*, close to the family of the emperor, at his moment of ruin.

Sallust's rendering of Marius' public address as consul in 107 BC has been the subject of extensive scrutiny by those concerned with the historian's style and intentions.<sup>1</sup> From a purely historical point of view it is necessary to start by establishing what Sallust can tell

<sup>1</sup> Especially interesting are Büchner (1953), Earl (1961) 32–3, Syme (1964), and Vretska (1970).

us about the rhetoric of Marius himself, especially his use of ancestors to attack political opponents from office-holding families. Both Sallust and Plutarch allude to a series of speeches made by Marius while he was in Rome at the beginning of his consulship in 107 BC (*Jug.* 84. 1). No fragments of speeches by Marius are recognized or included in the collection of the fragments of Latin oratory.<sup>2</sup> Why, then, should we accept any aspect of Sallust's recreation as historically accurate? The question is especially pertinent in light of the way Sallust is using the speech for his own purposes. It serves as the climax to the attacks on the *nobilitas* which supply the main theme running through his monograph.<sup>3</sup> At the same time, the speech is constructed to offer a character study of Marius that suggests a number of criticisms, notably an unfavourable comparison with Marius' principal rival Q. Caecilius Metellus.

Regardless of what Sallust himself may have thought of Marius, there is evidence that the speech he wrote does contain some echoes of Marius' own ideas and of the tone of popular oratory in the late second century BC. Parallels can be found in Plutarch (*Mar.* 9. 2–3, cf. T60), which raise the question of whether Plutarch used Sallust or an independent source which shared three points of contact with Sallust's version of Marius' speech.<sup>4</sup> For our purposes the most interesting of the three is the reference to the *imagines*, although it has not received much attention from modern scholars.<sup>5</sup>

It is notable that there are no other echoes of Sallust's *Jugurtha* in Plutarch, either in the *Marius* or the *Sulla*. Plutarch's treatment of the war in Africa is brief and very different from Sallust's in content, tone, and structure.<sup>6</sup> Plutarch places Marius' words firmly in the context of the army reforms, while Sallust uses the speech to stress his overall theme of opposition to the office-holding caste. Marius clearly did target the *nobilitas* and this was a factor which

<sup>2</sup> Malcovati (1976).

<sup>3</sup> See esp. Sall. *Jug.* 31 (speech of Memmius) and 40. 1 (Mamilius).

<sup>4</sup> Both authors mention the image of capturing the consulship as spoils from the *nobilitas* (84. 1); the specific attack on Albinus and Bestia (85. 16); and the reference to the display of Marius' wounds or scars being equivalent to *imagines* (85. 29–30).

<sup>5</sup> e.g. Koestermann (1971) ad. loc. who comments on general parallels with Plutarch, notably the mention of Albinus and Bestia, as true reflections of Marius' words but does not note the similar treatment of the *imagines*.

<sup>6</sup> Note e.g. the different treatment of T. Turpilius Silanus, the garrison commander at Vaga, who receives hostile treatment in Sallust (*Jug.* 69. 4, cf. 66. 3 and 67. 3), while he appears as the innocent friend of Metellus framed by Marius in Plutarch (*Mar.* 8. 1–2).

influenced Sallust to write his monograph in the first place.<sup>7</sup> Consequently, arguments about the historian's style or his development of 'opposition to the *nobles*' as a theme can not be used to suggest that Marius' speech is necessarily a literary fiction.

During the imperial period a separate collection of the speeches and letters of Sallust was circulated, probably for use in the schools of rhetoric.<sup>8</sup> However, the date of the collection is not established, and Plutarch shows no knowledge of other speeches from the *Jugurtha*. Moreover, his sources for the Marius included several contemporaries of Marius, who could also have been used by Sallust.<sup>9</sup> Therefore, the most economical solution is to posit that both writers were using a common source which preserved some striking points made by Marius.<sup>10</sup> The bulk of the speech in Sallust is surely the historian's own creation, but it appears to have been built around a core of Marius' own sentiments, or at least thoughts attributed to him by a contemporary source. The *imagines* are integral to what Marius seems originally to have said. Sallust perhaps followed Thucydides in aiming to reproduce speeches which reflected the main gist of a speaker's argument.<sup>11</sup>

Other considerations, quite apart from the evidence of Sallust and Plutarch, also make it plausible that Marius mentioned *imagines* on this occasion. The subject of his ancestors was a traditional one for a new consul to address in his first public meeting after election.<sup>12</sup> It was, therefore, logical for Sallust to insert a set speech here in his narrative. As a *novus* himself, Sallust was in a position to appreci-

<sup>7</sup> See esp. *Jug.* 5. 1: Sallust has chosen his subject because the war was great and bloody but also *define quia tunc primum superbiae nobilitatis obviam itum est* ('precisely because that was the first time opposition was mounted against the arrogance of the office-holding caste').

<sup>8</sup> We have some of the collection preserved as Codex Vaticanus Latinus 3864 (V), cf. McGushin (1992) 6 who dates it to the 2nd cent. AD 'probably'.

<sup>9</sup> For Plutarch's sources, see Scardigli (1979) 74–88 and Titchener (1992). Sources include Sulla's memoirs, Rutilius Rufus' *Res Gestae*, Q. Lutatius Catulus' work on his consulship, Posidonius (especially favoured by Von Fritz (1943) 166 for *Marius* 9) and several anonymous authors, at least one of whom was very favourable to Marius.

<sup>10</sup> A similar view, argued by Passerini (1934) 20–2, has received varying degrees of support, e.g. Carney (1959), Earl (1961) 77, and Syme (1964) 169 n. 37.

<sup>11</sup> For Sallust's use of Thucydides, see Scanlon (1980) esp. 151: 'In the discussion of Sallust's stylistic debt to Thucydides we noted that Sallust's use of speeches resembled Thucydides' in that although both historians seem to be concerned with keeping close to the actual content of the particular speech, they both use speeches to reveal broader, historical issues and characterize the speaker himself.'

<sup>12</sup> See Ch. 5 § 5 for a detailed discussion.

ate the significance of Marius' words in their original context. According to custom, a newly elected consul alluded to previous office-holders in his family, and promised to follow in their footsteps. Clearly, a candidate 'without ancestors' had to think of something else to say. In the highly charged political atmosphere before and after Marius' election, it was natural for the ancestors and their *imagines* to become targets. Indeed, it would have been more surprising if Marius had made no allusion at all to the *imagines*.

Stylistic arguments also suggest that Sallust has not composed the speech entirely himself. As has been noted in other analyses, Marius' tone differs from what is usually found in Sallust, especially in its use of sarcasm and irony.<sup>13</sup> The language contains a number of archaisms best paralleled in the fragments of Cato, a famous earlier *novus homo* whose influence on Marius may have been a factor.<sup>14</sup> Nevertheless, even if the speech were viewed as a free composition by the historian, it would still contribute valuable insights about the importance of the *imagines* in Sallust's own time.

The substance of Marius' oration is a comparison between himself and the *nobles*. Consequently, the structure of the speech is heavily dependent on antitheses, such as deeds/words or toil/self-indulgence. The ancestors are at the heart of the basic contrast in an argument which has two principal features. Firstly, the *nobles* rely on the deeds of their ancestors for election and to excuse their shortcomings in office. The ancestors are, therefore, closely linked with the characteristic arrogance (*superbia*) of Marius' rivals.<sup>15</sup> Secondly, Marius himself is said to be much more like those famous ancestors because of his merits (*virtus*).<sup>16</sup> According to Sallust, Marius is trying to present himself as the true heir of previous great leaders. Sallust and Plutarch both emphasize the impact of Marius' rhetorical strategy.

Ancestors are mentioned nine times in the speech, while the

<sup>13</sup> Carney (1959) reads the speech as a parody of aristocratic *elegia*, such as those from the tomb of the Scipios discussed in Ch. 6. For stylistic analysis, see Syme (1964) 168.

<sup>14</sup> Cf. Skard (1956) 92–100 for a thorough analysis of the parallels with Cato.

<sup>15</sup> For *superbia* in Marius' speech, see 85. 1; 85. 13; 85. 19; 85. 38; 85. 45; 85. 47. *Superbia* is a feature of Sallust's treatment of the *nobles* in the *Jugurtha*, see 5. 1; 30. 3; 31. 2; 31. 12; 41. 3; 64. 1; 64. 5; 82. 3.

<sup>16</sup> For the role of *virtus* in Sallust, see Earl (1961). Marius later dedicated a temple to Honor and Virtus. See Platner and Ashby (1929) ad loc. and especially Hinard (1987) who brings out the political importance of Marius' Virtus in comparison with his colleague Catulus' temple to Fortuna Huiusce Diei.

*imagines* appear five times.<sup>17</sup> This is the densest cluster of references to *imagines* in Latin literature. As the argument develops it is not always easy to separate the ancestors from their *imagines*. In the setting of a public meeting, the *imagines* appear as useful and accessible symbols, evocative of the archaic tone and simple values the speaker is aspiring to. The public and popular context is important in suggesting the political role of the *imagines*. They are used to repeat and vary the main theme of opposition to the ‘inherited’ status of the *nobiles*.<sup>18</sup>

At important moments in the argument the *imagines* support memorable points, which come to a climax in a passage where they appear twice (85. 29–30 = T66b). Marius claims his military decorations and scars are, in fact, ‘his *imagines*’. For a Roman this metaphor is a vivid expression of the concept of a self-made man in public life.<sup>19</sup> Under the circumstances it would not be surprising if such a striking image was remembered and later given pride of place by Sallust in his effort to recreate a picture of Marius as an orator. The character and function of the *imagines* implied by Sallust’s language in the four relevant passages outline the main themes explored in the present study:

1. bellum me gerere cum Iugurtha iussistis, quam rem nobilitas aegerrume tulit. quaeso, reputate cum animis vostris num id mutare melius sit, si quem ex illo globo nobilitatis ad hoc aut aliud tale negotium mittatis, hominem veteris prosapiae ac multarum imaginum et nullius stipendi, scilicet ut in tanta re ignarus omnium trepidet, festinet, sumat aliquem ex populo monitorem offici sui. (85. 10)

You appointed me to wage war against Jugurtha, a thing which the office-holding caste objected to strongly. I ask you, consider in your hearts whether it would be better to change that, by sending out one of that crowd of ‘nobles’ on this or some other similar business, a man with an ancient lineage and many masks but no military experience, so that of course being inexperienced in so great an undertaking he would fear everything and would hurry to take some man of the people as a guide in carrying out his commission.

Early in his oration, Marius is speaking about the choice of a member of an office-holding family to take charge of the war against

<sup>17</sup> Ancestors are *maiores* at 85. 4; 85. 12; 85. 17; 85. 21; 85. 23; 85. 29; 85. 36; 85. 38; and *patres* at 85. 16. *Imagines* appear at: 85. 10; 85. 25; 85. 29–30 (twice); 85. 38 = T66a–c.

<sup>18</sup> Cf. Val. Max. 3. 8. 7 = T100 for surprise at a ‘noble soul’ without *imagines*.

<sup>19</sup> The same idea is also to be found in Plutarch (*Mar.* 9. 2 = T60).

Jugurtha or any other campaign. His allegation that the inexperienced aristocrat often relies on the knowledge of the trained subordinate, who is really doing the work, implies that he has been in such a situation himself, a claim not supported by Sallust’s previous narrative. The *imagines* are represented as outweighing experience or expertise in the promotion of Roman generals. However, Marius is being less than truthful when he asserts that a general from an office-holding family might have no military experience.<sup>20</sup> In this passage archaic language, apparently echoing Cato, is closely associated with the *imagines*.<sup>21</sup>

2. nunc videte quam iniqui sint: quod ex aliena virtute sibi adrogant, id mihi ex mea non concedunt, scilicet quia imagines non habeo et quia mihi nova nobilitas est, quam certe peperisse melius est quam acceptam corrupisse. (85. 25)

Now see how base they are: what they appropriate for themselves from other people’s valour, they do not allow me to acquire from my own merit, obviously because I do not have any masks and because my status as an office-holder is new. But it is better, to be sure, to create one’s own élite status than to destroy such status after having inherited it.

Marius is contrasting his own attitude to that of the *nobiles* who, according to him, are jealous of his position and will not give him credit for his achievements, achievements which emulate those of the great Romans of the past. The term *nova nobilitas* (‘new nobility’) is equated with a state of having no *imagines*. Ancestor masks, therefore, contribute to our understanding of the terms *nobilitas* and *novitas*. They define status and mark boundaries. From Marius’ point of view they create prejudice. They are portrayed as the tools of oligarchic corruption and influence, thus making them symbols of and weapons in strife between different sections of society.

3. non possum fidei causa imagines neque triumphos aut consulatus maiorum meorum ostentare, at, si res postulet, hastas, vexillum, phaleras, alia militaria dona, praeterea cicatrices aduerso corpore. Hae sunt meae imagines, haec nobilitas, non hereditate relicta, ut illa illis, sed quae egomet plurimis laboribus et periculis quaeasivi. (85. 29–30)

<sup>20</sup> Polyb. 6. 19. 4 cites ten military campaigns as a requirement before standing for the quaestorship in the mid-2nd cent. BC; see Wiseman (1971) 143 ff. and Develin (1985) 90. Rosenstein (1990) does not discuss Marius’ speech in any detail in his assessment of the careers of defeated generals.

<sup>21</sup> Koestermann (1971) compares *hominem veteris prosapiae* with Cato fr. 9. 6.

I am not able to inspire confidence by parading the masks or triumphs or consulships of my ancestors, but, if need arises, I can show spears and standards presented for valour, medals, other military decorations, and besides the scars on the front of my body. These are my masks, these my ‘nobility’, not inherited as in their case, but which I myself strove to acquire through many labours and dangers.

The newly elected consul argues against the assertion attributed to his opponents from office-holding families that he should never have been elected and is unsuited to high office. This passage, as much as any, confirms the close connection between the ancestors, especially as represented by their *imagines*, and the rhetoric surrounding the elections, both before and after the actual vote. As a result, the *imagines* are used for publicity. The verb *ostentare* ('parade, put on show') suggests a context of spectacle and display, often with a pejorative sense of ostentation.<sup>22</sup> Ancestor masks are associated most notably with earlier triumphs and consulships. They serve as pledges to win the voters' confidence in future results. The deeds of the ancestors are, it is implied, to be repeated by their descendants. The connection of the *imagines* with *nobilitas* is emphasized by the rhetorical device of anaphora. Perhaps Marius accompanied the reference to his scars with some kind of gesture or display.<sup>23</sup> The *imagines*, although special symbols of rank, can appear at the heart of a message of service which challenges the privileges of the élite.

4. ceterum homines superbissimi procul errant. maiores eorum omnia quae licebat illis reliquere, divitias, imagines, memoriam sui praedaram; virtutem non reliquere, neque poterant: ea sola neque datur dono neque accipitur. (85. 38)

Their ancestors bequeathed to them everything which they could, wealth, masks, their distinguished reputation; they did not leave them valour, nor could they: it alone is neither given nor received as a gift.

Marius has just presented a picture of himself as an old-fashioned Roman general who shares his troops' duties and dangers, unlike the idle aristocrats who live a life of luxury and study Greek rhetoric

<sup>22</sup> For *imagines* associated with the ‘glare of publicity’, see Cic. *Leg. Agr.* 2. 1 = T7; Val. Max. 3. 3. 7 = T97; Sil. 17. 12 = T79.

<sup>23</sup> See Livy 45. 39. 17 for Servilius showing the crowd his scars to defend Aemilius Paullus' claim to a triumph in 167 BC.

in order to disguise their true merit and actions.<sup>24</sup> As a part of this contrast of lifestyles, he discussed what ancestors can bequeath to their descendants. Masks of previous office-holders are an essential part of an inheritance. They secure a family's continuity and represent a link between generations. Although a tricolon is used here, the *imagines* cannot be entirely separated from the concept of *memoria* which follows immediately after. The concrete objects of an inheritance are described as money and the *imagines*, which embody reputation. A family's position depends on these two elements. At the same time, the *imagines* are connected with money and with certain aspirations. Even in this context, some idea can be gleaned of the pressure on family members from expectations symbolized by *imagines*.

The impression created by Sallust is that Marius wants to enlist the ancestors for his own purposes. They appear as more than just the advertising tools of a few families, for they exert an independent influence. In other words, the prestige of earlier leaders, which was especially represented to the people by their masks, is a force in Roman politics which Sallust's Marius chooses not to ignore or simply to belittle. However dismissive he is of contemporary political opponents he must take account of their ancestors, to the extent that their deeds live on in the imagination of his audience. It is tempting to suppose that Marius is also thinking of his own future *imago* and reputation, since he is no longer an outsider but a member of the ‘nobility of office’.<sup>25</sup> In other words, the *imagines* allow him to visualize for himself and to dramatize for his audience a direct comparison between himself and the ancestors of his aristocratic rivals.

In contrast, the senate's decree of 10 December AD 20 posthumously condemning Cn. Calpurnius Piso on a charge of treason (*maiestas*) is utterly different in style and intent.<sup>26</sup> This recently discovered document from Spain stands out among Latin inscriptions

<sup>24</sup> The artful structure and powerful imagery of Marius' own words belie his image as an uneducated rustic. Cf. *Jug.* 44–5 where Metellus, Marius' aristocratic opponent, is praised by Sallust for restoring morale and discipline to the Roman army in Africa by old-fashioned methods and personal supervision. Sallust brings out the slanderous elements in Marius' speech.

<sup>25</sup> For Marius' own *imago*, see Vell. Pat. 2. 27. 5 = T105. For the ideology of *novitas*, see Wiseman (1971) 107–16.

<sup>26</sup> For this new inscription see now Caballos, Eck, and Fernández (1991), *Das Senatus Consultum de Cn. Pisone Patre* (forthcoming), and Eck (1993).

for its length, the excellent condition of its text, and the number of copies that have survived.<sup>27</sup> The *senatus consultum* offers a wealth of insights into general conditions under the Empire and the character of Tiberius' reign. It is unique in providing precise legal information about the *imagines*, particularly in a case of *damnatio memoriae* (the condemnation of a man's memory).

A long rubric recommending the removal of Piso's *imago* demonstrates the importance of this posthumous image for a *nobilis* in the first century AD:

73 . . . itaq(ue) is poenis, quas a semet ipso exegisset, adipisci: ne quis luctus mortis eius causa a feminis eis, quibus more maiorum, si hoc s(enatus) c(onsultum) factum

75 non esset, lugendus esset, susciperetur; utiq(ue) statuae et imagines Cn. Pisonis patris, quae ubiq(ue) positae essent, tollerentur; recte et ordine facturos qui qu-andoq(ue) familiae Calpurniae essent, quive eam familiam cognatione adfinitateue contingerent, si dedissent operam, si quis eius gentis aut quis eo-rum, qui cognatus adfinisue Calpurniae familiae fuisset, mortuos esset, lugen-

80 dus esset, ne inter reliquias imagines, (quibus) exequias eorum funerum celebrare solent, imago Cn. Pisonis patris duceretur, neve imaginibus familiae Calpurniae i-mago eius interponeretur; . . .

. . . accordingly to those penalties which he had imposed on himself, the senate adds (the following):

- that no mourning for his death should be undertaken by those women who would be obliged by ancestral custom to mourn, if this decree of the senate had not been passed.
- that the statues and busts of Gnaeus Piso, the father, wherever they have been put up, be removed.
- that it would be right and proper for those who at any time would be members of the family of the Calpurnii, or anyone related to that family either by birth or by marriage, if anyone of that family or anyone related either by birth or marriage to the family of the Calpurnii has died and is to be mourned, to see to it that the mask of Gnaeus Piso the father should not

<sup>27</sup> See Eck (1993) for a discussion of where the copies were found and why so many came to light in the region of Seville in the Roman province of Baetica.

be part of the procession amongst the other masks, with which the rites of their funerals are accustomed to be celebrated, and that his mask should not be set up amongst the masks of the Calpurnian family.

The *imagines* are mentioned in a section detailing penalties the senate is imposing on Piso after he had committed suicide. The senate's ruling raises the question of what punishments were usual in a case of *maiestas*. To put it differently, what was Piso trying to avoid when he committed suicide? The penalties prescribed by the *lex maiestatis*, especially Caesar's *lex Julia de maestate* which was probably still in force at this period, have been the subject of much debate amongst scholars.<sup>28</sup> The senate's decree shows that we are not necessarily dealing with statutory punishments but with *poena* which depend on the *pietas* and *severitas* of the judges, i.e. the senators and the *princeps* (lines 71–3). The law itself seems to have enjoined banishment (*aqua et ignis interdictio*).<sup>29</sup> The new decree arranged for that penalty to be imposed on Piso's subordinates, Visellius Karus and Sempronius Bassus, by the appropriate authorities (lines 121–2).<sup>30</sup> Other cases from the reign of Tiberius suggest that banishment to a named place, often an island, was a customary penalty.<sup>31</sup> Death could also be imposed by the *princeps* or the senate in especially serious cases.<sup>32</sup>

From Piso's point of view suicide was clearly preferable to execution. At the same time, both banishment and execution carried

<sup>28</sup> For Caesar's law in its original context, see Yavetz (1979) 81–7.

<sup>29</sup> This had been suggested by Cic. *Phil.* 1. 23: *quid, quod obrogatur legibus Caesaris, quae iubent ei qui de vi itemque ei qui maiestatis damnatus sit aqua et igni interdici?* ('What of the alteration of Caesar's laws, which enjoin banishment for anyone convicted of violence and likewise of treason?') Cf. Tac. *Ann.* 3. 38. 2 (Antistius Vetus) and 3. 50. 4 (Clitorius Priscus). See e.g. Chilton (1955) for the standard view and Allison and Cloud (1962) who discuss the emperor and senate's power to impose a harsher penalty in severe cases. *Contra Levick* (1976) and (1979) who believes death was the standard penalty.

<sup>30</sup> 1. 120: *Visellio Karo et Sempronio Basso, comitibus Cn. Pisonis patris et omnium maleficiorum sociis et ministris, aqua et igne interdici oportere ab eo pr(aetore) qui lege{m} maiestatis quaereret, bonaq(ue) eorum ab pr(aetoribus), qui aerario praeesse(n)t, venire et in aerarium redigi placere* ('Visellius Karus and Sempronius Bassus, associates of Gnaeus Piso the father and his allies and accomplices in all his crimes, should be banished by the praetor in charge of the law of treason, and it pleases (the senate) that their property should be sold and the proceeds be deposited in the public treasury by the praetor in charge of the public treasury.')

<sup>31</sup> e.g. Tac. *Ann.* 3. 38. 2 and 3. 68. 2.

<sup>32</sup> This is implied for Libo Drusus (Tac. *Ann.* 2. 31. 2) and Cremutius Cordus (RE 2, Sen. *Cons. ad Marc.* 22. 6), but actually happened in the case of Clitorius Priscus (Tac. *Ann.* 3. 51).

with them as additional burdens confiscation of property and loss of civic rights, such as the right to make a will.<sup>33</sup> A condemned man might also expect to be deprived of a proper burial. All or at least some of these additional penalties, which affected the status of a man after death and his ability to bequeath his social position to his heirs, might be avoided in a case of suicide.<sup>34</sup> At a later date property was not saved by suicide in cases of *perduellio*.<sup>35</sup> However, the evidence for such treason trials is much later, nor is it at all clear whether Piso was subject to a charge of *perduellio*. By the end of the Republic egregious cases of high treason, such as those of Brutus and Cassius, attracted punishments which were aimed at preventing a man from being remembered, especially in ways customary amongst Roman aristocrats.<sup>36</sup> Such punishments, in their various forms, are collectively known as *damnatio memoriae*.

The example of Scribonius Libo Drusus, who was condemned for *majestas* after suicide in AD 16, is both the closest in time and the most relevant to Piso's (Tac. Ann. 2. 27–32).<sup>37</sup> Libo suffered confiscation of property, his *imago* was banned from family funerals, his name was no longer to be used by the family, and public thanksgiving was decreed for the anniversary of his death.<sup>38</sup> His case suggests that dishonour and loss of property were the two main considerations for Piso's suicide; in other words, the two aspects of an inheritance mentioned by Marius (Sall. Jug. 85. 38 = T66c).

<sup>33</sup> For loss of property, see Tac. Ann. 2. 32. 1 and 3. 50. 6. Dio 57. 22. 5 credits Tiberius with extending the law to cover wills; cf. Digest 28. 1. 8.

<sup>34</sup> Tac. Ann. 6. 29. 1 on the subject of the suicide of Pomponius Labeo, governor of Moesia, and his wife Paxaea in AD 34: *Nam promptas eius modi mortes metus carnificis faciebat, et quia damnati publicatis bonis sepultura prohibebantur, eorum qui de se statuebant humabantur corpora, manebat testamenta, pretium festinandi* ('For fear of the executioner made these modes of death a popular option, and because convicted criminals suffered confiscation of property and were refused burial. Those who decided their fate themselves had their bodies buried while their wills remained valid, the reward for their haste'). Cf. Dio 58. 15. 4 who explicitly states that under Tiberius it was rare for suicides to lose their property.

<sup>35</sup> Digest 48. 4. 11, which defines a *perduellionis reus* as *hostili animo adversus rem publicam vel principem animatus* ('motivated by hostile intent towards the state or the emperor').

<sup>36</sup> See Tac. Ann. 3. 76 = T89 for the absence of their *imagines* at Junia's funeral in AD 22.

<sup>37</sup> They were, in fact, related. See the family tree in Boschung (1986). The Calpurnii Pisones of the empire and their *imagines* are further discussed in Ch. 9.

<sup>38</sup> Cf. also the *Fasti Amiterni* for 13 September, the day of his suicide. Lahusen (1983) 127 is mistaken in stating that the *imagines* of Libo's ancestors were banned from family funerals.

The punishments imposed on Piso by the senate fall into six categories, which reflect matters of law and of custom. The other *poena* provide the context for the removal of his *imago*.

1. No women were allowed to mourn his death (lines 73–5).
2. Both public and private portraits of him were ordered destroyed (lines 75–6).<sup>39</sup>
3. The senate enjoined that the family of the Calpurnii not display Piso's *imago*, either at a family funeral or with the other *imagines* in the *atrium* (lines 76–82).<sup>40</sup>
4. Piso's name was to be removed from the inscription on the statue of Germanicus set up by the *sodales Augustales* on the Campus Martius, near the altar of Providentia (lines 82–4).
5. Piso's property was confiscated although most of it was then granted to his children and other descendants on condition that his oldest son Gnaeus change his name (lines 84–105).
6. Additions to Piso's house connecting it with the *porta Fontinalis* were ordered to be demolished (lines 105–8).<sup>41</sup>

The text we have stresses the dishonour done to Piso's memory. In light of popular unrest in Rome and the mourning for Germanicus in many places abroad it was essential for Tiberius and the senate to be seen to have imposed a severe penalty on Piso.<sup>42</sup> The posting of this decree summarizing the actions taken by the senate and *princeps* was designed to fulfil that very purpose, both in the provinces and by the standards in the winter quarters of the legions.<sup>43</sup> Despite the return of most of Piso's property to his heirs, the punishments are still described as being greater than death

<sup>39</sup> Cf. the case of Silius' portrait which counted against his son, when it was discovered in his house (Tac. Ann. 11. 35. 1). The crowds in Rome had apparently already tried to destroy Piso's statues during the trial, expressing their expectation of his impending conviction (Tac. Ann. 3. 14. 6).

<sup>40</sup> This can be paralleled in the treatment of Libo Drusus (Tac. Ann. 2. 32. 1).

<sup>41</sup> For the splendour of Piso's house and its decoration on his return from the East, see Tac. Ann. 3. 9. 3: *fuit inter inritamenta invidiae domus foro imminens festa ornata conviviumque et epulae; et celebritate loci nihil occultum* ('Among the causes of his unpopularity were his house, decorated as for a feast, which overlooked the Forum and his dinner-parties and banquets. Also nothing was hidden because of the crowded nature of the place'). On the destruction of the house as a traditional penalty for treason, see Cic. Dom. 101.

<sup>42</sup> On the mourning for Germanicus, see Versnel (1980) and Eck (1993).

<sup>43</sup> Instructions for posting can be found in ll. 169–72.

alone (line 71).<sup>44</sup> The text reveals the importance attached to preserving or destroying the memory of a Roman from the office-holding caste. Later, in the *lex portorii provinciae Asiae* of AD 62, Piso's name was changed from Gnaeus to Lucius, as was his oldest son's, with the result that the father disappeared from the record of magistrates without even leaving the gap created by an erasure.<sup>45</sup>

Are the penalties in the *senatus consultum* listed in order? The most obvious pattern appears to be according to the chronology of events after a man's death. For this reason mourning by women, which would include both family members and hired professionals, is mentioned first. The mourning of women in the family was a basic element of Roman funeral ritual.<sup>46</sup> After Augustus' death men were required to mourn for a few days only but women for a whole year, as if for the death of a father or husband.<sup>47</sup> Such prolonged mourning reflected the position of Augustus as *pater patriae* and confirmed the importance attached to traditional observances, especially when carried out by women.

At times of public rejoicing, such as the secular games of 17 BC, the state tried to put limits on private mourning.<sup>48</sup> At a later date mourning was generally forbidden for traitors and for those who killed themselves through a sense of guilt.<sup>49</sup> In AD 32 the mother of

<sup>44</sup> I. 71: *quas ob res arbitrari senatum non optulisse eum se de'bitae poenae, sed maiori et quam inimicis re sibi ab pietate et severitate iudicantium intellegebant, subtraxisse* ('Wherefore, it is the opinion of the senate that he did not subject himself to the punishment he deserved, but has spared himself a greater one which he realized was hanging over him because of the sense of duty and the severity of his judges').

<sup>45</sup> The son held the consulship in AD 26. Piso's grandson Lucius, consul in AD 57, was on a commission to publish the *lex portorii provinciae Asiae* in AD 62. Piso's name is recorded in this law as Lucius, on the occasion of his joint consulship with the future emperor Tiberius in 7 BC. This law raises the question of what happened in cases of *damnatio memoriae* when a man, who had been a consular colleague of an emperor, had a son and grandson who were also consuls. Their filiation needed to be represented in some way in inscriptions. See Eck (1990) especially 143–4 who suggests Piso's name had been changed earlier, although in (1993) n. 42 he attributes the change to the grandson on the commission.

<sup>46</sup> See Price (1987) 62.

<sup>47</sup> Dio 56. 43. 1 alludes to this edict. Cf. Dionysius of Halicarnassus 5. 48. 4; Ov. Fast. I. 35–6; FIRA 2. 535–6. See Arce (1988b) 19 for similar year-long mourning for Sulla and 54–7 for mourning as part of imperial funerals.

<sup>48</sup> CIL 6. 32323 lines 110–14 = Pighi (1965) 115. Cf. Livy 22. 54–5 for public limitation on mourning after the great Roman losses at the battle of Cannae in 216 BC so that the festivals of the gods could be celebrated as usual.

<sup>49</sup> Digest 3. 2. 11. 3: *non solent autem lugeri, ut Neratius ait, hostes vel perduellionis damnati nec suspendiosi nec qui manus sibi intulerunt non taedio vitae, sed mala conscientia* ('As Neratius says, it is not the custom to mourn enemies or those convicted

Fufius Geminus (cos. AD 29) was condemned to death for mourning her son who had been executed, probably after he had been convicted of *maiestas*.<sup>50</sup> A ban on mourning deprived the dead man of proper acknowledgement, especially as a member of his own family. By the early imperial period it may be interpreted as a standard penalty in cases of treason. In this instance, the contrast between widespread mourning for Germanicus and no mourning for Piso was marked. Piso had apparently not been officially charged with the murder of Germanicus, as the senate's decree implies. However, his attitude of open rejoicing at the latter's death, which denied his immediate superior the customary gestures of respect and mourning, weighed heavily against him with the senators.<sup>51</sup> The official message was clear: Piso had not mourned Germanicus when the rest of the Roman world had, now no one would mourn Piso.

Since Piso was clearly subject to other penalties associated with high treason, why was he not also debarred from receiving proper burial? The most obvious answer to this question is that he had already been buried. Such a circumstance would explain why the appearance of his *imago* at his own funeral is not mentioned as an issue, although specific recommendations are made about the funerals of other members of his family. Under the circumstances, it is hard to imagine that he had the customary public funeral ceremonies or a eulogy in the Forum. The family probably arranged for immediate and quiet burial after his suicide to avoid the disgrace of being forced to leave his body unburied.

The *imagines* appear at the centre of the penalties designed to dis honour the memory of Piso. This illustrates their role in creating a picture of the man both for his own family and for posterity in general.<sup>52</sup> The wording adopted by the senate and approved by Tiberius reveals the legal and social position of *imagines* in AD 20. Piso's *imago* seems already to have existed since its manufacture is not mentioned amongst the allusions to mourning or inheritance, the matters which concerned the family immediately after a death. The public appearance of the *imagines* is divided into two spheres by the of treason or those who hanged themselves or those who took their own lives not because they were tired of life but as a result of a bad conscience').

<sup>50</sup> Tac. Ann. 6. 10. 1, Cf. Dio 58. 4. 5 ff.

<sup>51</sup> See esp. I. 28, where Piso's responsibility for Germanicus' death is presented as no more than an allegation, but one made by Germanicus himself.

<sup>52</sup> For the proud displays of *imagines* associated with the Calpurnii Pisones, See Cic. Pis. I = T13, Laus Pisonis = T36, Martial 4. 40. 1–4, Plin. Ep. 5. 17. 6 = T57.

senate: the funeral and the home. The chapters which follow set out to examine the role of the *imagines* in these two contexts and in the order of importance adopted in the decree.

The *imago* of Piso is subject to a strongly worded injunction by the senate and emperor, that it should not be publicly displayed either at family funerals or in the houses of relatives. The senate's wording demonstrates that any relative, whether by blood or by marriage, was entitled to display a man's *imago* at his or her funeral. The wider family of the Calpurnii is mentioned by name only in the section about the *imago*. The branch of the Pisones is, therefore, singled out for punishment, while the family in general including its other branches are addressed separately and in a respectful tone.<sup>53</sup>

For a man like Piso his *imago* was, therefore, a vital element in maintaining his position within the family of the Calpurnii. As a member of that family he hoped to contribute to its position and reputation after his death. His *imago* would play a part both on solemn and everyday occasions. Setting up his *imago* in the family *atrium* after his death can be seen as equivalent to other rituals which were banned by the senate, such as mourning. The attention his *imago* might command in public can be likened to the effect of his public statues and the very appearance of his house itself, both also targets of the senate. Therefore, the senators felt the need to order the family to remove Piso's *imago* even within their personal sphere of control.<sup>54</sup> The meticulous and detailed wording of the senate's decree challenges us to take seriously ancestor masks whose privileged position reflects a long history of influence during the Republic.

A careful reading of the senate's decree reveals a feature of Roman political culture, namely its emphasis on overt praise and blame. As noted above, Piso's humbler accomplices were banished and had their goods confiscated, but Piso's own family emerges with its property and social position virtually intact.<sup>55</sup> Moreover, leniency is possible despite the fact that Piso's wife Plancina and his

<sup>53</sup> Other branches included notably the Bestiae, Bibuli, and Frugi.

<sup>54</sup> See Cic. *Fam.* 9. 21 for an example of choosing to exclude the *imagines* of certain relatives who were considered unsuitable.

<sup>55</sup> See Tac. *Ann.* 3. 76 = T89 for Junia, the sister of Brutus and wife of Cassius, who died wealthy although she could not display her brother's and husband's *imagines* at her funeral.

younger son Marcus were heavily implicated in his actions.<sup>56</sup> The favour of the emperor, and especially of his mother Livia, is evident.<sup>57</sup> Yet equally striking is the whole tenor of the text which makes it plain that Piso has suffered a terrible punishment for treason and that his example is being held up as a lesson for all the Roman world. This punishment consists of the destruction of his name and memory as preserved by his portraits, his *imago*, and the records of his offices. Such dishonour is described as being worse than the death penalty. Confirmation of these values comes from Marius' speech which ascribes overwhelming influence to the *imagines* and the memory of past achievements they evoked. The very fact that *imagines* were so central to Roman political culture serves to characterize that culture as based on honour and the public recognition of accepted virtues and behaviour patterns.<sup>58</sup>

<sup>56</sup> See ll. 7–10, 100–4 and 109–20.

<sup>57</sup> See ll. 114–20.

<sup>58</sup> For a discussion of Rome as a 'shame culture', see the preface.

T60 Plutarch, Marius 9. 2

107 BC (early 2nd cent. AD)

Οὐ μὴν ταῦτα γε μάλιστα διέβαλλε τὸν Μάριον, ἀλλ' οἱ λόγοι θρασεῖς ὅντες ὑπεροφίᾳ καὶ σύβρει τοὺς πρώτους ἐλύπουν, σκύλον τε βοῶντος αὐτοῦ τὴν ὑπατείαν φέρεσθαι τῆς τῶν εὐγενῶν καὶ πλουσίων μαλακίας, καὶ τραύμασιν οἰκείους πρὸς τὸν δῆμον, οὐ μηδίασι νεκρῶν οὐδὲ ἀλλοτρίαις εἰκόσι νεανιεύεσθαι.

But actually it was not these things which gave Marius an especially bad name, but his bold speeches full of contempt and insult harrassed the élite, as he claimed loudly that he had carried off the consulship as spoils of the cowardice of the 'noble' families and the wealthy, and that he made a show of his own wounds to the people, not of memorials of the dead or of masks belonging to other people.

Cf. Sall. T66a-c and Ch. I and 5 § 5.

T61 Polybius 6. 53-4

(c. 150 BC)

(53.1) Ὄταν γὰρ μεταλλάξῃ τις παρ' αὐτοῖς τῶν ἐπιφανῶν ἄνδρῶν, συντελουμένης τῆς ἐκφορᾶς κομίζεται μετὰ τοῦ λοιποῦ κόσμου πρὸς τοὺς καλουμένους ἐμβόλους εἰς τὴν ἀγορὰν ποτὲ μὲν ἔστως ἐναργῆς, σπανίως δὲ κατακεκλιμένος. (2) πέριξ δὲ παντὸς τοῦ δήμου στάντος, ἀναβὰς ἐπὶ τοὺς ἐμβόλους, ἂν μὲν νιὸς ἐν ἡλικίᾳ καταλείπηται καὶ τύχη παρών, οὗτος, εἰ δὲ μή, τῶν ἄλλων εἰ τις ἀπὸ γένους ὑπάρχει, λέγει περὶ τοῦ τετελευτηκότος τὰς ἀρέτας καὶ τὰς ἐπιτετευγμένας ἐν τῷ ζῆν πράξεις. (3) δι' ὧν συμβαίνει τοὺς πολλοὺς ἀναμιμησκομένους καὶ λαμβάνοντας ὑπὸ τὴν ὄψιν τὰ γεγονότα, μὴ μόνον τοὺς κεκουνωνήκοτας τῶν ἔργων, ἀλλὰ καὶ τοὺς ἕκτός, ἐπὶ τοσούτον γίνεσθαι συμπαθεῖς ὥστε μὴ τῶν κηρευόντων ἴδιον, ἀλλὰ κοινὸν τοῦ δήμου φαίνεσθαι τὸ σύμπτωμα. (4) μετὰ δὲ ταῦτα θάψαντες καὶ ποιήσαντες τὰ νομιζόμενα τιθέασι τὴν εἰκόνα τοῦ μεταλλάξαντος εἰς τὸν ἐπιφανέστατον τόπον τῆς οἰκίας, ξύλινα ναῦδια περιτιθέντες. (5) ή δ' εἰκών ἐστι πρόσωπον εἰς ὁμοιότητα διαφερόντως ἐξειργασμένον καὶ κατὰ τὴν πλάσιν καὶ κατὰ τὴν ὑπογραφήν. (6) ταύτας δὴ τὰς εἰκόνας ἐν τε ταῖς δημοτελέσι θυσίαις ἀνοίγοντες κοσμοῦσι φιλοτίμως, ἐπάν τε τῶν οἰκείων μεταλλάξῃ τις ἐπιφανής, ἄγουσιν εἰς τὴν ἐκφοράν, περιτιθέντες ὡς ὁμοιοτάτοις εἶναι δοκοῦσι κατὰ τε τὸ μέγεθος καὶ τὴν ἄλλην περικοπήν. (7) οὗτοι δὲ προσαναλαμβάνουσιν ἐσθῆτας, ἐὰν μὲν ὑπατος ἡ στρατηγὸς ἢ γεγονώς, περιπορφύρους, ἐὰν δὲ τιμητὴς, πορφυρᾶς, ἐὰν δὲ καὶ τεθριαμβευκῶς ἡ τι τοιούτον κατειργασμένος, διαχρύσους. (8) αὐτοὶ μὲν οὖν ἐφ' ἀρμάτων οὗτοι πορεύονται, ράβδοι δὲ καὶ πελέκεις καὶ τάλλα τὰ ταῖς ἀρχαῖς εἰωθότα συμπαρακεῖσθαι προηγεῖται κατὰ τὴν ἀξίαν ἐκάστῳ τῆς γεγενημένης κατὰ τὸν βίον ἐν τῇ πολιτείᾳ προαγωγῆς. (9) ὅταν δ' ἐπὶ τοὺς ἐμβόλους ἔλθωσι, καθέζονται πάντες ἔξῆς ἐπὶ δίφρων ἐλεφαντίνων. οὐ κάλλιον οὐκ εὑμαρές ἰδεῖν θέαμα νέω φιλοδόξω καὶ φιλαγάθω. (10) τὸ γὰρ τὰς τῶν ἐπ' ἀρετῇ δεδοξασμένων ἀνδρῶν εἰκόνας ἰδεῖν ὅμοι πάσας οἰονεὶ ζώσας καὶ πεπυμένας τίν' οὐκ ἄν παραστήσαι; τί δ' ἄν

κάλλιον θέαμα τούτου φανεῖ; (54.1) πλὴν ὃ γε λέγων ὑπὲρ τοῦ θάπτεσθαι μέλλοντος, ἐπὰν διέλθῃ τὸν περὶ τούτου λόγον, ἄρχεται τῶν ἄλλων ἀπὸ τοῦ προγενεστάτου τῶν παρόντων, καὶ λέγει τὰς ἐπιτυχίας ἐκάστου καὶ τὰς πράξεις. (2) ἐξ ὧν καινοποιουμένης ἀεὶ τῶν ἀγαθῶν ἀνδρῶν τῆς ἐπ' ἀρετῇ φήμης ἀθανατίζεται μὲν ἡ τῶν καλόν τι διαπραξαμένων εὐκλεία, γνώριμος δὲ τοῖς πολλοῖς καὶ παραδόσιμος τοῖς ἐπιγνωμένοις ἡ τῶν εὐεργετησάντων τὴν πατρίδα γίγνεται δόξα. (3) τὸ δὲ μέγιστον, οἱ νέοι παρορμῶνται πρὸς τὸ πάντα ὑπομένειν ὑπὲρ τῶν κοινῶν πραγμάτων χάριν τοῦ τυχεῖν τῆς συνακολούθουσης τοῖς ἀγαθοῖς τῶν ἀνδρῶν εὐκλείας. (4) πίστιν δ' ἔχει τὸ λεγόμενον ἐκ τούτων. πολλοὶ μὲν γάρ ἐμονομάχησαν ἐκουσίως Ρωμαίων ὑπὲρ τῆς τῶν ὅλων κρίσεως, οὐκ δλίγοι δὲ προδήλους εἴλοντο θανάτους, τινὲς μὲν ἐν πολέμῳ τῆς τῶν ἄλλων ἔνεκεν σωτηρίας, τινὲς δ' ἐν εἰρήνῃ χάριν τῆς τῶν κοινῶν πραγμάτων ἀσφαλείας. (5) καὶ μὴν ἀρχὰς ἔχοντες ἔνιοι τοὺς ἰδίους νίοις παρὰ πάντα ἔθος ἡ νόμοι ἀπέκτειναν, περὶ πλείονος ποιούμενοι τὸ τῆς πατρίδος συμφέρον τῆς κατὰ φύσιν οἰκειότητος πρὸς τοὺς ἀναγκαιοτάτους.

For whenever one of the leading men amongst them dies, when the funeral has been arranged the body is brought with the rest of the adornment to the place called the ship's prows (*rostra*) in the Forum where it is usually propped up for all to see, but rarely it is laid out. (2) If a grown-up son is left behind and happens to be present, he mounts the *rostra* with all the people standing around. But if not, then another family member who is available delivers a speech about the virtues of the dead man and his achievements during his lifetime. (3) As a result of this the people remember what happened and picture it before their eyes, not only those who shared in the deeds, but also those who did not. Both share the same feelings to such an extent that the misfortune does not appear as the private concern of the family, but as a public matter for the people. (4) After that they bury the body and perform the customary rites. Then they place a likeness of the dead man in the most public part of the house, keeping it in a small wooden shrine. (5) The likeness is a mask especially made for a close resemblance both as regards the shape of the face and its colouring. (6) They open these masks during public sacrifices and compete in decorating them. And whenever a leading member of the family dies, they introduce them into the funeral procession, putting them on men who seem most like them in height and as regards the rest of their general appearance. (7) These men assume their costume in addition, if the person was a consul or praetor, a toga with a purple border, if a censor, the all-purple toga, but if someone had celebrated a triumph or done something like that, a gold embroidered toga. (8) These men now ride on wagons, and the rods and axes and the other customary equipment of those in power accompanies them according to the dignity befitting the rank and station achieved by

each man in politics during his lifetime. (9) And when they reach the *rostra*, they all sit in order on ivory stools. It is not easy for an ambitious and high minded young man to see a finer spectacle than this. (10) For who would not be won over at the sight of all the masks together of those men who had been extolled for virtue as if they were alive and breathing? What spectacle could appear nobler than this? (54.1) None except the man who is speaking over the one who is about to be buried, who, when he has finished the eulogy about him, begins praising the others present starting with the oldest one, and recounts the successes and deeds of each. (2) As a consequence of this, since the reputation for virtue of good men is always being made new, the renown of those who did some noble deed is immortal and the glory of those who rendered service to their country becomes well-known to the many and an inheritance for those who come after. (3) But the greatest result is that the young men are encouraged to undergo anything for the sake of the common cause in the hope of gaining the good reputation which follows upon the brave deeds of men. (4) This is verified by the following considerations. For many Romans have willingly entered single combat for the sake of deciding a whole battle. A number have also chosen certain death, some in war to further the safety of the others, and some in peace for the sake of the security of the state. (5) And indeed a few, as magistrates, have put their own sons to death against all custom and practice, because they preferred the good of their country to their natural feelings of closeness with their nearest relatives.

Cf. T11 and 19.

T62 Propertius 1. 5. 23-4

(before 28 BC?)

nec tibi nobilitas poterit succurrere amanti:  
nescit Amor priscis cedere imaginibus.

And your family's standing as office-holders will not be able to help you as a lover: the god of love does not know how to defer to antique masks.

T63 Propertius 2. 13b. 1-8

(before 2 BC)

Quandocumque igitur nostros mors claudet ocellos,  
accipe quae serves funeris acta mei.  
nec mea tunc longa spatietur imagine pompa,  
nec tuba sit fati vana querela mei;  
nec mihi tunc fulcro sternatur lectus eburno,  
nec sit in Attalico mors mea nixa toro.  
desit odoriferis ordo mihi lancibus, adsint  
plebei parvae funeris exsequiae. 5

Therefore, whenever death shall close my eyes, receive the instructions which you should observe concerning my funeral. Then let my funeral procession not wind its way with many masks, nor let there be a trumpet, a