

## Cassius Dio and the Principate

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Jesper Majbom Madsen, Antonio Pistellato

# Cassius Dio's Ideal Government and the Imperial Senate

Mads Lindholmer

University of St. Andrews, UK

**Abstract** This chapter argues that Dio envisioned a surprisingly minimalist role for the Senate in his ideal government: magistrates and advisors were drawn from the senators, but the emperor should hold absolute power and the Senate should not constitute an important forum of genuine deliberation or advice. Instead, in Dio's ideal government, the *consilium* was the key forum of debate informing imperial policy. Dio's ideal government, and the place of the Senate therein, is distinctive as it broke with a long tradition of senatorial writing which idealised a system of government where the Senate played a central role. This nuances the widespread view of Dio as a 'senatorial historian'.

**Keywords** Cassius Dio. Augustus. Senate. Ideal Government. Consilium.

**Summary** 1 Introduction. – 2 Maecenas' Speech. – 3 The Imperial Senate. – 4 Conclusion.




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## 1 Introduction

The study of Cassius Dio has undergone a transformation in recent years as the historian is no longer seen as a simple copyist but rather as a complex writer with sophisticated interpretations of Rome's political history.<sup>1</sup> In this transformation, Dio's ideal government has received ample attention and it has been shown that Dio viewed the Roman Republic as a fundamentally unworkable form of government and monarchy as the only viable solution.<sup>2</sup> Some studies have focused on the imperial Senate in Dio, but more work remains to be done on the exact role of this institution in Dio's ideal government and its preferable relationship with good emperors: Dio naturally wanted the senators to occupy senior magistracies but it is often argued that Dio also viewed the Senate as the key forum of debate and advice which should inform the emperor's decisions.<sup>3</sup> It has even been suggested that, in Dio's view, the emperor and Senate should share power and the rule of Rome.<sup>4</sup> This supposedly prominent role for the Senate in Dio's ideal government is part of a widespread conception of Dio as a "senatorial historian".<sup>5</sup> However, there is a fundamental difference between viewing the Senate as a passive pool of administrative experts, a forum of debate or advice, and an actual governmental partner meant to share responsibilities or even power with the emperor. Attaining a more precise understanding of Dio's view of the Senate would illuminate Dio's ideal government further, as well as the effects of the Severan Age on the elite's perception of this institution.

In this chapter, I will therefore examine the Senate's role in Dio's ideal imperial government. Maecenas underlines that the senators should be given important magistracies and that the emperor should show respect to the Senate, by for example enacting laws through

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**1** Older research: see especially Schwartz 1899; Millar 1964. Newer research: see especially Kemezis 2014; Fromentin et al. 2016; Lange, Madsen 2016; Burden-Strevens, Lindholmer 2019; 2020. See also Fechner 1986; Hose 1994; Kuhn-Chen 2002.

**2** As argued e.g. in Coudry 2016; Madsen 2016; Lindholmer 2018a; 2018b; 2019c; Burden-Strevens 2020; Madsen 2020.

**3** Coltelloni-Trannoy 2016 gives a good overview of the imperial Senate's different responsibilities on the basis of Dio, but she does not explore the Senate's role in Dio's ideal government. On the other hand, Madsen 2016; 2019, 115-20; 2020, 25-56, 87-92 argues that "good government was in Dio's eyes a form of rule where the emperor was keen to allow the Senate a role by asking them for advice" (2020, 51) and aimed "to include the Senate in the decision-making process" (2020, 88).

**4** Reinhold, Swan 1990, 166 claims that "Dio found in Augustus an exemplar who adhered to the principle of shared power between princeps and senate, as respected partners in governance". Likewise, Platon 2016, 675 argues that Dio's governmental ideal included an "exercice collegial des responsabilités politiques" by emperor and Senate.

**5** See the works mentioned in the two preceding footnotes as well as e.g. Gleason 2010, 11; Mallan 2016, 272.

this institution. However, he also underlines that the emperor should hold undivided power and should determine imperial policy in consultation with a small group of advisors, rather than the Senate.<sup>6</sup> Augustus follows Maecenas' advice: as this chapter will show, he relies on advisors rather than the Senate and only pretends to consult the senators as a whole when this facilitates the implementation of his own measures. Tiberius likewise deliberates with handpicked advisors rather than the Senate, and this example is consistently followed by those successors who are positively presented by Dio. The senators' incessant competition had been a key problem during the Republic and I will argue that, under both Augustus and Tiberius, the senators continued their problematic behaviour. This justifies the rejection of the Senate as a forum for genuine debate. Dio surely envisioned that the handpicked advisors should be of senatorial rank and he underlines the importance of respect for the senators. However, Dio still idealises a surprisingly minimalist role for the Senate: its members function as a pool from which magistrates and advisors should be drawn, but the emperor should hold absolute power and the Senate as an institution should not constitute an important forum of genuine deliberation. Instead, in Dio's ideal government, the *consilium* was the key forum of debate informing imperial policy. Pliny, Tacitus, Suetonius and other senatorial writers had long idealised a system of government where the Senate played a central role as advisory board and governmental partner. Dio's ideal government, and the place of the Senate therein, is therefore strikingly distinctive and deviated from a long tradition of senatorial writing.

## 2 Maecenas' Speech

After narrating Augustus' victory at Actium and its aftermath, Dio inserted a debate between Agrippa and Maecenas on the advantages and disadvantages of δημοκρατία, Dio's word for the Roman Republic, and monarchy.<sup>7</sup> Maecenas' speech is often seen as an expression of Dio's own views on imperial politics.<sup>8</sup> Consequently, it is noteworthy that Maecenas encourages Augustus to hold absolute power and institute what was essentially a monarchy: for example, Augustus

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<sup>6</sup> There is a long tradition in antiquity stipulating that a good ruler should surround himself with suitable advisors: e.g. Isocr. *ad Nic.* 6; Her. 1.4.3-6, 6.1.2; *Hist. Aug. Alex. Sev.* 16.

<sup>7</sup> On Dio's use of δημοκρατία and other governmental terminology, see Freyburger-Galland 1997. The use of δημοκρατία to refer to the Roman Republic was common in Greek authors: see e.g. Plut. *Pub.* 10.5; *Ti. Gracch.* 5.3.

<sup>8</sup> The debate between Agrippa and Maecenas is one of the most studied parts of Dio's work. See e.g. Ruiz 1982; Adler 2012; Burden-Strevens 2020.

should use the title “imperator” “so that you will enjoy fully the reality of the kingship (πᾶν τὸ τῆς βασιλείας ἔργον) without the odium which attaches to the name of ‘king’”.<sup>9</sup> Furthermore, Dio’s Maecenas encourages Augustus to deprive the praetors and consuls of real power: he should “not maintain the traditional powers of these offices (τὰς δυνάμεις σφῶν τὰς ἀρχαίας τηρήσης), either, so that the same things do not happen again (ἵνα μὴ τὰ αὐτὰ αὖθις γένηται), but preserve the honour attaching to them”.<sup>10</sup> “The same things happening again” (τὰ αὐτὰ αὖθις γένηται) is almost certainly a reference to the Republic’s dynasts and their struggles for ultimate power, which led to civil war.<sup>11</sup> Thus, partially to avoid civil war, Dio underlines that the Principate ought to be a system of government in which the emperor is in full control and does not share power.<sup>12</sup> This is unsurprising since Dio frequently comments on the impossibility, due to human nature, of genuine, stable power-sharing in a government.<sup>13</sup>

This of course did not preclude collaborating with other bodies in order to inform imperial policy and ensure the smooth governing of the Empire. However, it is striking that Maecenas suggests that the Senate should be accorded a limited role in governing: the Senate should be shown respect and be accorded important administrative functions such as the handling of certain trials. Furthermore, the senators should occupy the key magistracies. However, Maecenas does not advise Augustus to use the Senate as a forum of debate or consult it on important matters. Rather, handpicked advisors were key and should be consulted by the emperor on all weighty matters. This importance of advisors is emphasised already in the first surviving chapter of Maecenas’ speech where he asserts that Augustus should “place the management of public affairs in the hands of yourself and the other best citizens, to the end that the business of deliberation may be performed by the most prudent and that of ruling by those best fitted for command (τὴν διοίκησιν τῶν κοινῶν ἑαυτῷ τε καὶ τοῖς ἄλλοις τοῖς ἀρίστοις προσθεῖναι, ἵνα βουλευώσι μὲν οἱ φρονιμώτατοι, ἄρχωσι δὲ οἱ στρατηγικώτατοι)”.<sup>14</sup> Dio is expressing himself clearly here and idealises a system in which the emperor

<sup>9</sup> Cass. Dio 52.40.2. Translations of Dio are based on Cary 1914-1927, with some adjustments, and I have likewise used the Loeb Classical Library for other quoted authors.

<sup>10</sup> Cass. Dio 52.20.3.

<sup>11</sup> On Dio’s Late Republic, see e.g. Coudry 2016; Lindholmer 2019c; Burden-Strevens 2020.

<sup>12</sup> Perhaps the only important area in which the Senate should be allowed to function without significant intervention from the emperor is the trials of senators and their family members: Cass. Dio 52.4.4.

<sup>13</sup> See e.g. Cass. Dio F. 5.12, F. 6.3 F. 7.3. See also Lindholmer 2018a, 581-2; 2019a, 193. On human nature in Dio, see Rees 2011.

<sup>14</sup> Cass. Dio 52.14.3.

or ruled with the help of select advisors who could inform his decisions about imperial policy.

The suggestion that Augustus should consult οἱ ἄριστοι is a consistent theme of Maecenas' speech and is elaborated upon further in the second surviving chapter from Maecenas' speech. According to Maecenas, the following course would be highly beneficial for both Augustus and the city:

τό τε πάντα τὰ προσήκοντα αὐτόν σε μετὰ τῶν ἀρίστων ἀνδρῶν νομοθετεῖν, μηδενὸς τῶν πολλῶν μήτ' ἀντιλέγοντος αὐτοῖς μήτ' ἐναντιουμένου, καὶ τὸ τοὺς πολέμους πρὸς τὰ ὑμέτερα βουλήματα διοικεῖσθαι, πάντων αὐτίκα τῶν ἄλλων τὸ κελευόμενον ποιούντων, τό τε τὰς τῶν ἀρχόντων αἰρέσεις ἐφ' ὑμῖν εἶναι, καὶ τὸ τὰς τιμὰς τὰς τε τιμωρίας ὑμᾶς ὀρίζειν.

You should yourself, in consultation with the best men, enact all the appropriate laws, without the possibility of any opposition or remonstrance to these laws on the part of any one from the masses; you and your counsellors should conduct the wars according to your own designs, all others rendering instant obedience to your commands; the choice of the officials should rest with you and your advisers; and you and they should also determine the honours and the punishments.<sup>15</sup>

The enactment of laws, the command of wars, the filling of magistracies and the giving of honours and punishments – the areas mentioned by Dio here are essentially the core of imperial government. It is therefore all the more striking that the Senate as an institution is given no advisory role here. Rather, Dio again makes clear that the emperor should be in unquestioned control and it is the best men, οἱ ἄριστοι, who should advise and counsel Augustus in these central areas. All others should simply obey commands.

One could object that οἱ ἄριστοι refers to the Senate and Augustus in his speech in Book 53 does assert that “it is to you senators, to you who are the best and wisest, that I restore the entire administration of the state” (ὑμῖν γάρ, ὑμῖν τοῖς ἀρίστοις καὶ φρονιμωτάτοις πάντα τὰ κοινὰ ἀνατίθημι).<sup>16</sup> However, this functions as a form of occasion-based flattery of the senators and it is worth noting that the speech is fundamentally mendacious: Augustus' offer to lay down power is a duplicitous attempt to “have his sovereignty voluntarily confirmed by the people, so as to avoid the appearance of having

<sup>15</sup> Cass. Dio 52.15.1-2.

<sup>16</sup> Cass. Dio 53.8.5.

forced them against their will".<sup>17</sup> More importantly, nowhere else is the senators collectively described as οἱ ἄριστοι. In fact, Dio consistently uses this as a moral designation of the noblest or most excellent men of the state, rather than as a reference to the Senate as a whole or a senatorial elite.<sup>18</sup> In Dio's narrative of the Republic, the Senate was certainly not made up exclusively of the best men. Rather, they were engaged in constant political competition to the point that "no man of that day took part in public life from pure motives and free from any desire of personal gain except Cato".<sup>19</sup> Indeed, I have argued elsewhere that even the normally idealised earlier Republic in Dio was plagued by this competition and that it was this factor (rather than a few ambitious individuals, as in the parallel sources) which ultimately became key to the fall of Dio's Republic.<sup>20</sup> Consequently, when Maecenas immediately after the Republican narrative argues that Augustus should be advised by the ἄριστοι, it is highly unlikely that he is referring to the Senate as a whole.

This is further supported when Maecenas points to the benefit of the proposed course:

οὕτω γὰρ ἂν μάλιστα τά τε πραττόμενα ὀρθῶς διοικηθῆι, μήτε ἐς τὸ κοινὸν ἀναφερόμενα μήτε ἐν τῷ φανερῷ βουλευόμενα μήτε τοῖς παρακλευστοῖς ἐπιτρεπόμενα μήτε ἐκ φιλοτιμίας κινδυνευόμενα.

Thus whatever business was done would be most likely to be managed in the right way, instead of being referred to the popular assembly, or deliberated upon openly, or entrusted to partisan delegates, or exposed to the danger of ambitious rivalry.<sup>21</sup>

If οἱ ἄριστοι meant the Senate in Maecenas' speech, all the important areas outlined above were to be debated openly in the Senate, but Maecenas is exactly underlining here that avoiding this is one of the chief advantages of his proposal. Furthermore, Augustus purges the Senate numerous times and the senators act problematically time and time again, as explored below, which contrasts with a supposed description of them as the "best men".<sup>22</sup> Rather, it appears that Maecenas is suggesting that Augustus should rule with a small group of select advisors who should be the best men of the empire.

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**17** Cass. Dio 53.2.7. On this speech, see now Burden-Strevens 2020, 108-11, 177-81.

**18** See e.g. Cass. Dio F. 21.1; 53.8.6; 69.18.1.

**19** Cass. Dio 37.57.3.

**20** Lindholmer 2018a; 2018b; 2019a; 2019b; 2019c; 2020. See also Coudry 2016; Burden-Strevens 2020; Madsen 2020, 29-36, 67-82.

**21** Cass. Dio 52.15.4.

**22** Purging the Senate: see e.g. Cass. Dio 54.13.1, 54.14.3.

In fact, this is exactly how the emperors of the Principate had generally ruled: the emperor took important decisions with the advice of his *consilium*, a small group of advisors. Initially, Augustus had a *consilium* made up of consuls and other elected officials as well as fifteen senators chosen by lot.<sup>23</sup> However, as Augustus aged, the election by lot was removed, family members were introduced to the *consilium* and Augustus could include whoever he wished.<sup>24</sup> Essentially, according to Crook's seminal work, the *consilium* during the Principate in general was "in every case *ad hoc*; there is no recognized constitutional body in question and no fixed list of members".<sup>25</sup> Instead, the emperor handpicked advisors depending on the situation and hereby ensured that he, ideally, was advised by the most suitable men. It seems highly likely that Dio is referring to this imperial tradition, especially since he had been a part of the *consilium* himself.<sup>26</sup> Thus, Dio is essentially suggesting that emperors should pick οἱ ἄριστοι for the *consilium* and consult this group about imperial policy. Many of the ἄριστοι would of course be senators but there is a fundamental difference between informing imperial policy by debate in the *consilium* and the Senate.

When discussing the merits of monarchy compared to δημοκρατία, Dio comments: "for it is easier to find a single excellent man than many of them, and if even this seems to some a difficult feat, it is quite inevitable that the other alternative should be acknowledged to be impossible; for it does not belong to the majority of men to acquire virtue (οὐ γὰρ προσήκει τοῖς πολλοῖς ἀρετὴν κτᾶσθαι)".<sup>27</sup> His republican narrative had exemplified that this problem certainly also applied to the senatorial elite. That the problems of destructive senatorial competition would not vanish with the introduction of monarchy is made clear by Maecenas' suggestion regarding the appointment of praetors and consuls. These offices "are the only ones at

<sup>23</sup> Cass. Dio 53.21.4.

<sup>24</sup> Cass. Dio 56.28.2-3.

<sup>25</sup> Crook 1955, 26. See also 29-30.

<sup>26</sup> This is e.g. clear from Cass. Dio 77[76].17.1 which praises Septimius Severus' handling of judicial matters since "he allowed the litigants plenty of time and he gave us, his advisers, full liberty to speak" (καὶ γὰρ τοῖς δικάζομένοις ὕδωρ ἰκανὸν ἐνέχει, καὶ ἡμῖν τοῖς συνδικάζουσιν αὐτῷ παρρησίαν πολλὴν ἐδίδου). In an attempt to reject Dio's participation in the *consilium*, Letta 1979, 122-3; 2019, 165-6 argues that the passage refers to senatorial trials since senators were often tried in the Senate. In that case, Dio's first person plural would refer to the senators, not the participants in the *consilium*. However, 77[76].17.1 describes Severus' judicial activity in general, rather than specifically focusing on senatorial trials, and the passage therefore strongly suggests that Dio was part of the *consilium*. This is likewise supported by Cass. Dio 76[75].16.4, 78[77].17.3. Barnes 1984, 243 fn. 17 deems Letta's objections to Dio's participation in the *consilium* "implausible".

<sup>27</sup> Cass. Dio 44.2.1-2.

home which you ought to fill by election, and these merely out of regard for the institutions of our fathers and to avoid the appearance (δοκεῖν) of making a complete change in the constitution. But make all the appointments yourself and do not any longer commit the filling of one or another of these offices [...] to the Senate, for the senators will employ corruption in the elections (μήτε ἐπὶ τῷ συνεδρίῳ, διασπουδάσσονται γάρ).<sup>28</sup> Electoral competition had been a key problem in the Republic and Maecenas underlines that this element should be rooted out in the Empire. Thus, the senators in general have not been transformed by the introduction of monarchy and they are instead portrayed highly negatively here. This supports Maecenas' suggestion that the *consilium* rather than the Senate should be the key forum of debate.

This is of course not to suggest that Maecenas completely rejects the importance of the Senate or republican traditions. Indeed, in the passage just quoted, although Augustus was supposed to appoint the magistrates in reality, there should be *pro forma* elections, which underlines the importance of respect for Rome's republican traditions. Furthermore, Maecenas suggests that embassies should be introduced before the Senate: "it is both awe-inspiring and calculated to arouse comment for the impression to prevail that the Senate has full authority in all matters (τό τε τὴν βουλὴν πάντων κυρίαν δοκεῖν εἶναι)".<sup>29</sup> Dio underlines that the Senate's authority is an illusion, but this illusion plays an important role as it awes the embassies. The same emphasis on the importance of respecting the Senate, without according it actual power, is seemingly evident when Maecenas argues that "you would do well to have all your legislation enacted by the Senate, and to enforce no measure whatever upon all the people alike except the decrees of this body".<sup>30</sup> This would naturally involve some deliberation in the Senate but, importantly, such deliberation is not presented as significant by Maecenas. Rather, enacting laws through the Senate would increase "the dignity of the empire" (τό τε ἀξίωμα τὸ τῆς ἀρχῆς) and free the laws from "all dispute or uncertainty in the eyes of all the people".<sup>31</sup> Thus, the enactment of legislation by the Senate was beneficial not because of

<sup>28</sup> Cass. Dio 52.20.2-3. Dio only uses this word three times and one of them refers to electoral corruption: 36.38.1-3. The word can also mean "behave zealously" (F. 65.1) but this would likely still be a reference to the negative political competition of the Republic. On this passage, see also Madsen 2020, 42.

<sup>29</sup> Cass. Dio 52.31.1.

<sup>30</sup> Cass. Dio 52.31.2. This suggestion can be seen as an exhortation to the Severan emperors to allot the Senate a bigger role in legislation, more akin to that enjoyed in the reign of Augustus: Brunt 1984, 426; Reinhold 1988, 204. On senatorial legislation, see Talbert 1984, 431-59.

<sup>31</sup> Cass. Dio 52.31.2.



the accompanying senatorial debate but because its republican ancestry lent dignity and authority to the Empire and the emperor's laws. Lastly, Dio's Maecenas may have advised emperors to respect the Senate since this would encourage the emperor to be a *primus inter pares* rather than a tyrant.<sup>32</sup>

Maecenas also underlines that the senators should be used to govern provinces and should generally occupy important magistracies.<sup>33</sup> Furthermore, the senators should conduct festivals and serve as judges.<sup>34</sup> They were thus an essential pool from which the emperor could draw for the imperial administration. However, Maecenas' speech still presents a surprisingly minimalist role for the Senate: Dio leaves no doubt that the emperor was and should be in complete control with no real power devolved to the Senate. Most strikingly, Dio in Maecenas' speech does not envision the Senate as an important deliberative organ which should influence imperial policy through genuine debate. Instead, he suggests that the emperor should make his decisions in consultation with the *consilium*. Against the background of especially Dio's highly negative portrayal of the republican senators, this suggestion appears logical. However, the Senate still had an important role as it provided the new, and in Dio's view necessary, monarchical government with authority and prestige.

### 3 The Imperial Senate

Let us now turn our attention to the imperial Senate to see how this institution functioned and was included under different emperors. Once the surviving part of Dio's original narrative ends in Claudius' reign and we have to rely mainly on Xiphilinus' epitome, it becomes more difficult to analyse the Senate's role in government since Xiphilinus generally focuses on the emperor rather than the Senate.<sup>35</sup> Partly for this reason, I will mainly focus on Augustus but also because his rule is narrated in comparatively rich detail and he is arguably Dio's ideal emperor.<sup>36</sup> His general approach to ruling and his handling of the Senate can therefore reasonably be viewed as an ideal to be followed in Dio's eyes.

<sup>32</sup> In fact, the theme of tyranny is mentioned repeatedly in the Agrippa-Maecenas debate: e.g. 52.9; 52.15.1.

<sup>33</sup> Cass. Do 52.22-23.

<sup>34</sup> Cass. Dio 52.20.5.

<sup>35</sup> On Xiphilinus' epitome of Dio, see Mallan 2013; Berbessou-Broustet 2016.

<sup>36</sup> According to Rich 1989, 101-102, Dio's Augustus was "a model emperor both at home and abroad". Likewise Giua 1983. On Dio's Augustus, see also Millar 1964, 83-102; Manuwald 1979; Reinhold, Swan 1990; Burden-Strevens 2020.

Dio's handling of the imperial narrative generally reinforces the impression that emperors should rule in consultation with advisors rather than the Senate. For example, as pointed out recently, Dio rarely describes senatorial debates and mainly focuses on this body when it interacts with the emperor. This contrasts with Tacitus who, although he underlines the specious liberty of the Principate, frequently includes senatorial debates.<sup>37</sup> Dio's preference for advisors may be supported by a noteworthy characteristic of Dio's imperial speeches: in the republican narrative, numerous speeches exemplifying senatorial debate are included, but this ceases with the Empire.<sup>38</sup> Instead there are deliberative speeches from advisors, in the shape of the long Agrippa-Maecenas debate and Livia's advice to Augustus about clemency, and speeches in which the emperor communicates to the Senate, namely Augustus' diatribe against the childless and Tiberius' funeral speech.<sup>39</sup> Thus, through his speeches, Dio presents especially his idealised Augustus as ruling in cooperation with advisors and merely communicating important matters to the Senate, while the lack of senatorial speeches gives the impression of a passive Senate that is not a key deliberative forum for the emperor.<sup>40</sup> This mirrors Maecenas' suggestion but contrasts with Tacitus who includes several speeches by senators.<sup>41</sup>

If we look at the details of Dio's Augustan narrative, it also follows Maecenas' suggestions closely. In the first Augustan book, Dio claims that Augustus "encouraged everybody to give him advice"<sup>42</sup> but then adds:

τὸ δὲ διὴ πλεῖστον τοὺς τε ὑπάτους [...] καὶ τῶν ἄλλων ἀρχόντων ἓνα παρ' ἐκάστων, ἕκ τε τοῦ λοιποῦ τῶν βουλευτῶν πλῆθους πεντεκαίδεκα τοὺς κλήρωι λαχόντας, συμβούλους ἐς ἑξάμηνον παρελάμβανεν, ὥστε δι' αὐτῶν καὶ τοῖς ἄλλοις πᾶσι κοινοῦσθαι τρόπον τινὰ τὰ νομοθετούμενα νομίζεσθαι. ἐσέφερε μὲν γάρ τινα

<sup>37</sup> See e.g. Tac. *Ann.* 1.77, 1.79, 2.33.

<sup>38</sup> See e.g. Cass. Dio 36.25-35; 45.18-47; 46.1-28.

<sup>39</sup> Cass. Dio 55.14-21; 56.2-9, 56.35-41. Note also the famous passage (Cass. Dio 53.19) where Dio asserts that public debate changed with the advent of monarchy and that information from then on was kept secret in contrast to the Republic. In relation to the speeches, it is worth noting that the Agrippa-Maecenas debate, strictly speaking, is not addressed to an emperor, but rather to a victorious late republican dynast. However, it may still exemplify the future ruler's ability to engage in genuine debate with his advisors. To this list of speeches could be added Augustus' *recusatio imperii* in Book 53, although this too is a speech by a dynast rather than an emperor as such. On the endpoint of Dio's Republic, see Urso in this volume. On Dio's speeches, see recently Burden-Strevens 2020.

<sup>40</sup> As pointed out by Platon 2016, 658.

<sup>41</sup> See e.g. Tac. *Ann.* 3.50; 4.34-35.

<sup>42</sup> Cass Dio 53.21.3.

καὶ ἐς πᾶσαν τὴν γερουσίαν, βέλτιον μέντοι νομίζων εἶναι τὸ μετ' ὀλίγων καθ' ἡσυχίαν τὰ τε πλείω καὶ τὰ μείζω προσκοπεῖσθαι [...]. οὐ μέντοι καὶ ἐπράττετο τι ὃ μὴ καὶ ἐκείνον ἤρεσκε.

Most important of all, he took as advisers for periods of six months the consuls [...], one of each of the other kinds of officials, and fifteen men chosen by lot from the remainder of the senatorial body, with the result that all legislation proposed by the emperor is usually communicated after a fashion through this body to all the other senators; for although he brought certain matters before the whole senate, yet he generally followed this plan, considering it better to take under preliminary advisement most matters and the most important ones in consultation with a few; [...] nothing was done that did not please Caesar.<sup>43</sup>

Firstly, the final sentence highlights that power rested solely in the hands of Augustus.<sup>44</sup> More importantly, Dio explicitly presents the decisions as taken in deliberation with advisors, and through προσκοπεῖσθαι he indicates that this involved genuine discussions. By contrast, it is difficult to read δι' αὐτῶν κοινοῦσθαι as anything but a simple, though respectful, communication of the decisions taken by Augustus in deliberation with his advisors. Thus, Augustus may have encouraged “everybody” to give advice, like an accessible *primus inter pares*, but Dio makes clear that the handpicked advisors were the backbone (τὸ πλεῖστον) of Augustus’ decision-making process. This passage makes clear that the advisors in Dio’s mind are almost exclusively senatorial, but there is a fundamental difference between encouraging the use of certain senators as advisors and using the Senate as a deliberative forum in which all senators could participate.

In Book 56, Dio’s Augustus attended Senate meetings more rarely due to his age and the chosen advisors became even more essential: “it was also voted that any measure should be valid, as being satisfactory to the whole Senate, which should be resolved upon by him [i.e. Augustus] in deliberation (βουλευομένῳ) with Tiberius and with these counsellors [...] and such others as he might at any time call on for advice. Having gained by this decree these privileges, which in reality he had possessed in any case, he continued to transact (ἐχρημάτιζεν) most of the public business”.<sup>45</sup> Again, Augustus is presented as transacting public business in deliberation with advisors and, importantly, all measures decided upon by Augustus and these advisors were now regarded as “satisfactory to the whole Senate”.

<sup>43</sup> Cass Dio 53.21.4-6.

<sup>44</sup> This is emphasised numerous times: e.g. Cass. Dio 53.17.1.

<sup>45</sup> Cass. Dio 56.28.2-3.

This ties in with Maecenas' emphasis on the importance of having legislation enacted by the Senate, without debating genuinely with the senators as a whole. Indeed, in the just quoted passage, the advisors have become a form of substitute for the Senate and we know from the previous passage that this reliance on advisors was not an unintended misfortune due to age. Thus, in these two passages, Dio asserts that Augustus and his advisors essentially conducted the majority of public business with no real involvement from the Senate. This is never framed negatively by Dio and Augustus' actions, which follow Maecenas' advice closely, should rather be seen as an example to be followed.

Dio also notes that Augustus used advisors when dealing with judicial matters: even in old age, he "continued personally, with his assistants (μετὰ τῶν συνέδρων), to investigate judicial cases and to pass judgment".<sup>46</sup> In fact, only once in Dio's narrative of Augustus' rule could this emperor appear to genuinely consult the senators: Dio writes that Augustus posted potential laws in the Senate "so that if any provision did not please them, or if they could advise anything better, they might speak. He was very desirous indeed of being democratic (οὕτω γάρ που δημοκρατικός ἤξιου εἶναι), as one or two incidents will illustrate".<sup>47</sup> This could appear to be genuine consultation, but it is noteworthy that Dio connects it to Augustus wishing to be seen as δημοκρατικός.<sup>48</sup> Earlier, Dio had remarked that the emperors clothed themselves in "democratic names" (δημοκρατικῶν ὀνομάτων)<sup>49</sup> by using republican titles, but underlines that they were kings nonetheless. Using a related word and imparting the same message, Dio in Book 53 asserts that Augustus wished "to be thought democratic (δημοτικός)".<sup>50</sup> Therefore, this emperor made a show of giving the Senate some of the provinces to govern, but he retained control of all provinces with significant armed forces and Dio underlines his duplicitousness in this situation.<sup>51</sup> Thus, Dio's Augustus has a habit of making shows of deference to the Senate and republican traditions in order to appear δημοκρατικός/δημοτικός.<sup>52</sup> This ties in with Maecenas' suggestion that laws should be enacted in the Senate in order to increase "the dignity of the empire" (τὸ τε ἀξίωμα τὸ τῆς ἀρχῆς), whereas the senatorial deliberation that resulted from such a course

<sup>46</sup> Cass. Dio 55.33.5.

<sup>47</sup> Cass. Dio 55.4.1-2.

<sup>48</sup> This, and δημοτικός, are probably a Greek gloss on *civilis*: Wallace-Hadrill 1982, 44; Freyburger-Galland 1997, 116-23. On *civilis* in Dio, see Bono 2018.

<sup>49</sup> Cass. Dio 53.18.2.

<sup>50</sup> Cass. Dio 53.12.1.

<sup>51</sup> Cass. Dio 53.12.1-3.

<sup>52</sup> On this, see also Noe and Pistellato in this volume.

is not presented as important for informing imperial policy. Augustus posting laws in the Senate should probably be seen in this context: rather than functioning as a genuine attempt to consult the senators about imperial policy, it lent dignity to the Empire and ensured that Augustus' desire to appear δημοκρατικός was fulfilled.<sup>53</sup>

That this is the case is further supported by specific examples where Augustus pretends to consult the Senate only to force through his own measures. In Book 55, for instance, Augustus is in need of revenues for the military but, rather than enforcing a tax, he asks the Senate to suggest ways of procuring the funds which he would then consider.<sup>54</sup> Importantly, Dio underlines that "this was not because he had no plan of his own, but as the most certain means of persuading them to choose the plan he preferred. At all events, when different men had proposed different schemes, he approved none of them, but established the tax of five per cent on [...] inheritances and bequests".<sup>55</sup> In relation to imperial expenditures, Augustus "employed three ex-consuls, chosen by lot, by whose help he reduced some of them and altogether abolished others".<sup>56</sup> Augustus thus makes a show of including the Senate in the decision-making process here but this is not to receive actual advice. Instead, it eases the introduction of his own measures. On the other hand, to reduce expenditures, Augustus relied on the genuine support of hand-picked advisors.

This approach of exploiting and manipulating the Senate to strengthen Augustus' own measures is clear also in Book 56. Here Dio writes that an uprising seemed likely as a result of the new tax but rather than quelling the uprising violently, Augustus allowed the senators to suggest alternatives. The tax was changed to one on fields and houses but only with the purpose "that they should fear even greater losses and so be content to pay the five per cent tax; and this is what actually happened. Thus Augustus handled these matters".<sup>57</sup> Again, the Senate's proposals are not encouraged as part of actual deliberations and the Senate is rather used to implement and facilitate Augustus' own measures. In these examples, Dio makes no critical comments and we should rather see this is a model of good rulership in Dio's eyes. Furthermore, these examples illustrate that Augustus posting laws in the Senate and receiving suggestions about them should not necessarily be read as genuine deliberation. Instead, it is probably an attempt to appear δημοκρατικός.

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**53** Madsen 2020, 87, by contrast, sees Augustus' actions as a genuine request for advice. See also Talbert 1984, 434.

**54** Cass. Dio 55.25.4-5.

**55** Cass. Dio 55.25.4.

**56** Cass. Dio 55.25.6.

**57** Cass. Dio 56.28.6.

Thus, both Maecenas' speech and the narrative of Augustus consistently present the *consilium*, rather than the Senate, as the key deliberative forum. However, a passage in Tiberius' funeral speech of Augustus could be read as contrasting with this presentation: he "always communicated to the senators (or: "consulted the senators on") all the greatest and most important matters, either in the senate chamber or else at his house" (οἷς πάντα τὰ μέγιστα καὶ ἀναγκαιότατα αἰεί ποτε ἢ ἐν τῷ συνεδρίῳ ἢ καὶ οἴκοι [...] ἐπεκοίνου).<sup>58</sup> The key lies in (ἐπι)κοινώω and it is worth lingering over it as Dio elsewhere also describes interaction between emperor and Senate with this word. Fundamentally, it means "to make common" (from κοινός) in the sense of sharing something, for example the responsibility for a war or news and opinions through communication. Indeed, in Dio's surviving narrative, he uses κοινώω 21 times and 9 mean "to communicate", 8 mean "to share" authority or purpose, while the exact meaning in 3 instances is unclear.<sup>59</sup> Importantly, κοινώω is several times used for simple communication from emperor to Senate, rather than debate or consultation.<sup>60</sup> Κοινώω can also mean "to consult or debate", but there is only one instance of this in Dio's surviving narrative.<sup>61</sup> Dio's use of κοινώω is in fact quite unremarkable and is paralleled in for example Thucydides whom Dio is often thought to have imitated and who, like Dio, wrote in the Attic dialect.<sup>62</sup> Thucydides uses κοινώω 6 times for communication, twice for sharing, once in an unclear manner and once for consultation.<sup>63</sup> Dio also uses κοινώω with the prefix ἐπι-, as in the just quoted passage, but this does not entail a fundamentally different meaning in Dio: ἐπικοινώω is used 7 times, aside from the above passage, but it is never clearly used for consultation and instead refers to communication three times.<sup>64</sup> Overall, then, (ἐπι)κοινώω is almost never used for consultation and is most often

<sup>58</sup> Cass. Dio 56.41.3.

<sup>59</sup> Communicate: Cass. Dio 38.4.1; 41.12.2; 42.20.1; 46.41.2, 52.4, 55.3; 48.12.1; 53.21.4; 55.10.8. Share: 40.59.1; 42.56.3; 47.32.1; 48.29.1; 52.4.2; 52.19.5; 55.30.2; 59.6.1. Unclear: 52.36.3; 55.10.14. Also 57.7.1 but see below. I have here only examined Dio's surviving text, not the epitomes of Zonaras and Xiphilinus.

<sup>60</sup> This is exemplified by the passage quoted earlier (Cass. Dio 53.21.4) where Augustus communicated all legislation to the Senate through his advisors (δι' αὐτῶν κοινοῦσθαί) or by instances where κοινώω is used for interaction between the emperor and "the Senate and people" (τῷ δήμῳ [καὶ] τῇ βουλῇ): Cass. Dio 56.55.3; 57.20.2. Obviously, this must refer to simple communication as no consultation or debate can be envisioned with the δῆμος.

<sup>61</sup> Cass. Dio 58.28.1.

<sup>62</sup> On Thucydides' influence on Dio, see e.g. Rees 2011, 62-86.

<sup>63</sup> Communicate: Thuc. 2.72.2, 73.1; 3.95.2; 5.38.2, 60.1; 8.58.3. Share: 1.39.3; 8.8.1. Unclear: 4.4.1. Potential consultation: 8.82.2.

<sup>64</sup> Communicate: Cass. Dio 42.27.2; 57.21.4; 58.9.2. Unclear: 43.27.1; 45.22.4; 52.21.4. Also 57.7.3 but see below. I have again only examined Dio's surviving narrative, not

used specifically for communication. Against this background, it is highly likely that Tiberius is praising Augustus for respectfully communicating to the senators, but not consulting them, regarding important matters. This also fits excellently with Dio's narrative of Augustus as a whole as well as Maecenas' speech.

Let us now turn our attention to Augustus' successors. Dio's Tiberius follows the canonical pattern of an idealised first period and a corrupted second phase. Until Germanicus' death, Dio writes, Tiberius ruled in the following way:

αὐτὸς μὲν καθ' ἑαυτὸν ἢ τι ἢ οὐδὲν ἔπραττε, πάντα δὲ διὰ καὶ τὰ σμικρότατα ἕξ τε τὴν γερουσίαν ἐσέφερε καὶ ἐκείνη ἐκοίνου. ἐπεποιήτο μὲν γὰρ βῆμα ἐν τῇ ἀγορᾷ, ἐφ' οὗ προκαθίζων ἐχρημάτιζε, καὶ συμβούλους αἰεὶ κατὰ τὸν Αὐγούστον παρελάμβανεν, οὐ μόντοι καὶ διόκει λόγου τι ἄξιον ὃ μὴ καὶ τοῖς ἄλλοις ἐπεκοίνου. καὶ ἕξ γε τὸ μέσον τὴν ἑαυτοῦ γνώμην τιθεὶς οὐχ ὅπως ἀντειπεῖν αὐτῇ παντὶ τῷ παρρησίαν ἔνεμεν, ἀλλὰ καὶ τὰναντία οἱ ἔστιν ὅτε ψηφισιζομένων τινῶν ἔφερε. καὶ γὰρ αὐτὸς ψῆφον πολλάκις ἐδίδου. ὁ μὲν γὰρ Δροῦσος ἕξ ἴσου τοῖς ἄλλοις τοτὲ μὲν πρῶτος τοτὲ δὲ μεθ' ἑτέρουσ τοῦτ' ἐποίει· ἐκείνος δὲ ἔστι μὲν ὅτε ἐσιώπα, ἔστι δ' ὅτε καὶ πρῶτος ἢ καὶ μετ' ἄλλουσ τινᾶσ ἢ καὶ τελευταῖοσ τὰ μὲν ἀντικρὺσ ἀπεφαίνετο, τὰ δὲ διὰ πλείω, ἴνα διὰ μὴ δοκῇ τὴν παρρησίαν αὐτῶν ἀφαιρεῖσθαι, ἔλεγεν ὅτι “εἰ γνώμην ἐποιούμην, τὰ καὶ τὰ ἀν ἀπεδειξάμην”. καὶ ἦν μὲν καὶ τοῦτο τὴν ἴσιν τῷ ἑτέρῳ ἰσχὺν ἔχον, οὐ μόντοι καὶ ἐκωλύοντο οἱ λοιποὶ ὑπ' αὐτοῦ τὰ δοκοῦντά σφισι λέγειν, ἀλλὰ καὶ πολλάκισ ὁ μὲν τὸ ἐγίγνωσκεν, οἱ δὲ μετ' αὐτὸν ἕτερόν τι ἀνθηροῦντο, καὶ ἔστιν ὅτε καὶ ἐπεκράτουσ· καὶ οὐδενὶ μόντοι παρὰ τοῦτο ὀργὴν εἶχεν. ἐδίκαζε μὲν οὖν ὡσπερ εἶπον, ἐπεφοίτα δὲ καὶ ἐπὶ τὰ τῶν ἀρχόντων δικαστήρια

He did little or nothing on his own responsibility, but brought all matters, even the slightest, before the senate and communicated them to that body. In the Forum a tribunal had been erected on which he sat in public to dispense justice, and he always associated with himself advisers, after the manner of Augustus, nor did he take any step of consequence without making it known to the rest. After setting forth his own opinion he not only granted everyone full liberty to speak against it, but even when, as sometimes happened, others voted in opposition to him, he submitted; for he often would cast a vote himself. Drusus used to act just like the rest, now speaking first, and again after some of the others. As for Tiberius, he would sometimes remain silent and sometimes gave his opinion first, or after a few others, or even last; in some cases he would speak his mind direct-

Zonaras and Xiphilinus. Προεπικοινωνῶ is also used once (Cass. Dio 55.4.3) and refers to communication.

ly, but generally, in order to avoid appearing to take away their freedom of speech, he would say: 'if I had been giving my views, I should have proposed this or that'. This method was just as effective as the other and yet the rest were not thereby prevented from stating their views. On the contrary, he would frequently express one opinion and those who followed would prefer something different, and sometimes they actually prevailed; yet for all that he harboured anger against no one. So, he held court in this way, but he also attended the courts presided over by the magistrates.<sup>65</sup>

The passage is somewhat vague, but the key is determining the identity of "the rest" (τοῖς ἄλλοις): it could refer to the rest of the senators not included in the advisory group, in which case Tiberius is deliberating with the Senate as a whole. "The rest" could also refer to Tiberius' advisory group, in which case Dio is asserting that Tiberius did nothing without consulting his advisors and then describing the process of this consultation.<sup>66</sup>

There are several factors indicating that this describes Tiberius' interactions with his advisors, but the most compelling evidence is that "Drusus used to act just like the rest (τοῖς ἄλλοις), now speaking first, and again after some of the others".<sup>67</sup> There is clear evidence to show that there was an order of speaking in the Senate.<sup>68</sup> Drusus (and Tiberius who acted in the same way) may have had the freedom to deviate from this order, but Dio underlines that in doing so Drusus acted "just like rest (τοῖς ἄλλοις)". If τοῖς ἄλλοις refers to the senators, it entails that the order of speaking in the Senate was complete-

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**65** Cass. Dio 57.7.2-6. On Dio's Tiberius, see Baar 1990; Platon 2016.

**66** The passage is often viewed as a description of Tiberius interacting with the Senate: see e.g. Swan 2004, 219 fn. 267 who asserts that the phrase "In the Forum ... manner of Augustus" is concessive and that Dio therefore is describing Tiberius' *modus operandi* in the Senate. However, he offers no arguments to support the reading of this phrase as concessive.

**67** Dio's assertion that Tiberius used advisors "after the manner of Augustus" also supports the reading of τοῖς ἄλλοις as advisors, since Augustus consistently consulted his advisors rather than the Senate. This reading is strengthened by the narrative context: Dio first describes Tiberius' interaction with the Senate and then moves on to his use of advisors in a judicial context. This is followed by the description of Tiberius' interaction with τοῖς ἄλλοις and Dio then describes Tiberius' judicial work again. It thus makes most sense to read the whole passage from "In the Forum..." as a description of Tiberius' judicial work and his use of advisors in this context. This also fits well with ἐδίκασε μὲν οὖν ὥσπερ εἶπον. Instead of being a somewhat redundant recapitulation of the fact that Tiberius sometimes dealt with judicial matters, the phrase can now be read as Dio summing up Tiberius' approach to judicial matters: "so, he held court in this way...". The mention of voting (ψηφισομένων and ψήφον) could be seen as a reference to debate in the Senate but Dio also uses ψήφος to describe the votes cast by Augustus and his judicial advisors: 55.3.2.

**68** See e.g. Cass. Dio 54.15.6 with Talbert 1984, 240-8.



ly abandoned under Tiberius, which appears highly unlikely. Overall, then, τοῖς ἄλλοις likely refers to Tiberius' advisors and the passage therefore probably describes his behaviour when deliberating with this group, rather than the senators as a whole.

Thus, Dio appears to be praising Tiberius for communicating matters to his advisors (τοῖς ἄλλοις ἐπεκοίνου) and then engaging in genuine discussions with them, even yielding to their arguments at times.<sup>69</sup> It is worth noting that Dio just before this writes that Tiberius "brought (ἔσέφερε) all matters, even the slightest, before the senate and ἐκοίνου them to that body". As argued above, κοινόω generally refers to communication rather than consultation and εἰσφέρω is consistently used for introducing proposals in the Senate for a vote.<sup>70</sup> Thus, Tiberius seems to be praised for following Maecenas' advice that an emperor should have legislation passed in the Senate. This would naturally involve at least a brief senatorial debate but it is noteworthy that this debate is not highlighted as important. Instead, Dio's lengthy description of how Tiberius engaged in genuine debate with his advisors underlines that it was the *consilium*, rather than the Senate, that constituted the key forum for debate informing imperial policy. This, in turn, illustrates Dio's assertion that Tiberius used advisors in the same manner as Augustus.

This presentation of Tiberius also sheds light on an important Augustan passage: at 55.34.1, there is a long lacuna and the text then starts "<...> however, declare his opinion among the first, but among the last, his purpose being that all might be permitted to form their views independently and no one should abandon his own judgment, as though he were under any necessity of agreeing with the emperor, and he would often sit with the magistrates as they tried cases" (<...> μέντοι καὶ ἐν τοῖς πρώτοις ἀλλ' ἐν τοῖς ὑστάτοις ἀπεφαινετο, ὅπως ἰδιοβουλεῖν ἅπασιν ἐξεῖη καὶ μηδεὶς αὐτῶν τῆς ἑαυτοῦ γνώμης, ὡς καὶ ἀνάγκην τινα συμφρονῆσαί οἱ ἔχων, ἐξίστατο τοῖς τε ἄρχουσι πολλὰκις συνεδίκαζε).<sup>71</sup> This passage is generally thought to describe Augustus interacting with the Senate, mainly because Augustus' behaviour exhibits parallels with Tiberius' supposed behaviour towards the Senate in the passage above.<sup>72</sup> However, if the Tiberian passage describes Tiberius' interaction with his advisors, there is no reason

**69** It is also possible that ἐπεκοίνου, in the phrase "τοῖς ἄλλοις ἐπεκοίνου", means "to consult" and that it points to the following description of Tiberius consulting his advisors.

**70** See e.g. Cass. Dio 36.42.1; 37.51.3; 55.3.6; 60.4.2.2.

**71** I am currently developing this alternative reconstruction of 55.34.1 into an article: Lindholmer forthcoming.

**72** See e.g. Swan 2004, 219 fn. 267; Madsen 2016, 146; Platon 2016, 237 fn. 535. Parallels: neither emperor declared his opinion first and both emperors were keen to encourage others to express their own opinions.

to suppose that 55.34.1 describes Augustus and the Senate. Rather, Dio highlights that Tiberius used advisors like Augustus and the parallels between Tiberius' behaviour in relation to his advisors and Augustus' behaviour in the lacunose passage suggest that this passage describes Augustus interacting with his advisors. This also fits Dio's general portrayal of Augustus. It is thus unlikely that 55.34.1 describes Augustus' interaction with the Senate. Rather, it appears to be another example of Augustus' use of advisors, and Dio underlines that this emperor deliberated with them genuinely.

Against this background, we may better understand Dio's description of Vespasian's interaction with the Senators. This emperor "regularly attended the meetings of the Senate and he communicated all matters to the senators (ἐξ τε τὸ συνέδριον διὰ παντὸς ἐφοίτα, καὶ περὶ πάντων αὐτοῖς ἐπεκοίνου)".<sup>73</sup> There is little context to aid us here, probably due to Xiphilinus, but Dio consistently uses (ἐπι)κοινοῶ for simple communication between emperor and Senate, while it is very rarely used for consultation. Therefore, the most natural reading of this passage is that Vespasian, just like his predecessors Augustus and Tiberius, communicated public matters to the Senate as a sign of respect but did not consult this body.

A final important passage to be considered here is found in the narrative of Hadrian. Dio relates that Hadrian "conducted through the Senate all the important and most urgent business and he held court with the assistance of the foremost men" (Ἐπραττε δὲ καὶ διὰ τοῦ βουλευτηρίου πάντα τὰ μεγάλα καὶ ἀναγκαιότατα, καὶ ἐδίκαζε μετὰ τῶν πρώτων).<sup>74</sup> Maecenas above had suggested that important laws and other decrees should be decided upon by the emperor and his advisors but enacted by the Senate, and the passage may very well describe such a process of enactment *through* (διὰ) the Senate. Naturally, this would have involved some debate in the Senate but Dio, again, does not present such debate as important for informing imperial policy. Instead, Hadrian used the foremost men as judicial advisors and the use of μετὰ, rather than διὰ, underlines that this differs from Hadrian's interactions with the Senate. Hadrian is not Dio's favourite emperor but Dio is certainly not wholly critical either.<sup>75</sup> Indeed, this description parallels the behaviour of Augustus, Tiberius and Vespasian in the sense that Hadrian showed the Senate respect by communicating important matters to this body but deliberated with handpicked advisors rather than the Senate as a whole.<sup>76</sup>

<sup>73</sup> Cass. Dio 65[66].10.5.

<sup>74</sup> Cass. Dio 69.7.1.

<sup>75</sup> See e.g. Cass. Dio 69.7, 69.9 with Madsen 2016, 151-2.

<sup>76</sup> There is one more passage that may merit brief attention. Maecenas encourages Augustus at length to allow the senators to function as judges in cases involving their

Thus, once we look closely at Dio's phrasing, there is in fact no emperor in his narrative who is clearly portrayed as genuinely consulting the Senate. Instead, the positively described emperors consistently use advisors instead. To this group may be added Nerva who, according to Dio, "did nothing without the advice of the foremost men" (ἔπραττε δὲ οὐδὲν ὃ τι μὴ μετὰ τῶν πρώτων ἀνδρῶν).<sup>77</sup> Nerva is one of Dio's few idealised emperors and it is striking that he too uses advisors for all important business. It is worth noting that the description of Nerva's interaction with his advisors as μετὰ τῶν πρώτων is identical to that of Hadrian. Likewise, Marcus Aurelius is praised for providing Commodus with prominent senators as advisors, but the young emperor rejected their counsel.<sup>78</sup> Furthermore, Claudius is praised for reviving the custom of using advisors after Tiberius' stay in Capri but is criticised for being influenced by women and freedmen.<sup>79</sup> Septimius Severus is lauded for handling judicial matters "excellently" since "he gave us, his advisers (ἡμῖν τοῖς συνδικάζουσιν), full liberty to speak".<sup>80</sup> By contrast, Dio severely criticises Caracalla since "he asked no one's advice".<sup>81</sup> Thus, it is a *Leitmotiv* in Dio's *Roman History* that good emperors used capable advisors to direct imperial policy, whereas bad emperors rejected advisors or employed incompetent ones.

It is important to note that Dio's construction of the ideal emperor and the importance ascribed to the *consilium* contrasts with a long tradition of senatorial writing which had instead praised emperors who deliberated genuinely with the Senate and included it in government. For example, Suetonius briefly mentions the Augustan *consilium* but then adds that "on questions of special importance he called upon the senators to give their opinions".<sup>82</sup> Thus, Suetonius' idealised Augustus uses the Senate as a key deliberative organ, in sharp contrast to Dio's Augustus. Furthermore, Tiberius in Suetonius is likewise praised for the fact that "there was no matter of public or private business so small or so great that he did not lay it out

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peers and then comments: "These matters, then, should be referred (ἀνατίθει) by you to the senate, and also those others which are of the greatest importance to the state" (Cass. Dio 52.32.1). Maecenas then continues to argue that senators should be involved in judging their peers (Cass. Dio 52.31-32). Given the context, the quoted passage probably refers specifically to the judicial matters involving senators. If Maecenas is referring to important matters in general, it would likely be another example of how the emperor should communicate to, not consult, the Senate.

<sup>77</sup> Cass. Dio 68.2.3.

<sup>78</sup> Cass. Dio 73[72]1.2.

<sup>79</sup> Cass. Dio 60.2.4, 60.4.3.4.

<sup>80</sup> Cass. Dio 77[76]17.1.

<sup>81</sup> Cass. Dio 78[77].11.5. See also Cass. Dio 78[77].17.3.

<sup>82</sup> Cass. Dio *Aug.* 35.4.

before the senators (*ad patres conscriptos referretur*)<sup>83</sup> and Suetonius then gives a long list of examples.

Tacitus praises Tiberius for similar behaviour: “public affairs – together with private affairs of exceptional moment – were treated in the Senate, and discussion was free to the leading members (*apud patres tractabantur, dabaturque primoribus disserere*), their lapses into subserviency being checked by the sovereign himself”.<sup>84</sup> A final example, can be drawn from Pliny’s panegyric in which his idealised Trajan “exhorted us, individually and collectively, to resume our freedom, to take up the responsibilities of the power we might be thought to share, to watch over the interests of the people, and to take action” (*singulos, nunc universos adhortatus es resumere libertatem, capessere quasi communis imperi curas, invigilare publicis utilitatibus et insurgere*).<sup>85</sup> Thus, both Suetonius and Tacitus present an ideal according to which the emperor engaged in frank debate in the Senate to inform imperial policy, and Pliny’s ideal includes the Senate as a governmental partner which may even share actual power with the emperor.<sup>86</sup> Dio’s ideal government, in which the emperor discussed imperial policy in the *consilium* but did not genuinely use the Senate as a forum for debate, is thus distinctive and deviated from a long tradition of senatorial writing.<sup>87</sup>

It may appear surprising that Dio is not encouraging emperors to consult the Senate about important matters. However, the senators as a group had played a significant role in the fall of the Republic and, as we have seen, Dio pointed out that most men are not virtuous. Indeed, Dio asserts that Augustus thought it difficult to find three hundred men worthy of the Senate, but ultimately enrolled six hundred in the Senate in connection with his purge.<sup>88</sup> It is also important to note that Dio is critical of the senators, whose behaviour is often portrayed as deeply problematic and irresponsible. This parallels the Republic and further justifies Dio’s praise for emperors who did not engage in genuine debate with the senators as a whole. This critique of the senators is evident even in the books of the idealised Augustus as, for example, the senators’ political competition turns destructive several times: Augustus was periodically absent from Rome in Book 54 and the consular elections therefore caused

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**83** Cass. Dio *Tib.* 30.1.

**84** Tac. *Ann.* 4.6.

**85** Plin. *Pan.* 66.2.

**86** Although the inclusion of *quasi* may be understood as a hint that this power-sharing was illusory.

**87** For a comparison of Dio’s ideal government with the parallel sources, see Madsen forthcoming. See also Roller 2015.

**88** Cass. Dio 54.14.1.

rioting among the populace.<sup>89</sup> Shortly afterwards, “factious quarrelling (στάσις) again took place and murders occurred”<sup>90</sup> because of the consular elections, and Augustus now takes assertive action and appoints the remaining consul himself.<sup>91</sup> Augustus is also forced to return to Rome to avoid further unrest.<sup>92</sup> This problem is again present in Book 55 where Augustus has to appoint “all who were to hold office, because there were factional outbreaks (ἐστασιάζετο)”.<sup>93</sup> In short, the moment Augustus left the capital, the senators resorted to their republican ways and created serious disturbances through their competition for offices. This suggests that the senators more broadly had changed little compared to the Republic, which legitimises Augustus’ exclusion of this body from real power and his consultation of the *consilium* rather than the Senate. Importantly, this diverges markedly from imperial writers such as Tacitus who contrasts the sycophancy of imperial senators with a supposedly more virtuous elite of the Republic.<sup>94</sup>

The senators’ problematic behaviour is also evident in their disinclination to even attend Senate meetings and Augustus has to institute numerous measures in Book 54 to ensure senatorial attendance. First, Augustus increased the fines for being late “since the members of the senate showed a lack of interest in attending its sessions”.<sup>95</sup> He then has to cancel a law stipulating that at least 400 senators had to be present to pass decrees since “there were not many present at the meetings of that body”.<sup>96</sup> This problem continues to be present in Book 55 where Dio enumerates several wide-reaching measures by Augustus to ensure senatorial attendance.<sup>97</sup> Dio even notes that the mentioned measures were only the most important ones regarding attendance at senatorial meetings and underlines both the large numbers who had transgressed the old rules on this area and that some senators disregarded these new decrees as well.<sup>98</sup> Augustus is thus consistently portrayed as attempting to force the senators to attend meetings but they are highly intransigent. The disinclination of the senators to even attend meetings further illustrates why Maecenas never envi-

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**89** Cass. Dio 54.6.1-2.

**90** Cass. Dio 54.10.1.

**91** Cass. Dio 54.10.2.

**92** Cass. Dio 54.10.5.

**93** Cass. Dio 55.34.2.

**94** See e.g. Tac. *Ann.* 3.60 with Roller 2015, 19-20. Indeed, Strunk 2017, 6 has recently argued that Tacitus should be seen “not as a monarchist but as a republican”.

**95** Cass. Dio 54.18.3.

**96** Cass. Dio 54.35.1.

**97** Cass. Dio 55.3.1-2.

**98** Cass. Dio 55.3.1-3.

sions the Senate as a key deliberative organ for shaping imperial policy and why Augustus and his idealised successors rely on advisors instead. However, Augustus' struggles to ensure a functioning Senate was arguably not just due to its administrative functions in Dio's eyes. As set out above, Maecenas highlighted that the Senate played an important role in lending authority to the new regime and its policies, and it was therefore important to have a functioning Senate.

This problematic behaviour by the senators continued under Tiberius, as exemplified by the elections of new magistrates: "in case there was ever a deficiency of candidates, or in case they became involved in irreconcilable strife (φιλονεικία ἀκράτως), a smaller number were chosen. Thus, in the following year, [...] there were only fifteen praetors; and this situation continued for many years".<sup>99</sup> This suggests that the senators either failed to furnish enough praetors or, just as under Augustus, engaged in destructive competition, and Dio underlines that this continued for a long time. Importantly, φιλονεικία had also been a key destructive characteristic of the senators during the Republic, which highlights that the senatorial body had not been transformed by Augustus' purges and other measures.<sup>100</sup> Furthermore, the lack of praetors is found nowhere in Tacitus' longer account and Dio thus appears to have chosen this detail purposefully in order to support his negative presentation of the senators.

The senators also engage in constant flattery under Tiberius which is presented as highly problematic.<sup>101</sup> For example, Dio asserts that the senators "led Sejanus to his destruction by the excessive and novel honours bestowed upon him". Indeed, "it was chiefly these honours that had bereft him of his senses".<sup>102</sup> Thus, according to Dio, the senators had encouraged Sejanus' excessive ambition through their excessive honours. This mirrors Dio's claim that it was the senators' inordinate honours that caused Caesar's downfall.<sup>103</sup> The senators also vote excessive and novel honours to Tiberius, which are often unparalleled in other sources.<sup>104</sup> Tiberius rejects these offers but, importantly, the Senate's proposals are portrayed as causing Tiberius to become increasingly tyrannical: "as a result of these very measures (ἐξ αὐτῶν τούτων) he began to grow more suspicious of them [the senators] [...], and dismissing utterly from his thoughts all their

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**99** Cass. Dio 58.20.4-5.

**100** *Contra* Madsen 2019, 117-19 who argues that Augustus revitalises the Senate. On φιλονεικία and the Republic, see Rees 2011, 27-30, 121-3.

**101** As pointed out by Platon 2016.

**102** Cass. Dio 58.12.6. Earlier in Dio's account, Tiberius had actually been one of the catalysts for the extravagant honours for Sejanus: Cass. Dio 57.19.7.

**103** Cass. Dio 44.3.

**104** Cass. Dio 58.17.2-4

decrees, he bestowed honours both in words and in money upon the praetorians [...] in order that he might find them more zealous in his service against the senators".<sup>105</sup> Thus, the flattery of the senators is portrayed as the direct cause for Tiberius basing his power on the praetorians. Also under Tiberius, then, the senators are depicted highly negatively by Dio. Against the background of Dio's portrayal of the senators under Augustus and Tiberius, the praise for emperors who consulted the *consilium* about imperial policy rather than the Senate seems more natural.

#### 4 Conclusion

I have suggested that Dio's ideal government entailed an emperor who ruled with undivided power in consultation with handpicked advisors but who did not use the Senate as an important deliberative forum: Maecenas suggests that the emperor should not share power with the Senate, which fits Dio's conviction that human nature precluded power from being shared stably. Furthermore, Maecenas indicates that the emperor should not engage in genuine debate in the Senate. Rather, all power should be held by the emperor and he should rule in cooperation with the best men, whose advice should inform imperial policies. Importantly, Dio's ideal emperor, Augustus, follows this advice as he consistently uses advisors rather than engaging in genuine debate in the Senate, and Tiberius in his idealised period does likewise. The same picture is evident in the narrative of those successors of Tiberius whom Dio describes positively: none of them is clearly described as consulting the senators about important matters, whereas numerous emperors are praised for their use of advisors, along the same lines as Augustus and Tiberius. By contrast, Dio often criticises negatively described emperors for using unsuitable advisors or rejecting advisors altogether.

Dio's positively described emperors still communicated important matters to the Senate and made sure to have their laws enacted by the Senate, as advised by Maecenas. This would have produced some senatorial debating but Dio never portrays this as a desirable outcome that informs imperial policy. Rather, Dio presents such debate as a way for Augustus to appear δημοκρατικός and Maecenas underlines that formal senatorial approval for the emperor's laws provided them with authority and prestige. Thus, in Dio's eyes, the Senate was a venue in which trials took place and embassies were received, and its members should be entrusted with important offices. It has also recently been argued persuasively that Dio idealises the time of

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105 Cass. Dio 58.18.2.

the adoptive emperors where the next emperor was picked from tried and tested senators.<sup>106</sup> In general, Dio underlines the importance of respecting the Senate, which may have functioned to encourage the emperor to be a *primus inter pares* rather than a tyrant. However, the Senate is not presented as an important forum of debate for informing imperial policies. It is noteworthy that Dio emphasises that the emperor should be advised by “the foremost men”, or a similarly described group, which no doubt was supposed to be almost exclusively senatorial. Yet, there is a fundamental difference between using individual senators as advisors and the use of the Senate as a deliberative forum in which all senators took part.

It may at first be surprising that Dio does not envision a more significant role for the Senate in the Empire. However, when we view Dio's narrative in its entirety, this becomes easier to understand: the senators had been involved in destructive competition ever since the start of the Republic and this problematic behaviour was key to the fall of the Republic. Importantly, the senators' destructive competition under Augustus and Tiberius parallels the senators of the Late Republic, and nothing suggests that the senators as a whole improve with the advent of empire. This is unsurprising since, according to Dio, “it does not belong to the majority of men to acquire virtue”. Against this background, it is not surprising that Dio's Maecenas suggests that the emperor should rule in cooperation with handpicked advisors, rather than the Senate, or that Dio's idealised emperors follow this suggestion. This minimal role for the Senate in Dio's ideal government contrasts with the tradition of senatorial writing which idealised emperors who consulted the Senate and included it in government. Furthermore, Dio's distinctive ideal government challenges the widespread view of Dio as a “senatorial historian”: Dio was of course a senator and his history is coloured by this perspective, but his senatorial status did not lead him to glorify a “senatorial monarchy” with a prominent role for the Senate, as has traditionally been argued.

The Roman emperor had in fact ruled in cooperation with a small and changing group of advisors called the *consilium* since Augustus, and Dio had experienced this *modus operandi* first-hand through his own participation in the *consilium* which, at least under Septimius Severus, he frames very positively.<sup>107</sup> Dio thus presents us with a strikingly pragmatic and realist view of the Senate's ideal role in imperial government: he is not suggesting a utopian revolution where the Senate should share actual power with the emperor or displace the *consilium* as the key deliberative forum. Rather, Dio is simply suggesting that the emperor employ good (senatorial) advisors and

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**106** Madsen 2016; 2019, 50-6.

**107** Cass. Dio 77[76].17.1.



engage with them in genuine debate to determine imperial policies. This may appear unambitious but not all emperors relied on suitable advisors: given that Dio had experienced rulers such as Commodus, Caracalla and Elagabalus, frequent civil wars and the, according to Dio, excessive influence of men such as Plautianus, it is no surprise that he became a pragmatist whose ideal government in many ways merely mirrored the rules of emperors such as Augustus or Vespasian. An emperor who simply respected the Senate, reserved important magistracies for its members and included able senators as advisors could easily be an ideal in the age of “iron and rust”.<sup>108</sup>

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<sup>108</sup> Cass. Dio 72[71].35.4.

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