The problem: Augustus’ un-republican Principate

Cuncta discordiis ciuilibus fessa nomine principis sub imperium accepit.
He accepted everything, exhausted by civil dissensions, under his rule, with the name of leading citizen.

Thus Tacitus, in the opening sentence of the *Annals* (1.1.1), encapsulates the paradox of Augustus’ regime. His power was monarchical, but he sought to give it a republican guise, epitomized in the title *princeps*. Having won supremacy over the Roman world by his victory over Antony and Cleopatra, Augustus devoted the rest of his long life to securing his power and assuring its continuance under his preferred successor. Later writers were in no doubt that Augustus had established monarchy: Tacitus, for example, gave the point lapidary expression in the early chapters of the *Annals*, while Cassius Dio devoted the greater part of Books 51-53 of his history to an extended demonstration of how the monarchy acquired at Actium was confirmed by the settlement carried through in 27 BC. His contemporaries also readily acknowledged Augustus as their ruler, as Millar demonstrated in classic papers. Instances of such recognition can be found not only in the utterances of poets and provincials, but also in the preface to Vitruvius’ *De architectura*, a work probably pub-

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1 Contrast *Ann*. 1.9.4, where, reporting the view of those favourable to Augustus, Tacitus alludes merely to the semblance: ‘it was not as a kingdom or dictatorship, but with the name of princeps that the republic was ordered’ (*non regno tamen neque dictatura, sed principis nomine constitutam rem publicam*).

lished soon after 27: Vitruvius’ opening address to the emperor declares that his ‘divine mind and power’ had gained ‘the empire of the world’, all peoples were observing his bidding, the senate and people were being governed by his thoughts and counsels, and the imperium formerly held by his father Caesar had now passed to his power.

Later gossip alleged that Augustus sometimes considered giving up power, but thought better of it. Thus Suetonius (Aug. 28.1) reported that Augustus contemplated giving back the republic twice (de reddenda re p. bis cogitauit), immediately after the overthrow of Antony and later at a time of protracted illness, and this tradition provided the pretext for Dio to compose his fictional debate between Agrippa and Maecenas (52.1-41). We can be sure that there is no substance in these tales and that in reality Augustus never considered giving up the power which he had striven so hard to attain.

Augustus did, however, make sure to avoid overt autocracy. The dictator Caesar’s acceptance of such a position had led to his assassination, and Augustus took care not to repeat his adoptive father’s error. He would not allow men to address him as master (dominus) and promoted the term princeps as his preferred designation for his position. In his Res Gestae he declared that in his sixth and seventh consulships (28-27 BC) he had transferred the republic to the control of the Roman senate and people (34.1), and that he had subsequently refused the dictatorship, perpetual consulship or any magistracy conferred contrary to ancestral custom (5.1-6.1).

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\[^{3}\] Rejected address as dominus: Suet. Aug. 53.1. For Augustus and the title princeps see besides Tacitus (cited above), RG 13, 30.1, 32.3; Hor. Carm. 1.2.50, 21.14, Epist. 2.1.256; Prop. 4.6.46; Ovid, Fasti 2.142; Wagenvoort 1936; Béranger 1953, p. 31 ff.; Wickert 1954, especially p. 2057 ff.; Cooley 2009, p. 160-1. As Pelham long ago demonstrated (1911, 49-60), the title is not to be confused with the position of princeps senatus to which he was appointed for life in 29 or 28 BC (RG 7.2; Dio 53.1.3; Rich 1990, p. 132; Scheid 2007, p. 38).
arrangements which Augustus made about his own powers must form part of what the loyal Velleius had in mind when he asserted that, after the civil wars were ended, ‘that pristine and ancient form of the republic was brought back’ (2.89.4: *prisca illa et antiqua rei publicae forma revocata*).

There was thus a tension between, on the one hand, the realities of power and his contemporaries’ ready acknowledgement of and acquiescence in those realities, and, on the other, Augustus’ claims that his position was republican in character and his preference for the designation *princeps*, ‘leading citizen’. But the paradox goes deeper: Augustus’ position was highly unrepublican in terms not only of the political realities, but also of the powers formally conferred on him. He acquired a wholly unrepublican accumulation of distinctions, some traditional in character, like the office of pontifex maximus, others novelties like the perpetual tribunician power. *Imperium*, which in the republican system individuals enjoyed just for a few years, as magistrates or while prorogued as promagistrates, he held without remission from his first assumption of the *fasces* on 7 January 43 BC until his death on 19 August AD 14. Although he ceased to hold a regular magistracy after his resignation of the consulship in 23 BC, enactments made then ensured that he could exercise his *imperium* throughout the empire and from 19 BC also in Rome: the arrangements agreed in 27 BC specified a substantial portion of the provinces and from c. 11 BC all but one of the legions were stationed in his provinces.

The tension between the realities of power and Augustus’ republican claims is acutely evident in chapter 34 of his *Res Gestae*, which, along with the following chapter reporting his designation as *pater patriae*, constitutes the culmination of the whole work. In view of its importance for our theme, the chapter must be quoted in full:


(1) In my sixth and seventh consulships, after I had extinguished the civil wars, having power over everything by the consent of all, I transferred the republic from my power to the control of the Roman senate and people. (2) In return for this service of mine by decree of
the senate I was called Augustus, and the door-posts of my house were publicly clothed with laurels, and a civic crown was fixed above my door and a golden shield was placed in the Curia Iulia, which the Roman senate and people gave to me because of my courage, clemency, justice and piety, as is attested by the inscription on that shield. (3) After that time I excelled all in authority, but I had no more power than the others who were my colleagues in each magistracy.

Augustus here describes in careful detail the honours conferred (as calendar sources show) in January 27 BC. However, his statements on the political settlement which they commemorated and on his subsequent position are terse and evasive, and have accordingly provoked interminable scholarly discussion. Fragments recovered from the copy of the *Res Gestae* inscribed at Pisidian Antioch have clarified the text at two crucial points: the reading *auctoritas* at 34.3 was confirmed when this inscription was first published in 1924 and *potens* at 34.1 in a fragment published as recently as 2003.

Augustus assures us that, after he had transferred the republic to the control of the senate and people in 28-27 BC, he was supreme only in ‘authority’ (*auctoritas*). As is well known, this claim is linked to his preference for the title *princeps*. *Auctoritas* was the quality which had been enjoyed particularly by the *principes ciuitatis*, the leading citizens, normally the ex-consuls. It denoted the prestige they possessed as a result of their rank and services to the republic. The greater they were, the more their views carried with the senate and people (both individually and collectively) in consequence of their prestige. The greater a man’s distinction, the greater influence he would enjoy and the more he should take the lead in the counsels of state. Now Augustus’ services to the state and consequent prestige were deemed far to surpass those of all others. He was thus, as Horace put it, ‘the greatest of the *principes*’ (*Carm.* 4.14.6: *maxime principum*), and so, simply, the *princeps*. Accordingly, the Romans would look to him for leadership in their deliberations and his views would carry such weight that they would invariably prevail.

Now Augustus’ vast prestige and respect were certainly an important element in his position, but they were by no means the only

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* Here, as elsewhere in the *RG*, the Greek translation allows lacunae in the Latin original to be supplemented with confidence at all but a few points. The reading *auctoritas* was first published by Premerstein 1924 and *potens* by Botteri 2003. Previously, Mommsen’s supplements *dignitas* and *potitus* had been generally accepted. The now redundant controversy on the interpretation of *potitus* is summarized by Scheid 2007, p. 83-6.

* On the much discussed topic of Augustus’ *auctoritas* see now especially Galinsky 1996, p. 10-41. The essentials were already stated by Heinze 1925. For the Republican usage of the term see especially Hellegouarc’h 1972, p. 295-337.
aspect even of his informal power. However, it is his claim to have no more potestas than his colleagues in each magistracy which is completely at odds with the realities. Which colleagues are meant has been disputed. Some scholars take the reference to include his colleagues in the tribunicia potestas, namely Agrippa and Tiberius, and some ancient readers may perhaps have interpreted it in this way. However, Augustus’ tribunician power was not a magistracy. The only magistracy which he held in and after 27 BC was the consulship, and the strict reference must therefore be just to his colleagues in that office. The claim is thus true only in the narrow, technical sense that in his dealings with his fellow consuls Augustus respected collegial parity. He had made a pointed demonstration of such respect in his sixth consulship, held in 28 with Agrippa, when he revived the practice whereby in Rome the consuls took turns to be accompanied by the lictors carrying the fasces for a month at a time, and no doubt he continued this observance in his remaining consulships. However, from 27 he in reality enjoyed greater potestas than his fellow consuls, since he also held his provinces. Moreover, after his resignation of the consulship in 23, he only held the office again for brief periods in 5 and 2 BC, primarily in order to introduce his adopted sons Gaius and Lucius into public life. His claim to have respected collegial parity thus has special meaning for a period from 27 to his death, yet his colleagues held no magistracies, be excepted a weekly rank of pontifex maximus. How Augustus was in power was recorded within republican claims, and, in particular, how can we account for his strangely inapposite statement at RG 34.3? Despite the huge scholarly effort expended on the discussion of Augustus’ powers, it does not seem to me that satisfactory answers have yet been propounded to these questions. This paper constitutes a fresh attempt.

Discussion has tended to focus on the nature of Augustus’ powers, and, after the 27 settlement itself, stress has been placed particularly on the modifications to those powers carried out in 23 and 19 BC. I shall be concentrating instead on a relatively

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* So rightly Ridley 2003, p. 222-7, with earlier bibliography and well exposing the unreality of the claim. Agrippa and Tiberius included: so recently Hurlet 1997, p. 354-6; Scheid 2007, p. 92; Cooley 2009, p. 272. As is now generally recognized, quoque must be adjectival (quōque, ‘in each’), agreeing with magistratu, not adverbial (quōque, ‘also’): see especially Adcock 1952.


* The best treatment of Augustus’ powers is now Ferrary 2001 (abridged English version, Ferrary 2009). Other recent discussions include Lacey 1996; Girardet 2000a; Cotton and Yakobson 2002; Ferrary 2003; Roddaz 2003; Gruen
neglected aspect of the powers conferred in 27 BC, namely their presentation as a temporary expedient with a specific justification, and I will be arguing that the subsequent renewals of those powers, usually accompanied by a protestation of reluctance on Augustus’ part, have greater significance than has generally been recognized. Augustus claimed in 27 to be accepting the provisions made then merely as a short-time solution necessitated by a continuing emergency. Over the course of his long reign, these emergency arrangements became permanent and were established as central and enduring elements in the architecture of the principate.

Further conclusions will follow. In the first place, continuity in this regard can be observed from triumvirate to principate: as Carsten Lange has recently made clear, the triumvirate itself was justified as an emergency arrangement to fulfil specific purposes, and the provisions made in 27 were thus in effect a continuation of this conception. Secondly, the 27 arrangements were justified in particular as to enable Augustus to secure peace throughout the empire, and there was thus a close interrelationship between his internal and external policies; accordingly, as I argued in an earlier paper (Rich 2003), these policies need to be examined in conjunction, rather than in isolation, as is customary. Thirdly, the question will also arise whether the provisions made in 27 BC were always intended to be permanent as they eventually became. In other areas of government Augustus showed notable flexibility and willingness to consider alternative solutions: it would not be surprising if, both in 27 BC and for some time afterwards, he retained an open mind as to whether repeated renewals of the arrangements made then would continue to be necessary or alternative solutions might in time be found which would permit him to retain the reality of monarchy while continuing to claim observance of republican forms.


12 Lange 2009, especially p. 18 ff., 181 ff. I am much indebted to Lange’s treatment for this part of my argument.

The Triumvirate

The *Lex Titia*, passed on 27 November 43 BC, appointed Antony, Octavian and Lepidus triumvirs with wide-ranging powers including consular *imperium*, the right to nominate the magistrates, and the division between them of the provinces, with the right to appoint their governors. In its conception the triumvirate drew both on the (recently abolished) dictatorship and on the extraordinary commands of the Late Republic. However, its establishment was accompanied by a claimed justification. The office was for a limited term, five years, and for a purpose spelt out in its title: its holders were, as inscriptions and coins confirm, *IIIviri rei publicae constituendae*, a three-man board ‘to settle the republic’. Here, as with their proscriptions, the triumvirs were modelling themselves on Sulla, whose dictatorship appears to have had the same designated function. However, Sulla’s remit had been to settle the republic after civil war. The triumvirs first had to fight their civil war, against the surviving assassins of Caesar, and, as Appian’s evidence shows, this was their declared task. When reporting the establishment of the triumvirate he describes it as ‘a new office for the resolution of the civil wars’ (*B.Civ.* 4.2.6: καινὴν δὲ ἀρχὴν ἐς διορθώσιν τῶν ἐμφυλιῶν), and a few chapters later, citing what he represents as the text of the proscription edict, he takes the triumvirs way that their on-going campaign against the murderers of Caesar was to create a *Lex Titia* (*B.Civ.* 4.9.37). Thus, in its initial form, what Lange has termed ‘the triumviral assignment’ comprised the ending of the civil war and the carrying out of the ensuing settlement.

The civil war was ended by the defeat of Brutus and Cassius at Philippi in October 42. Antony then remained in the East to raise funds and establish triumviral control, while Octavian returned to Italy to complete the settlement there, and in particular the contentious matter of rewarding veterans with confiscated land.
he faced opposition from Antony’s brother Lucius, one of the consuls of 41. In his justification, Lucius deployed the argument that, with the civil war over, the triumvirs had lost their legitimacy and should resign.17

Following L. Antonius’ defeat at Perusia, Antony and Octavian met at Brundisium in September 40, and, after tense negotiations, opted to continue their collaboration, cemented by Antony’s marriage to Octavian’s sister Octavia. The division of the provinces, already revised after Philippi, was further adjusted: Antony retained the eastern and Octavian the western provinces, with the division now fixed at Scodra, while the insignificant Lepidus continued in Africa. A necessary part of the agreement was the extension of the triumviral assignment by the addition of new tasks. As Appian reports it, ‘Octavian was to make war against (Sextus) Pompeius unless they should come to some arrangement, and Antony was to make war against the Parthians to avenge their treachery towards Crassus’18. Both tasks followed naturally from recent events, since Sextus Pompeius had established himself as a formidable power in Sicily and at sea, and the Parthians, whom Caesar had been on the point of attacking when he was killed, had taken the initiative themselves in 40, invading Syria and Asia in association with the renegade Labienus. However, while resolving the conflict with Sextus was a continuation of the original triumviral assignment of ending civil war, the war against the Parthians marked a significant extension of the triumviral remit beyond civil war.

The new tasks would take time, and so could provide a justification for an extension of the triumviral term, no doubt already envisaged at the time of the Brundisium agreement. Accordingly, the triumvirs in due course took a second five-year term, though not until the summer of 37, after the original term had expired.19

Dealing with Sextus Pompeius proved by no means easy, but in 36, also the year of Antony’s invasion of Parthia, Octavian finally accomplished the task through the decisive victory of Naulochus, won by his admiral Agrippa. Shortly afterwards, he stripped Lepidus of his position. On his return to Rome in November 36, Octavian was again able to proclaim the ending of civil war, and the honours he received included a rostral column with an inscription declaring

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17 App. B.Civ. 5.43.179. For L. Antonius’ attacks on the triumvirate’s legitimacy see also App. B.Civ. 5.19.74, 30.118, 39.159-61.
18 App. B.Civ. 5.65.275 : πολεμεῖν δὲ Πομπηίῳ μὲν Καίσαρα, εἰ μὴ τι συμβαίνοι, Παρθανίως δὲ Άντώνιον, ἀμφότεροι τῆς ἐς Κράσσον παρασπονδήσως.
19 The renewal : App. B.Civ. 5.95.398; Dio 48.54.6. That the triumvirs’ first term expired on 31 December 38 is shown by the Fasti Colotiani (Degrassi 1947, p. 273-4).
that 'Peace, long disrupted by civil discord, he restored on land and sea'\textsuperscript{20}. He also gave a commitment that, on Antony’s return, they would both lay down their powers: as Appian puts it, ‘he said that he would hand back the government entirely when Antony should return from the Parthian campaign, for he was persuaded that Antony, too, would be willing to lay down his office, the civil wars being at an end’\textsuperscript{21}. Antony, however, was not able to carry out his part of the extended triumviral assignment: in winter 36/35, his Parthian expedition ended in costly and ignominious withdrawal.

We should not assume that the breakdown of Octavian’s association with Antony was inevitable. If it had not been for Antony’s entanglement with Cleopatra, his marriage to Octavia and with it the alliance with her brother might well have endured. In that case, they would have had to face together the problem of what should follow the triumvirate and would presumably have devised a solution which could have been represented as returning power to the senate and people.

In the event, however, relations between Antony and Octavian broke down by 32, and each partner then prepared for war. The extended diplomatic preliminaries included attempts by each to claim credit for planning to resign their extraordinary powers and restore power to the senate and people: to represent their opponents as those acting in a manner unfavourable. According to Dio, Antony, in a letter to the senate, ‘he said that he would give up his office and return everything to the senate and people (οὐ τὴν ἀρχὴν παύσωσθαι καὶ ἐπὶ ἑκείνη τῷ τῇ δὴμῳ πάντα τὰ πράγματα ποιήσωσθαι ἐθέλει), and, immediately before the battle of Actium, he promised his troops that within two months of victory he would give up his office and return all its power to the senate and people (τὴν τῇ ἀρχῇν ... ἀρήσειν καὶ τῷ πάντων αὐτῆς κράτος τῇ τῇ γερουσίᾳ καὶ τῷ δήμῳ ἀποδώσειν), but was persuaded to extend the deadline to the sixth

\textsuperscript{20}App. B.Civ. 5.130.541-2 (τὴν εἰρήνην ἔστασισμένην ἐκ πολλοὺ συνέστησε κατὰ τῇ γῆν καὶ θάλασσαν). The rostral column was commemorated in a coin issue (RIC \textsuperscript{1}1, p. 60, no. 271). The honours then voted to Octavian (not all accepted) are also reported by Dio 49.15.1. For the Hellenistic origins of the concept of rule over or peace on land and sea see Momigliano 1942; Schuler 2007.

\textsuperscript{21}App., B.Civ. 5.132.548 : τὴν ἐντελὴ πολιτείαν ἐλεγεν ἀποδώσειν, εἰ παραγένοντο ἐκ Παρθιαίων Ἀντώνιος· πείθεσθαι γὰρ κύκεινον εἴθελεν ἀποθέσαι τὴν ἀρχὴν, τὸν ἐμφυλίον καταπεπαυμένον. Appian reports an earlier anticipation of the surrender of triumviral powers in 39: the advance designation of consuls made then ended with third consulships by Antony and Octavian to be held in 31, and ‘it was expected that they would then hand back the government to the people’ (App. BCiv. 5.73.313 : ἔπλιζομένους τότε καὶ ἀποδώσειν τῇ δήμῳ τὴν πολιτείαν).
month to give him time to enact the settlement\textsuperscript{22}. The Livian epitomator includes among Octavian’s grounds for war the allegation that Antony was unwilling to come to Rome or to lay down his power on the expiry of the triumvirate\textsuperscript{23}. Suetonius, as we have seen, alleges that Octavian contemplated giving back the republic immediately after the overthrow of Antony, and he offers as explanation that Octavian was ‘mindful that Antony had often alleged that he was responsible for its not having been given back’\textsuperscript{24}.

When and how the triumvirate ended remains controversial. Despite the late renewal, the second term was probably deemed to have started on 1 January 37 and so to expire on the last day of the year 33. This is the implication both of Augustus’ claim to have held the office for ten continuous years (\textit{RG} 7.1; cf. Suet. \textit{Aug.} 27.1) and of the listing of the triumvirs before the consuls in the \textit{Fasti Capitolini} for 37 but not for 36 (Degrassi 1947, p. 58-59; the entries for the subsequent years do not survive). Appian’s statement at \textit{Ill.} 28.80 that at the start of 33 the second term still had two years to run is followed by some writers, but is probably an error\textsuperscript{25}.

Some scholars hold that after the expiry of the second five-year term the triumvirs had no legal power, others that they retained their power in their provinces, but not in the city of Rome\textsuperscript{26}. It is more likely, however, that the triumvirate had been instituted in such a way that it did not lapse when the term expired, but only when the holders resigned the office. This explains several otherwise puzzling phenomena: the unwillingness of the triumvirs to agree to any delay in renewal in 37, Octavian’s convening the senate and seating himself between the consuls in 32 (Dio 50.2.5-7), and the implication that the office remained theirs to resign conveyed in the allegations by

\textsuperscript{22} Dio 49.41.6, 50.7.1-2.

\textsuperscript{23} Livy, \textit{Per.} 132 : \textit{cum M. Antonius ... neque in urbem uenire uellet neque finito IIIviratus tempore imperium deponere ...}

\textsuperscript{24} Suet. \textit{Aug.} 28.1 : \textit{memor obiectum sibi ab eo saepius, quasi per ipsum staret ne redderetur.}

\textsuperscript{25} For the second term as ending in 33 see e.g. Girardet 1995; Pelling 1996, p. 67-8; Lange 2009, p. 54-5. In favour of 32 as the terminal date see e.g. Gabba 1970; Ridley 2003, p. 172-7; Vervaet 2009, 2010; Levick 2010, p. 51-3.

\textsuperscript{26} No legal power (and Octavian staging a coup d’état in early 32) : Kromayer 1888, p. 2-21; Syme 1939, p. 270-1, 277-8; Gray 1975. Power retained in the provinces : Bleicken 1990, p. 65-82; Girardet 1990b; Lewis 1991.