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FRANCISCO PINA POLO (ed.)

THE TRIUMVIRAL PERIOD

**CIVIL WAR, POLITICAL CRISIS
AND SOCIOECONOMIC
TRANSFORMATIONS**

EDITORIAL UNIVERSIDAD DE SEVILLA
PRENSAS DE LA UNIVERSIDAD DE ZARAGOZA

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TRANSFORMATIONS

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PRENSAS DE LA UNIVERSIDAD DE ZARAGOZA

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This book is dedicated to the memory of Fergus Millar

CONTENTS

INTRODUCTION

<i>Francisco Pina Polo</i>	13
----------------------------------	----

I.

CONTINUITY AND CHANGE: INTERACTIONS BETWEEN TRIUMVIRAL AND REPUBLICAN INSTITUTIONS

The Triumvirate *Rei Publicae Constituendae*:

Political and Constitutional Aspects

<i>Frederik Juliaan Vervaeke</i>	23
--	----

The Functioning of the Republican Institutions under the Triumvirs

<i>Francisco Pina Polo</i>	49
----------------------------------	----

Senatum ... incondita turba (Suet. *Aug.* 35.1). Was the Senate Composed so
as to Ensure its Compliance?

<i>Marie-Claire Ferriès</i>	71
-----------------------------------	----

II.

WAR AND PEACE

The Notion of *Bellum Civile* in the Last Century of the Republic

<i>Valentina Arena</i>	101
------------------------------	-----

Civil War and the (Almost) Forgotten Pact of Brundisium

<i>Carsten Hjort Lange</i>	127
----------------------------------	-----

A Framework of Negotiation and Reconciliation in the Triumviral period

<i>Hannah Cornwell</i>	149
------------------------------	-----

Children for the Family, Children for the State: Attitudes towards and the Handling of Offspring during the Triumvirate	
<i>Francesca Rohr Vio</i>	171

III. STRATEGIES OF POLITICAL COMMUNICATION

The Intersection of Oratory and Institutional Change	
<i>Catherine Steel</i>	195
Invectivity in the City of Rome in the Caesarian and Triumviral periods	
<i>Martin Jehne</i>	209
Fear in the City during the Triumviral Period: The Expression and Exploitation of a Politic Emotion	
<i>Frédéric Hurlet</i>	229
The Reception of Octavian's Oratory and Public Communication in the Imperial Period	
<i>Henriette van der Blom</i>	249
Information Exchange and Political Communication in the Triumviral Period: Some Remarks on Means and Methods	
<i>Enrique García Riaza</i>	281
Marcus Antonius: Words and Images	
<i>Kathryn Welch</i>	301

IV. CRISIS AND RESTORATION AT ROME AND IN ITALY

Consumption, Construction, and Conflagration: The Archaeology of Socio-political Change in the Triumviral Period	
<i>Dominik Maschek</i>	327
The Socio-political Experience of the Italians during the Triumviral Period	
<i>Cristina Rosillo-López</i>	353
<i>Hasta infinita?</i> Financial Strategies in the Triumviral Period	
<i>Marta García Morcillo</i>	379

V. THE TRIUMVIRS AND THE PROVINCES

Provinces and Provincial Command during the Triumvirate: Hispania as a Study Case	
<i>Alejandro Díaz Fernández</i>	401

Triumviral Documents from the Greek East	
<i>Andrea Raggi</i>	431
Antonius and Athens	
<i>W. Jeffrey Tatum</i>	451

VI.
CONCLUSION

Law, Violence and Trauma in the Triumviral Period	
<i>Clifford Ando</i>	477
INDEX OF ANCIENT NAMES	495
INDEX OF SUBJECTS	503

THE RECEPTION OF OCTAVIAN'S ORATORY AND PUBLIC COMMUNICATION IN THE IMPERIAL PERIOD

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Dedicated to the memory of Fergus Millar (1935-2019)

1. Introduction

“Nobody would argue that the formal exercise of their traditional functions by the Senate and people demonstrates the continuance of the free play of politics. But the evidence does seem to indicate that the institutions of the *res publica* themselves persisted through the Triumviral period. Moreover the Triumvirs not only, as we shall see (...), made repeated promises to restore effective power to the Republican institutions, but showed considerable concern to have their actions formally approved and ratified by the traditional organs of the State.”¹

Fergus Millar, in his influential *JRS* article from 1973 on Triumvirate and Principate, argued and showed that the institutions of the *res publica* continued throughout the Triumviral period. Although he did not point out specifically, except for a few side remarks, that this functioning involved public speech, delivered in the senate and in the *contio*, it is clear from his other publications and from conversations that this aspect of political life was not to be forgotten.²

Nevertheless, public speech in the Triumviral period is still assessed mainly as a means to explain specific events or as a minor element in larger analyses of political and military episodes and developments, and less so for understanding the development of public speech in the Triumviral period or what individual

1 Millar 1973: 54.

2 Millar 1998 is the culmination of his work on the Republican *contio*, starting with Millar 1984 and 1986.

politicians did with public speech, how that effected their careers and how these speeches were recorded afterwards. However, such analyses of public speech would offer further aspects to Millar's argument about the continuation of the institutions of the *res publica*, would provide new ways of assessing the tactics and strategies of some of the most influential politicians of the period, and would add to the ongoing scholarly debate and reassessment of the sources for the Triumviral period.

Clearly, such a project is beyond the scope of this contribution. But what I propose to do here is to analyse the oratorical record of Octavian in the late Republican and Triumviral periods in order to assess how he employed public speech as part of his career and how his speeches were recorded. I shall start with a brief overview of Octavian's speeches, and argue that the extant record is remarkably scant in comparison with that of his adoptive father, and that the sources for his oratory were interested in particular events and periods, not least the period 44-43 BC. That insight leads to a case study of Octavian's *contio* speech in November 44 BC to illustrate the gains of close reading for our understanding of Octavian's use of public speech: the careful orchestration of the timing, physical setting, words and gestures to convey a complex message shows a young man very much aware of the potential significance such a public address could have on the audience and therefore on the speaker's political position in both shorter and longer term. The case study leads to a discussion of what a focus on Octavian's speeches and its reception can tell us about his use of public speech as part of his political strategy, in particular in the Triumviral period. A final consideration of the possibilities and limitations of our source material on Octavian's oratory suggests that Augustus may have tried to curate his own oratorical record and that this may have influenced the limited availability of material to ancient authors and modern scholars.

2. Octavian the orator (51-30 BC)

To both contemporary and later ancient sources, Octavian – and Augustus³ – was known to have trained with diligence, self-discipline and talent in his youth to become a well-prepared, elegantly spoken and effective

3 I shall use the name Octavian for the period before his assumption of the name Augustus in 27 BC, and the name Augustus for the period from the assumption onwards.

orator.⁴ Our sources to his speeches and oratorical skills range from contemporary sources such as Cicero's letters and speeches and Nicolaus of Damascus' biography of Augustus, to later imperial sources such as Plutarch, Quintilian, Suetonius, Appian and Dio – all writing different types of works and for different purposes.⁵ No full speech of Octavian (or Augustus) exists, and his extant works – the *Res Gestae* and his fragmentary memoirs – give limited insights into his speeches: Pliny seemingly quotes words of Octavian said in public at the games in honour of Julius Caesar in the summer of 44 BC and recorded in Augustus' memoirs,⁶ and Appian tells us that he has translated speeches of Lucius Antonius and Octavian which he found in Augustus' memoirs.⁷ We know that Octavian/Augustus circulated some of his speeches in written form and, especially, that he often prepared notes or manuscripts for his own use before important speech events (even in private), although he could also improvise when necessary.⁸ He is unlikely to have shared his speech

4 Cic. *Att.* 16.15.3 (SB 426) (Octavian's contional effectiveness); Nic. Dam. Ex. V (J 129=M 100 XVb), 36 (self-discipline); Sen. *Apocol.* 10-11 (divine Augustus made to utter his indictment of Claudius *summa facundia*; Tac. *Ann.* 13.3.2 (on Augustus' oratorical style); Suet. *Aug.* 84 (continuous training, preparation), 86-87 (elegant style), 89 (teacher); *De gramm. et rhet.* 25.3 (declamatory practices), 28.1 (oratory teachers); Quint. *Inst.* 1.7.22 (choice of words), 3.1.17 (teacher), 8.3.34 (choice of words); Fronto *Ep. Ad Verum imperatorem* 2.10 (123.3-7) (elegant style); Dio Cass. 45.2.7-8 (practice in Latin and Greek oratory); Aur. Vict. *De Caesaribus* 1 (studies), *Epitome de Caesaribus* 1.17 (declamatory practices, diligence); Ael. *Var. hist.* 12.25 (teacher). On Octavian's teachers, see also Bringmann 2007: 26-27. For a collection of Octavian's/Augustus' speeches, see Malcovati 1969: 71-79; Bringmann – Wiegandt 2008: 161-79. On Augustus' 'voice', see Levick 2010: 132-36, 206-8.

5 Epigraphic evidence of his funeral speech over Agrippa: Koenen 1970; Haslam 1980; Badian 1980-81. However, the mention of Marcus Antonius and Octavian speaking in the senate in 39 BC, recorded in the Aphrodisias inscriptions (*RDGE* 28B, 29 = Reynolds 1982: 8.21-30), should probably not be included in the tally. The fact that Antonius is mentioned first and addressed several issues relating to Plarasa/Aphrodisias (within Asia which was his responsibility) suggests that only he spoke whereas the inclusion of Octavian's name immediately after Antonius simply indicates that he was there as well. This is argued by Reynolds 1982: 75, and I thank Professor Andrea Raggi for his comment on this.

6 Plin. *HN* 2.93-94, also listed by Smith 2009: 2.

7 App. *B Civ.* 5.45.191. Gowing 1992: 241-242 argues that Appian did not mean direct 'translation' but rather an approximate rendering of the words spoken into Greek. Powell 2009 instead argues that Appian followed Augustus' memoirs closely, including in the use of L. Antonius' and Octavian's speeches after Perusia (pp. 179-181), and Welch 2012: 229-230 also argues that the speech of Octavian in Appian reflected the message which Augustus needed to provide at the time of the composition of his memoirs, namely that he embraced the *res publica*.

8 Cic. *Att.* 16.15.3 (SB 426): Cicero received a written version of Octavian's *contio* speech delivered on 10 November 44 BC. App. *B Civ.* 5.130.539-540: on return to Rome in

manuscripts, but Suetonius could later find and read some of Augustus' letters, giving him insights into Augustus' style.⁹

When compared with many other republican orators, Octavian's oratorical record is not unusual in terms of the number of testimonia and potential fragments or in terms of citing authors. But when placed in the context of his most obvious comparison, Julius Caesar, there are telling differences.¹⁰ Some of the imperial authors who were interested in Julius Caesar's speeches were not particularly interested in Octavian's. For example, Aulus Gellius' substantial references to republican oratory, including the speeches of Julius Caesar, do not contain a single mention of Octavian's/Augustus' speeches. Aulus Gellius was interested in speeches for conveying aspects of the Latin language, but although Suetonius tells us about Octavian's/Augustus' elegant style,¹¹ and although Gellius mentions some of Augustus' letters and that Augustus imitated his adoptive father's style in discourse, he does not refer to or quote from Octavian's/Augustus' speeches.¹²

Another characteristic of Octavian's oratorical record is that the testimonia are lumped together around specific (types of) sources and around particular periods or moments in time. For the early part of Octavian's career, we have Nicolaus of Damascus' account and Cicero's works; both stop in 43 BC. From 42 BC onwards, our sources are almost exclusively Appian, Dio and, to some extent, Plutarch – all writing later and in Greek – and a few testimonia from Suetonius. This means that we need to take into account different kinds of concerns, such as access to information, language and purpose of writing, when assessing different periods of Octavian's oratory. Testimonia are also lumped around particular periods, such as major military events with the battle of Philippi and the siege of Perusia as the most

36 BC, Octavian delivered speeches in senate and to the people, which he wrote down and circulated as pamphlets. Suet. *Aug.* 84 on written preparation before speaking in senate or *contio*. Dio Cass. 53.2.7 on Augustus' written manuscript before the speech on 13 January 27 BC, 50.3.1 on Augustus' address to the senate in January 32 from a (partly) written text. *Improvise*: Nic. Dam. 32-33 (response to the false Marius).

9 Suet. *Aug.* 87-88; cf. Quint. *Inst.* 1.7.22 who also comments on Augustus' letters, and de Jonge 2018: 264 who sets Augustus' style within its contemporary context of rhetorical debate regarding Atticism.

10 For the reception of Julius Caesar's speeches in the imperial period, see van der Blom (forthcoming).

11 Suet. *Aug.* 84, 86.

12 Aul. Gell. 10.24.2, 15.7.3.

prominent.¹³ Here, I am not concerned about the veracity of battle speeches or military *contiones*, or about the narrative sources' use of speeches to move forward their accounts, but simply assessing where the sources lay the emphasis in their references to Octavian's public speeches. Another emphasis falls on Octavian's presence in Rome in the later part of the 30s BC where he made the most of his access to the senate and popular assemblies.¹⁴ One major example of this is the opening and public reading of Antonius' will in 32 BC, which the sources cover abundantly.¹⁵ The most extensive and varied testimonia, however, are around Octavian's speeches in the period 44-43 BC, found in the works of Cicero, Nicolaus, Suetonius, Appian, Dio, Plutarch and Pliny the Elder. These sources offer insights into specific oratorical events, but also, as a collective, show a remarkable interest in and detailed knowledge of these speeches. Certainly, the period between the murder of Julius Caesar in March 44 BC and the formation of the Triumvirate in November 43 BC was crucial in Roman history and for Octavian's rise to power. Any sources interested in either, if not both, tend to mention some of the speech moments of Octavian. But the sources' attention to Octavian's speech acts of 44-43 BC perhaps also reflect the fact that Octavian was responding to Antonius, the centre of formal and real power at the time, and that some of these sources used Augustus' memoirs (explicitly mentioned by Nicolaus, Appian and Pliny the Elder). The memoirs appear to have had a strong emphasis on this period, because Augustus needed to offer his version of his rise to power in order to make it fit his message and persona at the time of composition.¹⁶ Our sources' emphasis therefore reflects the significance of

13 Philippi: App. *B Civ.* 4.126.525 (before one of the two battles); Dio Cass. 47.42.2-5 (immediately before one of the battles); Suet. *Aug.* 13.1-2 (after the battles). Perusia: Dio Cass. 48.8.5 (before the siege); App. *B Civ.* 5.28.107 (before the siege); Suet. *De gramm. et rhet.* 28.1 (Cannutius' response to Antonius and Octavian before the siege); App. *B Civ.* 5.45.188 (Octavian's response to Lucius' speech of surrender (5.45.188-190), followed by Appian's remark (5.45.191) to have translated the speeches from Augustus' memoirs and notes), 5.47.197-199 (Octavian addressing L. Antonius' troops, possibly also from Augustus' memoirs although Appian does not say so); Suet. *Aug.* 15.1 (Octavian sitting in judgement over the surrendered; with Wardle 2014: 137).

14 App. *B Civ.* 5.130.539-540 (36 BC); Dio Cass. 49.15.3 (36 BC); Plut. *Ant.* 55.1 (33 BC, with Pelling 1988: 252-53); 55.4; Dio Cass. 50.2.1 (33 BC), 50.2.5-7 (32 BC).

15 Plut. *Ant.* 58.6-8 with Pelling 1988: 261; Dio Cass. 50.3.4; Suet. *Aug.* 17.1 with Wardle 2014: 147.

16 Powell 2009 on the apologetic tone of the memoirs; Welch 2019a on the story line of revenge.

the events (including public speaking) in 44-43 BC both at the time and in later interpretations.

3. Case study:

Octavian's *contio* speech on 10 November 44 BC

The case study for special attention is Octavian's speech in a *contio* called by the tribune Ti. Cannutius on 10 November 44 BC. I have chosen this speech because it is particularly well evidenced and gives good insights into Octavian's use of oratory in this crucial period and into the sources to Octavian's oratorical record in general.

The background is well known, so I shall only briefly sketch it here: after Caesar's murder in March 44 BC, Marcus Antonius as consul took control of public affairs while the conspirators (or liberators, depending on view point) were side-lined. Octavian received the news of the murder and Caesar's will in Apollonia and he travelled first to Brundisium and then to Rome.¹⁷ In the following months, Octavian worked towards being formally accepted as the adoptive son of Julius Caesar and receiving his inheritance: name, property and loyalty of Caesar's troops. Antonius, on his side, strove to stay in control of political and military powers and resources (including Caesar's veterans) and he actively worked against Octavian as well as the conspirators and those who supported them.¹⁸ In the autumn of 44 BC, some opposition to Antonius had begun to form: senior consulars such as L. Piso and Cicero were speaking up against Antonius in the senate, Octavian had managed to manoeuvre himself into a position as Antonius' rival to avenge Julius Caesar and had increased his attempts to get Cicero's support, and the tribune Ti. Cannutius held a series of *contiones* to criticise Antonius.¹⁹ Cannutius spoke himself, but he also called Antonius (on 2 October) and

17 See Toher 2004 and Sumi 2005: 125-131 for detailed discussions of the timing and manner of Octavian's arrival in Italy after the murder of Caesar. Toher argues that Octavian travelled first to Rome, then to Campania and then back to Rome (accepted by Welch 2019a), while most scholars think Octavian went from Brundisium to Campania and then to Rome.

18 See Welch 2019a for the competing claims of Antonius and Octavian to avenge the murder of Caesar.

19 Piso's speech: Cic. *Att.* 16.7.1, 16.7.5 (SB 415); Manuwald 2007: 9-19.

Octavian (on 10 November) to address the present crowd.²⁰ It is this *contio* in which Octavian spoke, which forms our case study.²¹

The sources on this occasion are good in comparison with other speech occasions in Octavian's record. Although there is nothing in Augustus' extant works, we have contemporary evidence from Cicero's letters and third *Philippic* speech, the latter delivered about a month after the *contio*.²² In fact, Cicero's last extant letter to Atticus discusses the *contio* speech directly and paraphrases a bit of it. We also have a description of the lead up to this *contio* in Nicolaus of Damascus' *Life of Augustus*, which Toher has convincingly argued to be influenced by Augustus' now mainly lost autobiography.²³ Finally, we have the extensive narrative accounts by Appian and Dio, written in the second and early third century AD. I shall go through these *testimonia* to build up our information about the speech and event. Chronologically, our first source is Cicero who wrote to Atticus shortly after 12 November 44 BC, a few days after the *contio*. I quote the entire paragraph because the context of Cicero's mention of the speech is important for understanding how and why he received it:

Redeo ad rem publicam. multa mehercule a te saepe ἐν πολιτικῷ genere prudenter, sed his litteris nihil prudentius. quamquam enim ἔπостεαί in praesentia belle iste puer retundit Antonium, tamen exitum exspectare debemus. at quae contio! nam est missa mihi. iurat 'ita sibi parentis honores consequi liceat' et simul dextram intendit ad statuam. μηδὲ σωθεῖν ὑπὸ γε τοιούτου! sed, ut scribis, certissimum video esse discrimen Cascae nostri tribunatum, de quo quidem ipso dixi Oppio, cum me hortaretur ut adolescentem totamque causam manumque veteranorum complecterer, me <n>ullo modo facere posse, <nisi> mihi exploratum esset eum non modo non inimicum tyrannoctonis verum etiam amicum fore. cum ille diceret ita futurum, 'quid igitur festinamus?' inquam. 'illi enim mea opera ante Kal. Ian. nihil opus est, nos autem eius voluntatem ante Id. Dec. pers<pi>ciemus in Casca.' valde mihi adsensus est. quam ob rem haec quidem hactenus.

20 Cic. *Fam.* 12.3.2 (SB 345), 12.23.3 (SB 347); *Att.* 16.8.2 (SB 418); *Phil.* 3.23 (with Manuwald 2007: 408).

21 For a full analysis of the *contio*, including the physical and performative contexts, see Sumi 2005: 161-68. For a briefer assessment of Octavian's *contio*, see Gotter 1996: 94-95.

22 Cic. *Fam.* 12.3.2 (SB 345), 12.23.3 (SB 347); *Att.* 16.8.2 (SB 418), 16.15.3 (SB 426); *Phil.* 3.23.

23 Toher 2017 throughout his commentary, but see Smith 2014: vol. I, 460, who argues that the memoirs of Augustus cannot be reconstructed on the basis of Nicolaus' account and, indeed, Toher 2009 which is more sceptical than Toher 2017. Since Toher 2017 is the result of further study and the latest statement by the specialist in the field, I am following the interpretation in this work. For text, translation and discussion of the fragmentary memoirs, see Smith 2009, 2014.

To come to public affairs, many indeed are the wise words I have heard from you on matters of politics but nothing wiser than this letter. This boy is taking the steam out of Antony neatly enough for the moment, but we had best wait and see the issue. But what a speech—a copy was sent to me. Swears ‘by his hopes of rising to his father’s honours,’ stretching his hand out towards the statue! Sooner destruction for me than a rescuer such as this! But as you say, the clearest test will be our friend Casca’s Tribune. I told Oppius on that very subject, when he was pressing me to embrace the young man and his whole movement and band of veterans to boot, that I could do nothing of the kind unless I was sure that he would be not only no enemy but a friend to the tyrannicides. When he replied that this would be the case, ‘What’s our hurry then?’ said I. ‘He needs no help from me before the Kalends of January and we shall plainly see his disposition before the Ides of December over Casca.’ He quite agreed. So much for this then.²⁴

Cicero’s paraphrase of Octavian’s words and performance – swearing that he will attain his father’s honours as far as permitted and gesturing towards Caesar’s statue – is unique: it is the closest we get to any of Octavian’s speeches. Cicero’s pleasure in hearing about Octavian bashing about (*retundit*) Antonius is tempered by his dread at what Octavian’s contional message might mean for Rome (and himself), but he does not spell out the implications directly because Atticus knew them. Nevertheless, it is clear that Octavian (again) publicly claimed his relationship with the dead dictator, in words and gesture, and that the religious element of swearing added weight to Octavian’s claim and promise to rise to his adoptive father’s honours.²⁵ In fact, this is one of the first instances of Octavian’s (and Augustus’) interest in involving the gods through swearing.²⁶

The opening of this passage suggests that Cicero is responding to Atticus’ report on Octavian taking the steam out of Antonius, commenting that they

24 Cic. *Att.* 16.15.3 (SB 426) from Arpinum, dated by Shackleton Bailey to ‘after 12 November’; text and transl. Shackleton Bailey 1999.

25 Octavian had claimed his inheritance from Julius Caesar at a *contio* in May 44: Cic. *Att.* 14.20.5 (SB 374, 11 May 44), 14.21.4 (SB 375, 11 May), 15.2.3 (SB 379, 18 May); App. *B Civ.* 3.14.49 with Sumi 2005: 129. For the precise meaning of these honours (*honores*), see discussion below.

26 *RGDA* 25.5 (with Cooley 2009: *ad loc.* and Osgood 2006: 357-359) on the famous but disputed oath of the entire Italy to Octavian in 32 BC; Levick 2010: 47-48 and 2011 gives some context in preparation of her discussion of some later Augustan oaths. If Appian was right to depict Antonius as claiming that the senators supporting the conspirators’ deed had polluted their oath of allegiance to Caesar (Welch 2015, 280-285), then one might read Octavian’s oath as a response, claiming religious justice on his side. Antonius’ letter to Hirtius and Octavian, quoted in Cic. *Phil.* 13 (conveniently pieced together in Lintott 2008: appendix 8, 445-457) is Antonius’ response to this tactic of Octavian.

should wait and see what would happen. Atticus was in Rome at this point and therefore in a good position to follow Octavian's activities there, while Cicero was in Arpinum.²⁷ But Cicero seems not to have heard the details about Octavian's speech from Atticus: the factual tone and the passive voice used to describe how he got hold of it, *nam est missa mihi*, rather suggests that Atticus did not know Cicero had read a written version and that Cicero received it from an unimportant messenger; otherwise he might have told Atticus from whom he received it. We shall consider in a moment who might have sent it. The paraphrase of Octavian's speech clearly comes from the written version Cicero read, but what about the comment on the delivery, Octavian stretching out his hand? Cicero does not say, but perhaps the person who sent the speech described Octavian's performance in the cover letter or told him in person. Then, after his expression of horror at Octavian's message, Cicero reverts to responding to Atticus' point about Casca: as one of the conspirators against Julius Caesar, Casca's position when taking up his tribunate on 10 December 44 would be a testing ground for how far Octavian would be willing to work with the conspirators, also in the new year under the new consuls. This comment leads Cicero to tell Atticus of a visit by Oppius, one of Julius Caesar's closest advisers and assistants and, from this letter, apparently in a similar position to Octavian.²⁸ That Oppius was trying to get Cicero's support of Octavian's *totam causam* and that Cicero's price for this was Octavian's promise to not to harm but support the conspirators, to which Oppius agreed, is evident and fits Octavian's continued efforts to get Cicero's support throughout the autumn of 44 BC.²⁹ This suggests that Octavian (or one of his 'friends') sent Cicero the copy (or a copy, as Cicero might have received more than one from different correspondents/messengers) of the *contio* speech in order to continue his communication with Cicero and to show Cicero his intentions and

27 Cic. *Att.* 16.15.6 (SB 426) makes clear that Atticus warned Cicero against going to Rome but that Cicero thought it necessary to return to Rome because of his financial difficulties, saying *adsum igitur* – 'I am coming soon', i.e. joining Atticus in Rome soon.

28 On Oppius' (and Balbus') service to Julius Caesar and Octavian, see Alföldi 1976; Welch 1990.

29 Cic. *Att.* 16.8.1-2 (SB 418, 2 or 3 Nov.), 16.9 (SB 419, 4 Nov.) 16.11.6 (SB 420, 5 Nov.), 16.14.1 (SB 425, 12? Nov.); 16.15.3 (SB 426, after 12 Nov.). Octavian had been in contact with Cicero since his arrival in Italy in spring 44 BC: Cic. *Att.* 14.12.2 (SB 366, 22 April); cf. 14.10.3 (SB 364, 19 April), 14.11.2 (SB 365, 21 April). Welch 2012: 138-142 argues that Cicero's price for collaboration with Octavian was the control of the provinces against Antonius' redistribution in June 44 BC because it would protect Decimus Brutus in Cisalpine Gaul and the action of Marcus Brutus in the East.

actions.³⁰ From the structure of this paragraph and the passive voice in describing the arrival of the speech, it seems that Oppius did not deliver the speech together with his invitation to Cicero to collaborate with Octavian. But that is not to say that Oppius did not know how to time his visit, if he knew that the letter with the *contio* speech had arrived at Cicero's; that is, if the letter was sent by Octavian. The positioning of Oppius has relevance for our understanding of the speech itself, as we shall see below.

From Cicero, therefore, we have an indication of the content and delivery of the speech, and we know that a written version of the speech existed at the time. In fact, the written speech is likely to have been circulated more widely in order to extend the message from its original audience of the people, including veteran soldiers, to senators and, almost certainly, Antonius.³¹

Indeed, Nicolaus of Damascus' description of Octavian's activities just before going to Rome and speaking at this *contio* indicates that Octavian used both the spoken word and the written text to reach a wider audience. During his travels in the Etrurian countryside in late October and early November, when he was trying to convince the various legions stationed there to join him and to drum up further support for his cause, Octavian spoke with local town councillors and soldiers, addressed local assemblies, and provided written messages for his followers to distribute wider than he himself could travel.³² Nicolaus also offers insights into Octavian's message: that his father had been unjustly murdered, that Antonius was plotting against him, that they should support him as the rightly heir of Julius Caesar because they had benefited from Caesar, and that they should protect him against Antonius. There is no mention of the conspirators. This message is compatible with but not identical to what we know was the message in Octavian's *contio* speech. In his commentary on Nicolaus' biography, Toher astutely remarks on the divergence between Octavian's message in the Italian towns and later justification for what was essentially an illegal recruitment of troops and, given Octavian's stated purpose, an act of treachery towards the consul:³³ in the *Res Gestae*, Augustus argued that he had gathered an army on private initiative to free the

30 See also Pina Polo 1996: 28, n. 89, who states that Octavian sent Cicero the written version of his *contio* speech, and Pina Polo 2018: 116-117. Kelly 2008: 34 also states that Octavian sent Cicero a copy.

31 See Kelly 2008 for discussion of such circulation.

32 Nic. Dam. 136-139 with Toher 2017: 420-425.

33 Toher 2017: 412-413.

res publica from the domination of Antonius.³⁴ This was also the justification in Cicero's first speech to publicly advocate honours for Octavian, his third *Philippic* speech delivered in the senate on 20 December 44 BC, and in later accounts; indeed it has been suggested that Octavian's formulation in the *Res Gestae* was inspired by Cicero's.³⁵ Privately, Cicero was more in tune with Octavian's contemporary message, understanding that the young man aimed at war with Antonius with himself as the general. Cicero wrote to Atticus at the start of November 44 BC:

Kalendis vesperi litterae mihi ab Octaviano. magna molitur. veteranos qui Casilini et Calatiae <sunt> perduxit ad suam sententiam. nec mirum, quingenos denarios dat. cogitat reliquas colonias obire. plane hoc spectat ut se duce bellum geratur cum Antonio. itaque video paucis diebus nos in armis fore. quem autem sequamur? vide nomen, vide aetatem. atque a me postulat primum ut clam colloquatur mecum vel Capuae vel non longe a Capua. puerile hoc quidem, si id putat clam fieri posse. docui per litteras id nec opus esse nec fieri posse. (...) ducem se profiteretur nec nos sibi putat deesse oportere.

On the evening of the Kalends a letter for me arrived from Octavian. He has great schemes afoot. He has won the veterans at Casilinum and Calatia over to his views, and no wonder since he gives them 500 denarii apiece. He plans to make a round of the other colonies. His object is plain: war with Antony and himself as commander-in-chief. So it looks to me as though in a few days' time we shall be in arms. But whom are we to follow? Consider his name; consider his age. And now he asks me, in the first instance, for a secret interview in Capua or somewhere in the vicinity—childish, if he thinks it could be done secretly. I wrote pointing out that this was neither needful nor possible. (...) In short, he proffers himself as our leader and expects me to back him up.³⁶

This discrepancy in Cicero between the privately understood and the publicly argued objective of Octavian's recruitment of soldiers and legions is to be found in later sources, too, but only in comparison. As we have already

34 *RGDA* 1.1: *annos undeviginti natus exercitum privato consilio et privata impensa comparavi, per quem rem publicam a dominatione factionis oppressam in libertatem vindicavi*. See Cooley (2009) 108 on the passage in general, including the implicit reference to Antonius in 'dominatione factionis'.

35 *Cic. Phil.* 3.3: *in rei publicae salute conlocavit*. *Liv. Per.* 117; *Vell. Pat.* 2.60–61.2; *Suet. Aug.* 10.3. See discussion in Sumi 2005: 166–67 of Cicero's public presentation of Octavian in this period; and Sumi 2005: 167 with n. 33; Cooley 2009: 107 and Hodgson (2017) 224–225 on the verbal echoes from Cicero's third *Philippic* to *RGDA* 1.1. See also Levick 2010: 207 for other Augustan echoes of Cicero.

36 *Cic. Att.* 16.8.1–2 (SB 418, 2 or 3 Nov. 44 BC); text and transl. Shackleton Bailey 1999.

seen, Nicolaus of Damascus' account, which was influenced by Augustus' memoirs, brought forward the idea that Octavian needed an army to defend himself against Antonius. The much later accounts of Octavian's *contio* speech in Appian and Dio provide contrasting details about the content of the speech, but also offer more context.

First of all, Appian and Dio explicitly state that the tribune Cannutius, whom Cicero mentions in connection with other *contiones* in this period, also called the *contio* at which Octavian spoke.³⁷ Appian also tells us that the *contio* took place at the temple of the Dioscuri, that Octavian stationed his armed soldiers there, and that Cannutius spoke first, followed by Octavian:

ὥς δὲ εἰσῆλθον, ὁ μὲν εἰς τὸν νεῶν τῶν Διοσκούρων παρῆλθε, καὶ τὸν νεῶν περιέστησαν οἱ στρατευόμενοι ξιφίδια ἄφανῶς περιεζωσμένοι, Καννούτιος δὲ πρότερον ἐδημιγόρει κατὰ τοῦ Ἀντωνίου. ὁ δὲ Καῖσαρ καὶ τοῦ πατρὸς αὐτοῦς ὑπεμίμησκε καὶ ὧν αὐτὸς ὑπὸ Ἀντωνίου πάθοι, δι' ἃ καὶ τόνδε τὸν στρατὸν ἐς φυλακὴν εἶη συνειλεγμένους· ἔφη τε ἐς πάντα τῆς πατρίδος ὑπὸν ὑπὲρ τῆς καὶ κατήκοος ἔσεσθαι καὶ ἐς τὰ νῦν πρὸς Ἀντώνιον ἔτοιμος.

When he arrived he went to the temple of the Dioscuri, and stationed his soldiers, openly bearing arms, around the temple. Cannutius spoke first, against Antonius. Caesar reminded them of his father, and also of what he himself had suffered at Antonius' hands, as a result of which he had enlisted this army for protection. He said that in every respect he would be the obedient servant of the fatherland, and ready for Antonius in the current situation.³⁸

Dio suggests that it was Octavian who persuaded Cannutius to call a *contio* and bring him forward as speaker in order to counter Antonius' obstruction under the pretext of addressing Caesar's bequest:

κολυθεῖς δὲ ὑπὸ τῶν περὶ τὸν Ἀντώνιον οὐχ ἡσύχασεν, ἀλλὰ Τιβέριον Καννούτιον δημαρχοῦντα ἀναπέσας ἔς τε τὸν ὄμιλον ὑπ' αὐτοῦ ἐσήχθη, πρόφασιν τὴν δωρεὰν τὴν καταλειφθεῖσαν ὑπὸ τοῦ Καίσαρος ποιησάμενος, καὶ δημηγορήσας ὅσα ἤρμοττε, ταύτην τε εὐθὺς ἐκτίσειν σφίσιν ὑπέσχετο καὶ ἄλλα αὐτοῦς πολλὰ προσεπῆλπισε.

Although obstructed by Antonius' agents he did not keep quiet, but won over Tiberius Cannutius, one of the tribunes, and was brought before the people by him, using as a pretext Caesar's bequest, and he addressed them suitably, promising to pay this debt at once and offering many other hopes to them as well.³⁹

37 App. *B Civ.* 3.41.168-9; Dio Cass. 45.6.3; Cic. *Phil.* 3.23. Pina Polo 1989: App. A no.360 (p. 311).

38 App. *B Civ.* 3.41.168-169; transl. *Fragments of the Roman Republican Orators.*

39 Dio Cass. 45.6.3; transl. *Fragments of the Roman Republican Orators.*

These details in Appian and Dio are not in our other extant earlier sources, but sound probable because they are compatible with the other sources. They suggest the open display of armed soldiers within the *pomerium* to support a speaker and his message: whether or not Octavian was physically threatened by Antonius, it would be easier to make that case by displaying soldiers as if a personal bodyguard. Moreover, it was the soldiers as well as the urban plebs whom Octavian tried to convince on this occasion. Combined, Appian's and Dio's contextual details suggest an Octavian fully aware and capable of using the *contio* to show his political and military position and to underline an argument about the necessity of a personal army.

Nevertheless, Appian and Dio disagree internally and with the earlier sources in their explanations of Octavian's message at the *contio*. Appian's paraphrase suggests that Octavian linked his mention of Julius Caesar with his own bad treatment by Antonius, which necessitated his private army for protection against Antonius – a message which soldiers loyal to Caesar might buy.⁴⁰ But Octavian appears also to have said that he would be a servant of the fatherland (πατρίδος (πατρίς) = *patria*), and that he would be ready for Antonius.⁴¹ If this is true, the combination of swearing (as we know from Cicero) and professing to be a servant of the fatherland makes Octavian's action close to the formal *sacramentum* which individual soldiers swore to their commander, and therefore a much more binding promise with religious implications.⁴² The reference to the fatherland also points to his yet-to-come agreement with Cicero to fight for *res publica* against Antonius, as we have already seen was Cicero's public justification in his third *Philippic* speech and

40 See Welch 2019a, who discusses the theme of avenging the dead Julius Caesar from a historical and historiographical perspective, arguing that Octavian and Antonius not only competed for the role as avenger, but also that their self-presentation as avengers changed over time and that our sources reflect those changes as well as their own compositional purposes. See also Welch 2015 with more focus on Appian's account.

41 On the use of *patris* for *res publica* in the Greek version of the *Res Gestae* (2.1), see Cooley 2009: 61 and Welch 2014/2018: 140. Could a similar translation have taken place in Appian's account?

42 Octavian would probably also have used the particular *sacramentum* related to the *fetiales* (origin: Livy 1.24.3-9) when, as a *fetialis* as Dio explains, he declared war on the foreigner Cleopatra and therefore on Marcus Antonius: Dio Cass. 50.4.4-5. This is another example of Octavian's use of religious communication and ancestral ritual traditions for own purposes. See also Scheid 2007: 186 on Octavian using religious policy to set himself apart because of his position as an underdog.

which was a theme in his fifth *Philippic*, too.⁴³ Moreover, it is clear that in Appian's narrative of the *contio*, Octavian argues that he enlisted his army for personal protection but now suggests that he will also use it to protect the country. This can only be understood by looking at Appian's description leading up to the *contio*, where he has Cannutius argue in the *contio* that Octavian was advancing against Antonius and that those who were afraid of Antonius aiming at tyranny should side with Octavian. In Appian's presentation, Cannutius is using Octavian to continue his fight against Antonius and tyranny and for the fatherland, while Octavian is using Cannutius to continue his fight for himself and against Antonius' rivalry. In this scenario, Octavian's reference to 'the fatherland' is not improbable because it would give his followers a higher cause to fight for, while not compromising Octavian's actions. However, it also looks very close to Cicero's later reconstruction in the *Philippic* speeches, as we have seen, and makes one wonder the extent to which Appian has transposed the rhetoric of mid-December 44 BC onwards back to November, because his distance to the events and his sources allowed him to make further connections than could be made at the time.

In Dio's account, the speech is much more transactional: Octavian is brought in to the *contio* on the pretext of Caesar's bequest – that is, Caesar's bequest to the soldiers who were still waiting for their money. Octavian addresses this issue by promising to pay his debt; in other words, the debt he took on by accepting Caesar's adoption, inheritance and the obligations of Caesar's bequest. Dio suggests that Octavian also spoke of other things, but in his narrative, it is the promise of the bequeathed money which is central and which makes the difference for the audience. There is no word of the threat of Antonius, the honour of Julius Caesar, or the obedience to the fatherland.

Gowing has analysed Appian's and Dio's descriptions of the *contio* and concluded that the differences stem from the different agendas of the historians: Appian was interested in legal and constitutional aspects while Dio laid down the facts as he knew them without the complications of soldiers' loyalty or fighting for the fatherland.⁴⁴ Gowing also argues that Appian is more concerned here with cause and effect, depicting Antonius and Octavian

43 Cic. *Phil.* 5.6, 5.23, 5.46-51.

44 Gowing 1992: 105-108.

as reacting to each other, while in Dio we need to infer that Octavian's objective had been supreme power from the start. While this is correct, it might reflect not only different agendas in Appian and Dio but perhaps also different (selections of) source material. Appian's attention to cause and effect is possible because he writes with the benefit of hindsight, but I have also suggested that he transposes the rhetorical theme of fighting for the fatherland to an earlier point in time in autumn 44 BC; this was only possible if he combined the Augustan sources, including the memoirs, with Cicero's *Philippic* speeches (or later reworkings of these). Dio's narrative also suggests the use of Cicero, but the emphasis is on the information we have in Cicero's letters, rather than the speeches, including Octavian's real objective in collecting Caesar's veterans for his cause.

Apart from the historiographical questions arising from Appian's and Dio's accounts, their information about the physical context of the *contio* necessitates discussion of the space in which Octavian delivered his speech as well as the content of the speech and the meaning of his gesture. There is no reason to doubt Appian's statement about the location as the Temple of the Dioscuri (Castor and Pollux). In the first century BC, it was a regular place to convene *contiones*,⁴⁵ and the steps leading up to the temple offered a useful platform from which to address a crowd gathered in the forum. Moreover, Castor and Pollux were associated with military victory, the *equites* and their annual parade (the *transvectio equitum*), which formed a useful combination as Octavian was still an *eques* and it underlined his militaristic message.⁴⁶ This early use of the temple might be a precursor to Augustus' later usage and the reconsecration (officially by Tiberius) of the temple in AD 6.⁴⁷ The position of soldiers around the temple underlined this message further by suggesting that Octavian might win over Antonius with the support of the young *equites*, just as the Dioscuri had helped the Romans at Lake Regillus.

45 Pina Polo 1989: 183-184.

46 Poulsen 1992a; Nielsen 1993; Poulsen 1994. Poulsen 1992a: 51 also suggests that one of the last coins minted in the late Republic to feature the traditional representation of Castor and Pollux (*RRC* 463/1a and 463/1b, 46 BC) might have been related to Julius Caesar's victory over Pompey at Pharsalus in 48 BC, thereby rejecting Crawford's 1996: 474 suggestion that the image related to the moneyer's Tusculan origin. If Poulsen is correct, this reference to Julius Caesar's victory might have been a further reason for speaking from the steps of the temple.

47 Poulsen 1992b: 57, 59-60.

The space occupied by Octavian's soldiers, also mentioned by Appian, will have been the end of the *vicus Tuscus* between the temple and the Basilica Sempronia (on the right when looking at the temple from the forum), and the end of the *gradus Aurelii* and the area in front of Lacus Juturna, the round temple to Vesta and the Regia (on the left when looking at the temple from the forum), next to the space where the Temple to Divus Julius would be built and where there might already have been an improvised shrine to the murdered dictator.⁴⁸ The decision to convene the *contio* here might have been Cannutius'. Apart from being a conventional *contio* location (presumably because of its convenient position on the forum and its vicinity to the senate house and the *rostra*, whether the republican *rostra* in front of the *comitium* or the newly instated *rostra* at the end of the forum towards the Capitol – Caesar's idea but Antonius' action),⁴⁹ there might have been further reasons for calling the *contio* of 10 November here, and perhaps not all of them relating to Cannutius.

The clue is in the gesture Cicero reports Octavian made to the statue of Julius Caesar (*ad statuam*). First, we must ask, which statue? This is not clear from Cicero's account, and none of the other sources report on Octavian's gesture. Nor is it clear from our sources in general. Scholars have discussed the issue of the statue, often as part of a wider consideration of the divinisation of Julius Caesar, the period following the murder of Caesar, and the building activity in the forum during the 40s and 30s BC. Weinstock argues that Octavian gestured at a column set up by Amatius honouring Julius Caesar at the place where his impromptu funeral cremation had taken place (where the later Temple to Divus Julius would be built), which had been taken down by Dolabella and then re-erected by the people, arguing that the term 'columna' is often used when a statue is also meant.⁵⁰ Alföldi, in his review of Weinstock, argues that there was no statue in this place to which Octavian could point.⁵¹ Sumi thinks that Octavian gestured to a statue possibly placed on top of an

48 *LTUR* II, fig. 154, p. 482 shows the Republican-period Forum Romanum; <http://www.digitales-forum-romanum.de/gebaeude/caesartempel/> (cf. Muth's discussion) shows and discusses the Temple to Divus Julius, including the sources; Weinstock 1971: 364-365 discusses the origin of the cult of Divus Julius, including the shrine; Koortbojian 2013 is throughout concerned with the origins of the cult and therefore also the shrine.

49 Purcell 1993: 336; Bartz (*digitales forum romanum s.v. rostra augusti*).

50 Weinstock 1971: 355-365. On Amatius or 'Marius', see *Cic. Att.* 14.6.1 (SB 360); *Nic. Dam.* 14.31-37; *Val. Max.* 9.15.1; *App. B Civ.* 3.3 with discussion in Cowan 2009; Welch 2012: 127-128.

51 Alföldi 1975: 175-176.

altar to Caesar in front of the Regia,⁵² essentially in the same place as the *columna* discussed by Weinstock and perhaps the same monument, although the nature of this monument is unclear in the sources. Koortbojian thinks there are three possible statues (not monuments) of Julius Caesar possible in the forum and all on the new *rostra* at the north-western end of the forum: a statue to Caesar as saviour of the citizens, a statue to Caesar as saviour of the state, and the statue to Caesar set up by Marcus Antonius shortly before October 44 BC and inscribed *parenti optime merito*.⁵³ He argues the latter to be most probable because it would allow Octavian "to signal his distinctive relationship to Caesar, whom he considered his *pater*."⁵⁴ I would add that Octavian could not gesture to the statue of Caesar he himself set up because it was placed in the Temple of Venus Genetrix in the partially built Forum of Caesar, which was obscured by Basilica Aemilia and the (restored) Curia.⁵⁵ Sumi also considers these statues on the new *rostra* (two in total, not three), but argues that the statue on the altar fitted better with Octavian's messages on the day.⁵⁶

If indeed there was, at this point in time, a column crowned by a statue of Caesar at the spot of Caesar's murder,⁵⁷ it seems to me more likely that Octavian would gesture to this statue than to the other statues on the new *rostra* at the other end of the Forum. First of all, it would be closer and therefore easier to see for the crowd. Second, Cicero says explicitly that Octavian gestured with his right hand (*dextra*), which would make it more natural to gesture towards the right, whereas a gesture towards the new *rostra* on his left, standing on the steps of the Temple of the Dioscuri, would be more awkward.⁵⁸ Finally, Octavian's rivalry with Antonius in the autumn of

52 Sumi 2005: 162, 165-166.

53 Statue and inscription: Cic. *Fam.* 12.3.1 (SB 345); Koortbojian 2013: 37-38, without giving the ancient evidence of these statues, but Weinstock 1971: 163-174 discusses these.

54 Koortbojian 2013: 38.

55 See the helpful map in Davies 2017: fig. 7.13, p. 268.

56 Sumi 2005: 165-166.

57 Suet. *Iul.* 85 does not say when the column in Numidian marble was erected, only that it stood for a long time.

58 Sumi 2005: 167-68 discusses Octavian's possible attire: whether military (*paludamentum*) or civil (*toga*), and obliquely seems to argue for the former on the basis of the reaction of the crowd as described in Appian. It seems to me not at all clear, but that wearing a toga would mean that Octavian's right hand would be free for gesturing while the left was likely wrapped in the toga in the traditional way. Gaius Sempronius Gracchus had freed his left hand from the toga to gesture (Plut. *Ti. Gracch.* 2.2; Dio Cass. 25.82.2 with

44 BC – their courting of Caesar’s veterans, their speeches in Rome, and Antonius’ erection of the statue of Caesar on the new *rostra* – would make a gesture towards Antonius’ statue of Caesar odd: rather than seemingly overriding Antonius’ relationship with Caesar, as suggested by Koortbojian, it would remind the crowd of Antonius’ relation to Caesar and legal position of power. This was clearly not in Octavian’s favour.

Second, we must ask what the gesture towards the statue meant. It seems obvious that Octavian wanted to make a physical gesture to underline his relation to Julius Caesar which, we must assume, he also expressed in words. But the gesture could also have had further symbolic meaning if Octavian was suggesting that he was not only reaching out but also about to touch the statue: physical contact with an object could suggest ownership in a legal context and ritual force in a religious context.⁵⁹ By reaching out, Octavian could therefore also have indicated that the legacy of Julius Caesar, including the loyalty of his soldiers, was his to own and continue.

This interpretation of Octavian’s gesture assumes careful orchestration of the event. The place, timing and content of his speech support this assumption: apart from the position close to the impromptu cremation of Caesar where the people honoured the dead dictator and erected the column pulled down by Dolabella, holding a *contio* on the steps of the Temple of the Dioscuri was associated with the *equites* (including the *transvectio equitum* passing by the temple) and military victory.⁶⁰ Moreover, the place might by November 44 BC be associated with an anti-Antonian message because of Antonius’ and Dolabella’s violent reaction to Amatius and his column; Appian, at least, suggests that the people loved Amatius and were enraged with the destruction of the column and the summary execution of Amatius. It is unclear who chose the location but both Cannutius and Octavian could reap advantages from it. The timing seems also to be deliberate: Antonius had left Rome on 9 October to meet the Macedonian legions at Brundisium and raise new veteran legions

David 1983: 107-108 and van der Blom 2016: 92), but we need not assume that Octavian did the same.

59 Corbeill 2005: 163-166; Cavallero 2018: 124-125. I owe this idea to F. Marco Simón.

60 Sumi 2005: 164-165 argues that the temple held associations of contentious meetings, voting and magistrates entering office. This may be true, but it seems to me that the associations with the *equites* and victory would have been more evocative for the messages conveyed at this *contio*.

in Campania.⁶¹ Octavian's tour of the countryside to convince Caesarian veterans and local communities to join up with him ended with his return to Rome in early November. By 11 November, we learn from Cicero that Atticus, and therefore presumably others in Rome, knew that Antonius was about to return to Rome.⁶² Antonius convened a meeting of the senate on 24 November (then postponed to 28 November because the Martian legion defected to Octavian), and will therefore have been in Rome by then.⁶³ It is therefore possible that news about Antonius' anticipated arrival in Rome made Octavian (and possibly Cannutius) decide to go ahead with the *contio* to avoid an open confrontation with the more politically and, still, militarily powerful consul, and to maximise the impact on the urban audience of Octavian's recruitment tour through the Italian countryside. The presence of his soldiers flanking the temple steps underlined the seeming success of his tour and the 'encouragement' to join up with him, and therefore also the orchestration of the event.

Finally, the paraphrase or snippet of Octavian's speech preserved in Cicero's letter is ambiguous in a way which also suggests careful planning: *iurat ita sibi parentis honores consequi liceat et simul dextram intendit ad statuam* – 'He swears as far as he is permitted to attain his parent's honours and stretches out his hand to the statue at the same moment.' But, as Koortbojian says,⁶⁴ *honores* could mean both the special honours given to Caesar (both during his lifetime and posthumously) and Caesar's magistracies. While Koortbojian decides on the latter interpretation, I think Octavian could have been deliberately ambiguous so as not to appear outrageously overambitious while leaving the option open of taking up Caesar's special honours. That formulation, together with his gesture, was clearly not accidental.

This interpretation of the orchestration assumes that Octavian knew what he was doing and masterminded the event, with some help from Cannutius who also saw mileage in this set up. Although most scholars are in no doubt that the now nineteen-year old was as cunning as he was when Augustus, Alföldi and Welch have argued that Oppius and Balbus operated behind the scenes, more or less steering Octavian around from his arrival in

61 Cic. *Fam.* 12.23.2 (SB 347).

62 Cic. *Att.* 16.14.2 (SB 425).

63 Cic. *Phil.* 3.19-20.

64 Koortbojian 2013: 37-38.

Italy in spring 44 BC onwards.⁶⁵ Cicero's letters do suggest that both men were extremely well informed, acted as conduits of news between a wide range of senators and other political operators, and that they involved themselves with Octavian, too.⁶⁶

In Cicero's letter about Octavian's *contio* speech in November, he goes straight on to mention Oppius' appeal to Cicero to embrace Octavian, his cause and his veterans – as we have seen – and I have offered the suggestion that Oppius' visit was timed to come shortly after Cicero received the written version of the speech. We cannot know for certain the relationship between Octavian, Balbus and Oppius, but we can imagine a spectrum of possibilities: from Balbus and Oppius steering Octavian around, or Octavian first being steered around but quickly learning how use the support of Balbus and Oppius to his own advantage, to Octavian using Balbus and Oppius to do his bidding. In any case, all three men saw advantages in working together as long as they shared the same opponent, Antonius, and the same objective of power.⁶⁷ It is not difficult to see the three of them planning the *contio*, to some extent in collaboration with Cannutius, in order to emphasise Octavian's claim to rise to the honours of his adoptive father in words, gesture and setting.

Octavian's speech was not entirely successful, if we are to believe the later sources (Cicero's letters to Atticus end here and his later letters to friends do not help): Appian suggests that Octavian did not manage to convince the veterans to follow him and that he gave them further gifts at a later *contio*, even if disappointed with their lack of support,⁶⁸ while Dio argues that Octavian was praised by the crowd and his supporters.⁶⁹ In any case, Octavian did not achieve his end of *honores* or support against Antonius as a result of this *contio*, but it was one of the ways in which he could build up a narrative

65 Alföldi 1975: 31-54; Welch 1990: 64; both scholars address the actions and experiences of Oppius and Balbus in a wider perspective, especially in relation to Julius Caesar.

66 Evidence from the death of Caesar to early June provided here, although further letters of Cicero show their continued involvement: Cic. *Att.* 14.1.1 (SB 355, 7 April 44), 14.9.3 (SB 363, 17 April), 14.10.3 (SB 364, 19 April), 14.11.2 (SB 365, 21 April), (14.12.2 (SB 366, 22 April): many around Octavian), 14.21.2 (SB 375, 11 May), 15.2.3 (SB 379, 18 May), 15.4a (SB 382, 23 May), 15.5.2 (SB 383, 27 or 28 May), 15.8.1 (SB 385, 31 May), *Fam.* 16.23.1 (SB 330, end May), *Att.* 15.6.4 (SB 386, ?2 June), 15.9.1 (SB 387, 2 or 3 June).

67 Cicero did not trust Balbus' attempt at appearing on friendly terms with Antonius in May 44: Cic. *Att.* 14.21.2 (SB 375, 11 May): *nihil sinceri* – 'nothing sincere'.

68 App. *B Civ.* 3.42.172.

69 Dio Cass. 45.12.6.

about himself and his position. This occasion shows Octavian making the most of a public speech event to communicate his message and build up a public persona. Unlike Antonius, who as consul could call a meeting of the senate or a *contio* whenever he wished, Octavian had to find alternative means to address a public audience in the City of Rome, and Cannutius' *contio* was a welcome one at a crucial point in his mobilisation of Caesar's veterans and subsequent claim for support from Cicero and the senate.⁷⁰

4. The reception of Octavian's speech and oratory

The ancient reception of Octavian's *contio* speech is typical of the general reception of his Triumviral oratory in some respects and unusual in other respects. The descriptions of the speech in the narratives of Appian and Dio reflect their general interest in covering main events in Roman history and the detailed focus on the Triumviral period, and their discussions seem not to differ from their discussions of other speeches by Octavian or most other politicians of the period.⁷¹ Unusual, however, is the quotation from the speech in Cicero, which appears genuine because Cicero had received a written version of the copy. Since we know a written version existed, we must ask whether the later narrators of the *contio* read it? Nicolaus of Damascus does not appear to have read it because he does not even mention the *contio* specifically. We know from modern comparisons between their versions and still extant speeches that Appian and Dio sometimes read written versions of speeches.⁷² Octavian's speech has not survived, making a check impossible, but the discrepancies in their depictions of Octavian's message suggest that they did not directly use a written version of his speech.

Judging from the way in which the sources refer to Octavian's speech and its absence from those later authors who were interested in language, such as Gellius, we might conclude that the written version did not survive for long in antiquity. Written versions of speeches tended to survive when people were interested in them, whether for contemporary, historical, biographical,

70 As did the *contio* convened by tribune L. Antonius in May 44 BC where Octavian spoke: Cic. *Att.* 14.20.5 (SB 374), 14.21.4 (SB 375), 15.2.3 (SB 379).

71 Gowing 1992: 240 suggests that Appian's depiction of Octavian's speeches – number and flavour – reflects his general favour of Antonius over Octavian.

72 Gowing 1992: 225–245 on Appian's and Dio's use of speeches; Burden-Strevens 2015 on Dio's use of Cicero's speeches.

educational, linguistic, political or other purposes.⁷³ In that perspective, Octavian's speech was perhaps not interesting enough because there were better and more significant speeches later in his career; certainly, Suetonius, in his very long biography, does not mention this speech even if he does include mention of Octavian's oratory.⁷⁴ Another possibility is that Octavian/Augustus himself decided to stop or limit the circulation of the speech. We know that he curated some of the written speeches of Julius Caesar, apparently for political purposes,⁷⁵ and that he was generally very careful in presenting his early career in the most favourable light, omitting elements and putting a spin on others.⁷⁶ If he thought, at a later stage, that his early *contio* speech contained something unhelpful, it would seem in character that he would use his powers and influence to limit any potential damage.

Scholars have suggested that the loss of the correspondence between Cicero and Octavian was not accidental, and that may be right.⁷⁷ This makes the survival of Cicero's last letter to Atticus with its unfavourable description of Octavian and his *contio* speech the more remarkable. Presumably, it was beyond the control of Augustus or perhaps its assessment was not as unfavourable in comparison with other Ciceronian descriptions of Octavian or with other exchanges between them. While the letter was left for posterity, the speech itself was not.

If Augustus did indeed ensure the disappearance of the written version of his *contio* speech, as he tried to do for some of Julius Caesar's speeches, it reflects a wider characteristic of his oratorical record in the late republican and Triumviral periods (51-30 BC). What we have are testimonia about formal

73 Historical purposes such as illustrating great historical events, biographical purposes such as illustrating the character of the portrayed, educational such as examples of good Latin (as were the speeches of Cicero and Julius Caesar), linguistic purposes such as showing correct Latin (for which Julius Caesar's speeches were used).

74 Suet. *Aug.* 10 which covers autumn 44 and spring 43 BC does not mention the *contio*; Suet. *Aug.* 84, 86-87 discusses Octavian's/Augustus' oratory: education, speeches and style.

75 Suet. *Iul.* 55-56 with Spahlinger 2003 and van der Blom (forthcoming).

76 The *RGDA* is one such exercise of control (Cooley 2009), and his now fragmentary memoirs represent another attempt (Smith 2009; 2014). For Augustus' careful self-presentation, see Levick 2010: 202-250 and throughout.

77 Nicholson 1998: 85-86; Keeline 2018: 109. Augustus' tactics for dealing with the delicate matter of his betrayal of Cicero in the proscriptions was an apologetic tone in his memoirs (Powell 2009; Smith 2014, vol. I, 462; vol. III, 539-540).

speech occasions – Julia's funeral, festivals, civil and military *contiones* and senate meetings – and a few informal occasions such as his pleading on behalf of friends in front of Julius Caesar when very young.⁷⁸ Some of these testimonia are directly affected by Augustus' version of the events, such as Nicolaus' biography which was influenced by Augustus' memoirs and is evidently positive in its presentation of the young Octavian. Cicero's letters and speeches were more difficult to curate simply because they were in circulation independently before Augustus was in full control, except perhaps for Octavian's direct correspondence with Cicero.⁷⁹ The most interesting, yet unanswerable, question is the extent to which Augustus influenced the oratorical record of his younger self as reported in imperial period sources such as Suetonius, Appian and Dio. While Suetonius gives us glimpses into informal speech exchanges of Julius Caesar which highlights the limitation of Augustus' curation of his adoptive father's speeches, we have less of that in his biography of Augustus.⁸⁰ Whether this is a result of Octavian's/Augustus' censure, the self-censure of his contemporaries, or later selectivity among citing authors, is difficult to know. Appian's translation of a set of speeches included in Augustus' memoirs testifies to the fact that he read that text, but his account is not otherwise clearly positive towards Octavian and he must have used other sources, too, as must Dio. Augustus provided his own version of his own Triumviral narrative and may have tried to limit circulation of or replacing written speeches and make people forget some of his less flattering speech acts of the Triumviral period, but he could not fully control the stories about his public speeches.

5. Conclusion

In spite of these limitations in our knowledge of Octavian's speeches in the Triumviral period, we have enough reliable material to conclude that Octavian, from his teenage years, was aware of and able to exploit the power of public speech. He (and his advisers) understood how to combine short-

78 See the table of Octavian's oratorical record below. Pleading for friends: Nic. Dam. 16, 18, 27 with Toher 2017: 193, 211-212.

79 Cornelius Nepos' biography of Atticus (16.3) testifies to the fact that he could read a collection of 16 books of Cicero's letters to Atticus in the 30s BC. See discussion in White 2010: 31-34.

80 Caesar's informal speech occasions: Suet. *Iul.* 22.2, 49.3 with discussion in van der Blom (forthcoming).

term and long-term aims in one speech, such as getting the veterans or the people on his side and using these as leverage for and legitimisation of his own aims and actions, as well as building up his public persona as heir and avenger of Julius Caesar, as a Triumvir to be reckoned with, and as the more 'Roman' when compared to Antonius. He also used public speech to turn what could be seen as a disadvantage – managing the problematic Italian peninsula rather than leading armies in the profitable East – into an advantage by making full use of the venues for public speech when in Rome to influence popular opinion and further his own agenda. Because military and political decisions partly depended on the support of soldiers and the people, the Triumvirs (and their elite peers) needed to prioritise communication on a large scale. Public speech mattered in the Triumviral period.

When we look at the reception of Octavian's oratory, we see Octavian the politician and the general, but not Octavian the advocate – as we do for Julius Caesar – because the sources reflecting a pro-Octavian narrative presents him as in control (e.g. *Res Gestae* and Nic. Dam.). One wonders how he spoke at the one-day tribunal to try the conspirators in August 43 BC.⁸¹ In the oratorical record and its reception, we see two personae: Octavian the just and Octavian the cruel. How far Augustus tried to limit the second is difficult to know with certainty, but the sources to his speeches could clearly access both. What is striking is not that the negative aspects of Octavian's rise to power remains reflected in our records of his oratory, but rather that we do not have more details of his speeches overall, whether reflecting positively or negatively on Octavian. In light of his route to power and overwhelmingly important position at the time and in Roman history, the meagre oratorical record – especially compared with that of Julius Caesar – is in my view an indication of Augustus' curatorial attitude to his own past, also in terms of the speeches he delivered in public. In this way, Octavian's oratory and its reception add a further element to our understanding of his rise to power, and his efforts to control his image when he had become Augustus and for posterity.⁸²

81 As a result of the *Lex Pedia*: *RGDA* 2; Vell. Pat. 2.69.5; Suet. *Aug.* 10.1; App. *B Civ.* 3.95; Dio Cass. 46.48–49 with discussion in Welch 2014/2018.

82 I should like to thank Francisco Pina Polo for the invitation to the excellent conference on the Triumviral period at which this chapter was originally delivered, and the participants in the conference for helpful questions and comments. In particular, Kathryn Welch and Francisco Marco Simón offered many insightful suggestions, also on drafts of the written version, which sharpened my ideas and conclusions considerably.

TABLE
THE ORATORICAL RECORD OF C. JULIUS CAESAR OCTAVIANUS (51-30 BC)

Date	Place	Topic discussed	Source
51 BC	?	Funeral speech for grandmother Julia.	Nic. Dam. Ex. III (J 127=M 99 III) (4); Suet. <i>Aug.</i> 8.1; Quint. <i>Inst.</i> 12.6.1 (Pina Polo 1989, App. A, no. 337)
47 BC	Tribunal, Forum Romanum	A possible appointment to <i>dikaiodosisia</i> by Julius Caesar during the Latin festival may have given Octavian opportunity to adjudicate and therefore to speak in public.	Nic. Dam. 13 with Toher (2017) 118-19.
45 BC	Saguntum, Hispania	Octavian successfully represented the Saguntines in a public hearing in front of Julius Caesar.	Nic. Dam. 27
45 BC (?August)	Janiculum, Rome	Returning from Hispania, Octavian addressed the young 'Marius' (Amatius).	Nic. Dam. 32
44 BC, shortly after 15 March	Apollonia, Illyria	Response to assembled Apolloniatas requesting Octavian to stay in Apollonia.	Nic. Dam. 45
44 BC, May	Praetor's tribunal, Forum Romanum	Octavian publicly accepted Caesar's name and inheritance at the tribunal of urban praetor C. Antonius.	App. <i>B Civ.</i> 3.14
44 BC, May	<i>Contio</i> , Rome	Octavian spoke in a <i>contio</i> convened by tribune of the plebs L. Antonius, presumably announcing his acceptance of Caesar's name and inheritance.	Cic. <i>Att.</i> 14.20.5 (SB 374), 14.21.4 (SB 375), 15.2.3 (SB 379). (Pina Polo 1989, App. A, no. 355)
44 BC, late October/ early November	Calatia, Campania	Octavian addressed the people of Calatia alongside the Roman soldiers stationed there.	Nic. Dam. 136
44 BC, late October/ early November	Calatia, Campania	Local senators not persuaded; Octavian addressed them the following day, persuading them.	Nic. Dam. 136-137

44 BC, late October/early November	Neighbouring settlement to Calatia, Campania	Octavian addressed the local townspeople, persuading them to provide an escort through other colonies on the way to Rome.	Nic. Dam. 137
44 BC, late October/early November	Neighbouring settlement to Calatia, Campania	Octavian addressed the two legions stationed there, persuading them to provide an escort through other colonies on the way to Rome.	Nic. Dam. 138
44 BC, 10 November	<i>Contio</i> , steps of Temple of Castor and Pollux, Forum Romanum	Octavian spoke in a <i>contio</i> convened by tribune Ti. Cannutius, swearing to obtain the honours of his (adoptive) father.	Cic. <i>Att.</i> 16.15.3 (SB 426); App. <i>B Civ.</i> 3.41; Dio Cass. 45.6.3. (Pina Polo 1989, App. A, no. 360)
44 BC, November: shortly after preceding <i>contio</i>	<i>Contio</i> , possibly Forum Romanum	Octavian addressed the people assembled in the <i>contio</i> , providing them with gifts.	App. <i>B Civ.</i> 3.42. (Pina Polo 1989, App. A, no. 360)
43 BC	?Military <i>contio</i>	? Octavian addressed his soldiers.	App. <i>B Civ.</i> 3.65
43 BC, ?May-June	?Military <i>contio</i>	Octavian addressed the fugitives from the battle(s) at Mutina.	Dio Cass. 46.41.5
43 BC, August	?Military <i>contio</i>	Octavian addressed his legions between sending two embassies to the senate requesting the consulship.	App. <i>B Civ.</i> 3.86-88 (Pina Polo 1989, App. C, no. 123)
43 BC, poss. 19 August	Senate, Rome	Octavian (consul) addressed the senate after his march on Rome and thanked them for the consulship; possibly on the day of entering the consulship.	Dio Cass. 46.47.1 (Pina Polo 1989, App. C, no. 124)
43 BC, August	Military <i>contio</i>	Octavian addressed his soldiers, offering them money.	Dio Cass. 46.46.2, 46.47.1 (Pina Polo 1989, App. C, no. 124)
43 BC, August	Rome	Octavian (consul) presides over one-day trial and conviction of Caesar's murderers.	Plut. <i>Brut.</i> 27.4 (<i>Mor.</i> 996d); App. <i>B Civ.</i> 3.95; Dio Cass. 46.48-49
43 BC, autumn	Military <i>contio</i> , camp on the river Lavinus, near Bononia	Octavian (consul) read out the list of proscribed to the troops after the formation of the Triumvirate.	App. <i>B Civ.</i> 4.3; Dio Cass. 46.56.2. (Pina Polo 1989, App. C, no. 125)

43 BC, end	<i>Contio</i> , Rome	The Triumvirs announced the proscriptions.	Dio Cass. 47.13.4. (Pina Polo 1989, App. A, no. 369)
? (after the proscriptions)	Senate, Rome	Lepidus and Octavian speaking about the proscriptions in the senate.	Suet. <i>Aug.</i> 27.2
? (during Triumvirate). Wardle (2014) 209: plausible context in late 43 or 42 (<i>RE</i> XX, 1397).	Military <i>contio</i>	Octavian addressed his troops at a <i>contio</i> to which a group of civilians had been allowed entry, an <i>equus</i> Pinarius is suspected of spying and Octavian ordered him executed on the spot.	Suet. <i>Aug.</i> 27.3. (Pina Polo 1989, App. C, no. 127)
42 BC, October, around battles of Philippi	Octavian's and Antonius' camp, Philippi	Octavian (and Antonius) addressed their troops around the battles of Philippi.	App. <i>B Civ.</i> 4.119-20, 4.126-127; Dio Cass. 47.42.2-5. Cf. Suet. <i>Aug.</i> 13.1-2. (Pina Polo 1989, App. C, nos. 130, 132)
41 BC	? Military <i>contio</i> , Campus Martius	Possible formal speech occasion in reaction to the lynching of Nonius; Octavian addressed the assembled soldiers on the land allotments.	App. <i>B Civ.</i> 5.16
41 BC	Senate, Rome	Octavian apparently addressed the senate on land allotments to veteran soldiers and the need to confiscate private property.	App. <i>B Civ.</i> 5.28
41 BC	Senate, Rome	Octavian addressed the senate on the stand-off between himself and L. Antonius in Praeneste.	Dio Cass. 48.8.5
40 BC (before Perusia)	?	Octavian (and Antonius) criticised Ti. Cannutius for siding with consular Isauricus.	Suet. <i>De gramm. et rhet.</i> 28.1
40 BC, February	Military <i>contio</i> , Perusia	Octavian addressed L. Antonius after the surrender of Perusia and the speech of L. Antonius. Then Octavian addressed his own soldiers. Appian says he found the speeches in Augustus' memoirs.	App. <i>B Civ.</i> 5.45, 5.47
40 BC, ?February	? Court, Perusia	Octavian sat in judgement of many after the surrender of Perusia, apparently showing no clemency.	Suet. <i>Aug.</i> 15.1

40 BC	Rome	Octavian stirred up the colonists against Antonius.	App. <i>B Civ.</i> 5.53
40 BC	Senate, Rome	Octavian denounced Salvidienus Rufus.	Dio Cass. 48.33
36 BC	Military <i>contio</i> , Naulochus	Octavian addressed his mutinous troops after the battle of Naulochus.	App. <i>B Civ.</i> 5.128. (Pina Polo 1989, App. C, no. 136)
36 BC	Military <i>contio</i> , Naulochus	Octavian addressed his loyal soldiers immediately after addressing his mutinous troops.	App. <i>B Civ.</i> 5.129
36 BC, autumn	<i>Contio</i> , Rome outside pomerium	Octavian addressed the people of Rome, receiving and rejecting offered honours, remitting taxes and debts.	Dio Cass. 49.15. (Pina Polo 1989, App. A, no. 372)
36 BC, autumn, day after preceding	Senate and <i>contio</i> inside <i>pomerium</i> , Rome	Octavian addressed the senate and people about his achievements (at Naulochus), writing down his speeches and circulating them in written form.	App. <i>B Civ.</i> 5.130
33 BC (Pelling 1988, 252)	Senate and <i>contiones</i> , Rome	Octavian presenting and criticising the actions of Antonius and Cleopatra in regular meetings of the senate and <i>contiones</i> .	Plut. <i>Ant.</i> 55.1 (<i>Mor.</i> 941c); Dio Cass. 50.2
33 BC (Pelling 1988, 252)	? Senate and <i>contiones</i> , Rome	Octavian responding to Antonius' criticism, presumably again in meetings of the senate and <i>contiones</i> .	Plut. <i>Ant.</i> 55.4 (<i>Mor.</i> 941d-e); Dio Cass. 50.2
32 BC, 1 January	Senate, Rome	Octavian criticised Antonius and Sosius, sitting on his curule chair between the consuls.	Dio Cass. 50.2-3
32 BC	Senate, Rome	Octavian has Antonius' will seized from the Vestals and read out in the senate.	Plut. <i>Ant.</i> 58.6-58.8 (<i>Mor.</i> 942f-943a); Dio Cass. 50.3
32 BC	<i>Contio</i> , Rome	Octavian read out Antonius' will in a <i>contio</i> .	Suet. <i>Aug.</i> 17.1; Dio Cass. 50.3. (Pina Polo 1989, App. A, no. 374)
31 BC	Military <i>contio</i> , camp at Actium	Octavian addressed his troops before the battle of Actium.	Dio Cass. 50.23-30. (Pina Polo 1989, App. C, no. 138)
30 BC	<i>Contio</i> , Alexandria	Octavian addressed the Alexandrians, assuring them that he would spare them.	Plut. <i>Ant.</i> 80.2-3 (<i>Mor.</i> 952f-953a); Dio Cass. 51.16

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