

**“Crudelitatis odio in crudelitatem ruitis”.**  
**Livy’s Concept of Life and History**

TOIVO VILJAMAA

‘Hatred of cruelty is driving you headlong into cruelty’.<sup>1</sup> When I quote these words from the Roman historian Livy, I do not mean that his view of life and history was so totally pessimistic as the words might imply, that there would be no escape from cruelty if it exists – and in the ancient world there was, of course, plenty of brutality, violence, and cruelty.<sup>2</sup> I rather want to concentrate on the moral and political ideology behind these words and on Livy’s rhetoric in expressing his moral message. Therefore, I would like to emphasize that the sentence is meaningful also in isolation without the context where it occurs in the historian’s text. – The actual context from which the words are extracted is the story about the Decemvirs, first loved by people then hated, from its final stage when after the secession of the plebs the envoys of the Roman senate Valerius and Horatius were trying to temper the anger of the plebs and to restrain them from too severe punishments of the cruel decemvirs (the plebeians had threatened to burn them alive, *vivosque igni concrematurus minabantur*, 3.53.5). – In the general content of Livy’s history the quoted words present us with two different types of people or different mental attitudes which are brought into conflict and both charged with cruelty:<sup>3</sup> on one side cruelty is caused by the vicious character (*libido* and *superbia*)<sup>4</sup> of the tyrannical rulers who are naturally hated because of the Romans’ inherent *odium regum*; on the other side cruelty is the result of the commons’ emotional attitude

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<sup>1</sup> Livy 3.53.7; English translation by B.O. Foster (The Loeb Class. Library).

<sup>2</sup> For the phenomena of cruelty in the Roman world and for the Romans’ attitude to them, A. W. Lintott, *Violence in Republican Rome* (Oxford 1968), pp. 35 ff.

<sup>3</sup> Cf. Sallust, *Catil.* 51.12: *alia aliis licentia est*, and 51.14: *quae apud alios iracundia dicitur, ea in imperio superbia atque crudelitas appellatur*.

<sup>4</sup> Cf. e.g. Livy 3.44.4: *Appius amore amens ... ad crudelem superbamque vim animum convertit*.

(*misericordia, ira, temeritas, and cupido libertatis*).<sup>5</sup> This kind of conflict is in fact typical of uncivilized or barbarian societies.<sup>6</sup>

My principal concern is not with historical facts and events, i. e. with the information on matters that is contained in a historical work. As a philologist I can rather say that I have read ancient historical works much in the same way I think they have been read through centuries. The range of interest of ancient historians is limited mainly to political history, and they often tend to explain human actions and politics largely in moral terms. Also the modern reader easily reads the works of ancient historians as moral lessons, he learns primarily to know irrational historical processes, philosophical and religious tendencies and, above all, mental attitudes rather than factual information. My approach to the question about Livy's view of life and history is therefore based on the following considerations. Firstly, Livy's history is connected with historiographical tradition and as such it reflects both the contemporary preoccupations and the attitudes familiar from history books. The elements of traditional belief, also comprising preconceived opinions about the nature of cruelty, were incorporated in the familiar stories and in the history books, which were read by boys of educated families. The historian could rely on the fact that the information as told in those stories had made a strong impression on the minds of the youth of his time. Secondly, history is not merely a series of interpreted situations of the past. The historian also has an aim or aims, he sees that the past events have a meaning for his own time, he collects past information according to his purpose and he makes moral judgements. Thus, for instance, when the historian says that some persons

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<sup>5</sup> Livy 3.37.2. The plebeians had a greedy lust for liberty: *avide ruendo ad libertatem*; Cf. also 3.50.7: *Verginius ... misericordia se in speciem crudelitatis lapsus*.

<sup>6</sup> I agree with Cynthia Farrar, *The Origins of Democratic Thinking* (Cambridge 1988), pp. 30–35, in her interpretation of Aeschylus' *Suppliants*, that "barbarian society, ... provides no means for the reconciliation of personal freedom with political authority". Barbarians are accustomed to be ruled by force, civilized states are ruled by persuasion and consent. Cf. Edith Hall, *Inventing the Barbarian. Greek Self-Definition through Tragedy* (Oxford 1989), particularly pp. 190 ff. Nicolò Machiavelli's interpretation of Livy's story of the Decemvirate illustrates very well the way how Livy is understood by posterity. According to Machiavelli the birth of tyranny has two reasons "da troppo desiderio del popolo, d'essere libero, e da troppo desiderio de' nobili, di comandare", Nicolò Machiavelli, *Discorsi, libro 1.40* (Nicolò Machiavelli tutte le opere a cura di Mario Martelli, Firenze 1971, p. 124).

or some actions in the past were 'cruel', the saying of this contains subjective attitudes. Cruelty in itself is a negative concept and to speak about it always contains negative moral judgements, and the morals behind the accusation of cruelty are described either with vices (*superbia, saevitia, iniustitia, luxuria, and avaritia*) or with virtues (*clementia, iustitia, and parsimonia*) correlative to the vices.<sup>7</sup> Thirdly, history is written for posterity, it is written because *historia docet*; and posterity has also used it in this way. From generation to generation, the attitudes, ideas, thoughts and prejudices present in ancient historical works have been handed down as moral lessons. Therefore in a historical work it is important to know how the historian combines the details of past information with his general ideas.

Livy's historical and political aims as well as his relation to philosophy and religion are much studied subjects, in fact, more studied than his attitude to social phenomena. The historical aims are most frequently treated in the light of his Preface, in the light of the speeches and character-sketches included in the narrative, or on the basis of the choice of certain key words.<sup>8</sup> Students of Livy almost unanimously admit that he is not a good historian, if a good historian is defined as a competent researcher of past facts and of the evidence provided by good authorities, nor if a good historian is defined as a skillful interpreter of individual events to recognize patterns of evolution.<sup>9</sup> But he is rather a master of his craft as a literary artist, and particularly he has the imaginative insight to relive the experiences of the past and to record them memorably. In other words, he has

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<sup>7</sup> The philosopher Seneca (de clem. 2.4.1-3) defines *crudelitas* as an excessive severity in avenging or an atrocity of mind in executing punishments: *crudelitas nihil aliud est quam atrocitas animi in exigendis poenis; ... sit crudelitas inclinatio animi ad asperiora*. He also makes a difference between cruelty and pure savagery, i. e. taking pleasure in human sufferings, even though the latter too is often termed cruel: *non esse hanc crudelitatem, sed feritatem, cui voluptati saevitia est*.

<sup>8</sup> In regard to Livy's historical aims I would like to recommend Patrick Walsh's excellent article "Livy and his Aims of 'historia': An Analysis of the third Decade", in: *Aufstieg und Niedergang der römischen Welt II 30.2* (Berlin & New York 1982), pp. 1058-1074; for Livy's person and the reliability of the sources in explaining his person, Ronald Syme, *Livy and Augustus*, in: *Harvard Studies in Classical Philology* 64 (1959), pp. 27-87 (*Roman Papers*, ed. E. Badian, Oxford 1979, pp. 400-454).

<sup>9</sup> In Walsh's opinion, op. cit. p. 1058, amongst ancient historians Tacitus approximates most closely the ideal.

an ability to clothe the hard core of past history into words and to express his political and moral ideology by his rhetoric.<sup>10</sup> Livy has been successful in what he seems to be promising in his Preface (Praef. 10): “What is particularly beneficial and fruitful in a knowledge of history is to contemplate examples of every pattern set out in a memorable record (*omnis te exempli documenta in inlustri posita monumento tueri*).”<sup>11</sup> Livy is not chiefly interested in the evolution of political institutions; for him history is – or he means it to be – in the Ciceronian phrase, the *magistra vitae*, it teaches how to live. In other words, history is essentially a description of how earlier individuals, peoples and states confronted particular situations,<sup>12</sup> recorded in such a way that the reader may benefit by applying the results as lessons to his own life, as a citizen and as a private person: *inde tibi tuaeque rei publicae quod imitere capias, inde foedum inceptu foedum exitu quod vites* (Praef. 11).

In this way Livy is also often used and appreciated. Livy has a conservative stand of mind. This means that a part of his religion consists of the respect of tradition. Not that the actual things that are symptoms of some superhuman powers ought to be believed as such, but because they represent the belief on traditional conduct of our fathers and of our ancestors. They have the value of being respected. They give people the feeling of belonging somewhere in the world where every natural phenomenon cannot be explained rationally.<sup>13</sup> When studying Livy merely on the linguistic and stylistic point of view, I have been able, as many others, to recognize certain recurrent patterns of linguistic expression in his narrative. It is thus possible or even obvious, that the recurrence of certain formulaic expressions is not only the matter of language and style but it also reveals

<sup>10</sup> For the superstructure of historiography, that is, the rhetorical elaboration of historical notices, A. J. Woodman, *Rhetoric in Classical Historiography* (London & Sydney 1988), pp. 83 ff.

<sup>11</sup> *Illustre monumentum*: to sing glorious deeds of men (*klea andron*) is naturally an old topic in historiography appearing already in Herodotus' Preface; see F. W. Walbank, *History and Tragedy*, *Historia* 9 (1960), pp. 216–234.

<sup>12</sup> Cf. Liv. 45,23,14 (from the speech of the Rhodian Astymedes): *Tam civitatum quam singulorum hominum mores sunt; gentes quoque aliae iracundae, aliae audaces, quaedam timidae, in vinum, in venerem proniores aliae sunt.*

<sup>13</sup> See 43.13.1: *Ceterum et mihi vetustas res scribenti nescio quo pacto antiquus fit animus, et quaedam religio tenet, quae illi prudentissimi viri publice suscipienda censuerint, ea pro indigna habere, quae in meos annales referam.*

patterns of the meaning and content of the narrative work. Livy says in his Preface that he asks “each reader to scrutinize keenly what kind of life and morals people had, through which men and by what policies, in peace and war, the empire was founded and extended” (Praef. 9): *Ad illa mihi pro se quisque intendat animum, quae vita, qui mores fuerint, per quos viros quibusque artibus domi militiaeque et partum et auctum imperium sit.* I find this statement most important for understanding those linguistic devices by which Livy constructs the tension between different episodes in the course of the narrative. The historian lays emphasis on specific physical and moral values in individuals and in communities and in this way he moulds individuals and communities to certain definite types. As a consequence of this typicalization only a few words or expressions are needed to remind the reader of certain types and characters. Referring repeatedly to the same characteristics and repeatedly using similar expressions the historian is able to underline just those themes which he sees most important.

The story of the first representatives of the *gens Appia Claudia* excellently exemplifies the way in which Livy constructs above the chronological structure another to establish the plan of historical lawfulness: *Sequitur aliud in urbe nefas ab libidine ortum, haud minus foedo eventu<sup>14</sup> quam quod per stuprum caedemque Lucretiae urbe regnoque Tarquinius expulerat, ut non finis solum idem decemviris qui regibus sed causa etiam eadem imperii amittendi esset. Ap. Claudium virginis plebeiae stuprandae libido cepit...* (3.44.1–2). The content of the legend of the rape of Lucretia causing the fall of the Tarquins and the end of the tyrannical rule of the kings is repeated in the story of Verginia, whose chastity was violated by the decemvir Appius Claudius. As in the case of Lucretia, the violation of Verginia led to the fall of the tyrannical rule, and to a restoration of liberty. In this plan of historical lawfulness Appii Claudii represent not only extreme animosity towards the common people but also tyranny. They are made comparable to foreign enemies who in the civilized imagination of Livy’s time were luxurious, emotional, cruel, and therefore dangerous, like oriental despots, tyrants of Greek cities, or to Hannibal whose inhuman cruelty<sup>15</sup> had become notorious. In Livy’s words, Hannibal was “naturally inclined to greed and cruelty, his temperament favoured despoiling what

<sup>14</sup> Cf. Praef. 10: *inde foedum inceptu foedum exitu quod vites.*

<sup>15</sup> 21.4.9: *has tantas viri virtutes ingentia vitia aequabant: inhumana crudelitas, per-*

he was unable to protect, in order to leave desolated lands to the enemy. That policy was shameful in the beginning, and especially so in the outcome<sup>16</sup> ... For not only were those who suffered undeserved treatment alienated, but all the rest as well" (26.38.3). No wonder that in Livy's narrative there are three cases where the words *crudelis* or *crudelitas* most frequently occur: in connection with the Appii Claudii, with Hannibal and with Philip, the king of Macedon.<sup>17</sup>

Livy has been read by many people, prominent or humble, during centuries after Livy, and especially in the times of the Renaissance and the Enlightenment. Of course, it was Livy's object-matter that made him significant for posterity. His account of the growth of Rome, of the struggle between classes which set in danger the existence of the state but was again and again resolved in an accord, was studied carefully by later politicians and theorists in the hope of finding answers to the problems of their own time. So, for instance, Nicolò Machiavelli follows Livy's precept in his letter "Del modo di trattare i popoli della Valdichiana ribellati".<sup>18</sup> He translates into his Italian Livy's account (8.13–14) about the treatment of the Latini. In Camillus' opinion, there were two ways to ensure a lasting peace: *pacem vobis, quod ad Latinos attinet, parare in perpetuum vel saeviendo vel ignoscendo potestis* (8.13.14); either cruelty (*vultis crudeliter consulere*, 8.13.15) or forgiveness and kindness (in fact *augere rem Romanam victos in civitatem accipiendo*, 8.13.16). The senators, however, followed Camillus' advice using those both methods, giving to each as it merits (*ut pro merito cuiusque statuerentur*, 8.14.1). This was one of the most illustrious cases when the Roman people showed its virtue of clemency, *parcere*

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*fidia plus quam Punica*; and for Philip, king of Macedon, 31.31.17: *cuius libidinem inhumaniorem prope quam crudelitatem vos ... melius nostis*; cf. Cicero, *Verr.* 2.5.115.

<sup>16</sup> Note Livy's language; also here the examples termed "*foedum*" both in the beginning and in the outcome, as in the case of Appius Claudius (above) and as Livy had defined his purpose (*Praef.* 10). Cf. similar language in 1.48.7: *Foedum inhumanumque scelus* (the cruel murder of Servius Tullius); *malo regni principio similes propediem exitus sequerentur* (the reign of Tarquinius Superbus).

<sup>17</sup> There are 39 occurrences of the word *crudelitas* in Livy; 6 are connected with the story of Appius Claudius and Verginia; 4 with Hannibal and 9 with king Philip of Macedon; four times *crudelitas* is mentioned as a mark of military severity; other contexts where Livy often uses the word *crudelitas* are descriptions of avarice and luxury of the provincial magistrates.

<sup>18</sup> *Scritti politici minori*, op. cit., pp. 13–16.

*subiectos et debellare superbos* (Verg. Aen. 6.853). *Clementia*, the arbitrary mercy shown by a superior to an inferior, then became an important quality of the Caesars and princes.<sup>19</sup> Machiavelli concludes accordingly: “Io ho sentito dire che la istoria è la maestra delle azioni nostre, e massime de’ principi, e il mondo fu sempre ad un modo abitato da uomini che hanno avuto sempre le medesime passioni, e sempre fu chi serve e chi comanda; e chi serve mal volentieri e chi serve volentieri; e chi si ribella ed è ripreso.”

Machiavelli’s interpretation of Livy is idealistic, first in the sense that he examines Livy’s history for the solution to problems of his own time (how to treat the rebellious populations of his time); secondly his view of life is dualistic; he sees the world as black and white, and cites Livy to support this view. I think that Machiavelli’s interpretation of Livy is correct:<sup>20</sup> that we can take lessons from the past presupposes the belief that human race has always been the same and men have always lived in the same way, and that there have always been good and bad, and also there have always been those who are destined to command and those destined to obey.

We can take another lesson from Livy. Now it is not the question of how the Romans should treat the rebellious neighbours; on the contrary, the question is how the Samnites should treat the Roman army captured in the Caudine Forks, and the wise Herennius gives his advice to his fellow-countrymen (9,3,1–13): ... *is ubi accepit inter duos saltus clausos esse exercitus Romanos, consultus ab nuntio filii censuit omnes inde quam primum inviolatos dimittendos. quae ubi spreta sententia est iterumque eodem remeante nuntio consulebatur, censuit ad unum omnes interficiendos. ... priore se consilio, quod optimum duceret, cum potentissimo populo per ingens beneficium perpetuam firmare pacem amicitiamque; altero consilio in multas aetates, quibus amissis duobus exercitibus haud*

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<sup>19</sup> Cf. Sen. de clem. 1,3,1: *Nullum tamen clementia ex omnibus magis quam regem et principem decet.*

<sup>20</sup> For Livy and Machiavelli, J. H. Whitfield, Machiavelli’s Use of Livy, in: T. A. Dorey (ed.), *Livy* (London 1971), pp. 73–96; W. S. Anderson, *Livy and Machiavelli*, *The Classical Journal* 53 (1957–58), pp. 232–235 says that Machiavelli fully accepted the approach to history as lesson, but that he also misunderstood Livy believing more in practical examples and results accounted in history books than in moral values which were important for Livy. But the vision of dualistic world, about the good which the reader should imitate and the bad which he should avoid, is similar both in Livy and in his interpreter, Machiavelli.

*facile receptura vires Romana res esset, bellum differre; tertium nullum consilium esse.* In Herennius' opinion there were only two ways to handle the situation – either let the Romans go unharmed or kill all the Roman army, either *beneficium* or *poena*.<sup>21</sup> There was no third way, no compromise. We know from what follows in the narrative that the Samnites did not accept the good advice of Herennius – for the fortune of Rome and for the their own misfortune. Next year they could perceive that instead of their domineering peace they were confronted with the renewal of a most bitter war.

Now I shall take up my theme about Livy's concept of life asking what he means by life, by *vita*, which is given so prominent place in his discussion of usefulness of history: (Praef. 9) *Ad illa mihi pro se quisque intendat animum, quae vita, qui mores fuerint.* Livy asks "each reader to scrutinize keenly what kind of life and morals people had". We can probably understand the general meaning of life but it is difficult to give clear definitions. Life is often determined by birth or by death. *Vita* can refer to the life of people, or to the circumstances where people live, or to the way how people and individual are confronted with particular situations. Maybe *Vita* is part of a historical process. Also it has a beginning and an end: birth, youth, adult and old age, and death. – It can be argued on the basis of Livy's Preface and on the basis of certain linguistic expressions in the course of his narrative that he had a kind of biological concept of Rome's history. The story of Rome, which in this case is the same as history, is a life or a series of lives:<sup>22</sup> (Praef. 9) *labante deinde paulatim disciplina velut desidentis primo mores sequatur animo, deinde ut magis magisque lapsi sint, tum ire coeperint praecipites, donec ad haec tempora quibus nec vitia nostra nec remedia pati possumus perventum est;* (Praef. 11) *Ceterum aut me amor negotii suscepti fallit, aut nulla res publica nec maior nec sanctor nec bonis exemplis ditior fuit, nec in quam civitatem tam serae avaritia luxuriaque immigraverint, nec ubi tantus ac tam diu paupertati ac parsimoniae honos fuerit: adeo quanto rerum minus, tanto minus cupid-*

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<sup>21</sup> Cf. 8.13.17: *seu poena seu beneficio*, 26.49.8: *populi Romani ..., qui beneficio quam metu obligare homines malit.*

<sup>22</sup> Cf. G. B. Miles, The Cycle of Roman History in Livy's First Pentad, American Journal of Philology 107 (1986), pp. 1–33; F. W. Walbank, Polybius (Berkeley & London 1972), pp. 130 ff.

*itatis erat. Nuper divitiae avaritiam et abundantes voluptates desiderium per luxum atque libidinem pereundi perdendique omnia invexere.*

In his Preface Livy conceives of Roman history in terms of decline<sup>23</sup>, from the activity and vitality of the early Republic to the degenerate and self-destructive Rome of his day. There is a clear pessimism in his view about the future of Rome. Rome has reached the point where she cannot endure neither her vices nor their remedies. What are the *remedia* which were incapable of being sustained? Presumably they were order and concord, i. e. the acceptance of centralized government<sup>24</sup>, or, as it has been often argued, the reference is to Augustus' legislation for moral reform.<sup>25</sup> But the pessimism can be caused by the fact that Livy saw in Rome symptoms of diseases of oldness, diseases of declining years. In admitting the evils of greed (*avaritia*), extravagance (*luxuria*) and lust (*libido*) the Romans had at last been overcome by typical mental diseases. This view is by no means a new one; usually, as in Sallust, *avaritia* and *luxuria* are coupled with another explanation; the removal of *metus hostilis*. The fear of enemies, the menace of barbarian races, though not mentioned in the Preface, is a prominent and frequently occurring motive in Livy's narrative. Thus the emphasis of the Preface on the destructive effects of the capital diseases of greed and luxury seems to suggest that Rome had reached a final condition from which there can be no recovery. The Romans had accepted internally what they had hated in foreign races; they had let the barbarian nature immigrate in their own community (... *avaritia luxuriaque immigraverint*).<sup>26</sup> It is worth noticing that though Livy usually accepts the Romans' plundering of captured cities he also often remarks that the wealth formed the seed of decay.<sup>27</sup> In the books of the third and fourth decade the accounts about cruelties of Roman magistrates, about

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<sup>23</sup> See R. M. Ogilvie, *A Commentary on Livy, Books 1-5* (Oxford 1965), pp. 23-29.

<sup>24</sup> See Woodman, *op. cit.* pp. 133-134, who points out that on two other occasions when Livy uses the remedy metaphor (3.20.8 and 22.8.5) the context is that of the dictatorship; cf. also Tac. ann. 1.9.4: *non aliud discordantis patriae remedium fuisse quam ut ab uno regeretur.*

<sup>25</sup> For different explanations, see e. g. Woodman, *op. cit.* 128 ff.

<sup>26</sup> T. J. Luce, *Livy: the Composition of his History* (Princeton 1977), p. 273, calls attention to the anti-Hellenism of Cato the Elder, and accordingly, emphasizes the association of the Romans' luxury with foreign influences.

<sup>27</sup> See E. Burck, *Die römische Expansion im Urteil des Livius*, in: *Aufstieg und Niedergang der römischen Welt II 30.2* (Berlin & New York 1982), pp. 1179-1180 and n. 75.

their avarice, luxury, and lust, become more numerous. Thus, for instance, in the beginning of book 42 there is a series of episodes describing high-handed actions of degenerated Roman magistrates: Postumius arrogance at Praeneste (42.1.7–12), Fulvius' sacrilege at the temple of Juno Lacinia (42.3.1–11), and M. Popilius' selling the people of the Statellites into slavery (42.7.3 – 9.6). Particularly, the last action was in Livy's words an example of "extreme cruelty" and established "the worst possible precedent and a warning" for everyone in the future: *atrox res visa senatui, Statellites, ..., deditos in fidem populi Romani omni ultimae crudelitatis exemplo laceratos ac deletos esse, ... , ne quis umquam se postea dedere auderet, pessimo exemplo venisse* (42.8.5).

I return now to the memorable records, *illustria monumenta*, and to Livy's linguistic means in accounting them. A careful reading of Livy's narrative, particularly his early books, shows that there is a certain schematism in Livy's language when he introduces records of new events or decisive actions. So it would be interesting to study how this recurrence of certain patterns of linguistic expression combines with his intention of making individual records memorable. By use of stereotypical linguistic constructions, such as *forte*, *cum-*, *ne-*, and *ni* ("by chance, suddenly, at the very moment, if not")-clauses, the historian seems to suggest the operation of an impersonal power.<sup>28</sup> This superhuman power operates firstly using individual persons and incidents of their lives, and secondly confronting the Romans with continuous difficulties: external races challenge Rome's supremacy; but her virtues are also tested with domestic difficulties, discord between the orders and epidemic diseases.<sup>29</sup> Livy's methods of depicting Roman difficulties and victories, and his methods of accounting remarkable events introducing them by intervention of individuals, these can be argued to be only verbal devices which belong to the tradition of rhetorical historiography. But rhetoric is not without purpose; on the contrary, these linguistic devices reveal the writer's attitudes, and they lead us into a definite philosophical direction, in the Stoic determinism.<sup>30</sup> In Livy's narrative personal experiences and simple details of domestic life

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<sup>28</sup> On Livy's linguistic means in depicting Rome's predetermined fate, P. G. Walsh, *Livy and Stoicism*, *American Journal of Philology* 79 (1958), pp. 355–375.

<sup>29</sup> On descriptions of plagues in the ancient historiography, see Woodman, *op. cit.*, pp. 32 ff.

<sup>30</sup> Maybe there is no need to refer to the Stoics here, see Lintott, *op. cit.* p. 36: "the

are used to reveal the predestined fate of Rome. Also minor incidents of personal life are made serve a higher end, the destiny of Rome (for instance 6.34.5: *parva, ut plerumque solet, rem ingentem moliundi causa intervenit*).<sup>31</sup> Life as such, as the Stoics argued, belongs to the group of the *indifferentia*.<sup>32</sup> This fatalism is conspicuous at the very beginning of the Story of Rome (1.3.10 – 4.3):<sup>33</sup> ‘Yet violence proved more potent than a father’s wishes or respect of seniority. Amulius drove out his brother and ruled in his stead. Adding crime to crime (*addit sceleri scelus*)<sup>34</sup>, he destroyed Numitor’s male issue; and Rhea Silvia, his brother’s daughter, he appointed a Vestal under pretence of honouring her, and consigning her to perpetual virginity, deprived her of the hope of children. ... But the Fates were resolved, as I suppose, upon the founding of this great city, and the beginning of the mightiest of empires, next after the Heaven (*Sed debebatur, ut opinor, fatis tantae origo urbis maximique secundum deorum opes imperii principium*). The Vestal was ravished, and having given birth to twin sons, named Mars as the father of her doubtful offspring, whether actually so believing, or because it seemed less wrong if a god were the author of the fault. But neither gods nor men protected the mother herself or her babes from the king’s cruelty (*Sed nec di nec homines aut ipsam aut stirpem a crudelitate regia vindicant*); the priestess he ordered to be manacled and cast into prison, the children to be committed to the river.’ For the purpose of our present theme of cruelty, it is interesting to notice that both the institution of the Vestals and the birth of Rome’s conditor,

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ethical standards common to the hellenized Mediterranean world did not place such a high value on human existence.”

<sup>31</sup> Cf. Tac. ann. 4.32.5: *illa primo aspectu levia ex quis magnarum saepe rerum motus oriuntur*.

<sup>32</sup> A very striking example is the story about the Minor Fabia, the younger daughter of M. Fabius Ambustus (6.34.5 ff). This little episode, a piece of domestic life, in fact the *risus sororis* which made the Minor Fabia feel ashamed of her plebeian husband, started an important process which ended in the revolutionary *Leges Liciniae Sextiae*. The laws prescribed among other things that the consular power should be divided between the patricians and the plebeians.

<sup>33</sup> Also in the case of the king Servius Tullius, the necessity of fate is contrasted with human purposes (1.42.2; 1.46.3).

<sup>34</sup> For cumulating crimes, cf. 1.47.1 (Tullia, Servius’ daughter: *iam enim ab scelere ad aliud spectare mulier scelus*); 3.43.1 and 3.44.1 (the Decemvirs).

Romulus, appear as consequences of human *crudelitas*; or more precisely, it is not the human cruelty but the regal cruelty which is given prominence.

The following example is remarkable because it in a narrative manner shows how the predestined fate of Rome is set to be fulfilled. It is the story of the usurer L. Papirius who in his lust and cruelty violated the chastity of his young debtor. The story repeats the essential details of the stories of Lucretia and Verginia. The common people had gained a kind of 'political' liberty on the expulsion of the tyrannical kings caused by the rape of Lucretia. Then liberty was restored after the fall of the Decemvirs' tyrannical rule. The incident that gave rise to this revolution had been the violation of Verginia's chastity. Now the plebs was assured of 'personal' liberty as well. There was a kind of new beginning of liberty, as Livy says (8.28.1-5): 'In that year (326 B.C.) the liberty of the Roman plebs had as it were a new beginning (*velut aliud initium libertatis*): for men ceased to be imprisoned for debt. The change in the law was occasioned by the notable lust and cruelty of a single usurer (*ob unius feneratoris simul libidinem simul crudelitatem insignem*), Lucius Papirius, ... He sought to violate the chastity of Gaius Publilius, who had given himself for a debt owed by his father. The debtor's youth and beauty inflame the creditor's heart to lust and contumely. When Papirius did not succeed, he at last had the young debtor stripped and scourged. ... The boy, all mangled with the stripes, broke forth into the street, crying out upon the money-lender's lust and cruelty.'

My last series of memorable examples consists of three episodes or developments of events – two of them are quite long stories. In all these examples the setting of the situation is similar, but the conclusions of the process differ. In all cases it is the question of military discipline, and also cruelty and harshness are involved. Roman military discipline was certainly brutal, and thus there are in Livy's narrative many other cases which according to our modern ethical standards could be labelled cruel for a better reason, but Livy's purpose is idealistic; the violation of supreme power and its consequences are at issue.

The first example is the well-known story about Manlius and his son. The son ignored the prohibitive orders of his father and opened the battle against the enemy. He was punished to death by his father (8.7.1-17). The progress of events was initiated by an intervention of unexpected superhuman powers (8.7.1: *Forte inter ceteros turmarum praefectos ... T. Manlius consulis filius super castra hostium cum suis turmalibus evasit, ita ut viz*

*teli iactu ab statione proxima abesset*). The young Manlius thus became a victim both of his fierce mind and Rome's fate (8.7.8: *Movet ferozem animum iuvenis seu ira seu detractandi certaminis pudor seu inexcusable vis fati*). Although this event had the result which was notorious by its cruelty (4.29.6: *occupaturus insignem titulum crudelitatis*), in Livy's words, the consul acted right when ordering his son to death because the punishment was to be a sad but beneficial example to the following generations (8.7.15–17: *Quandoque ... disciplinam militarem, qua stetit ad hanc diem Romana res solvisti, ...; triste exemplum sed in posterum salubre erimus*).

The account of the controversy between the dictator L. Papirius Cursor and his magister equitum Q. Fabius repeats the content of the Manlian story (8,30,4 ff.). The magister equitum, tempted by an opportunity for a successful action, fought the enemies against the orders of his general. Fabius' motives are described by Livy in similar terms as the motives of Manlius' son; the difference is that here the emphasis lies on human reasons (*Q. Fabius ... seu ferox adulescens indignitate accensus quod omnia in dictatore viderentur reposita seu occasione bene gerendae rei inductus, ... acie cum Samnitibus conflixit*). The dictator's demand that Q. Fabius be punished to death for his disobedience raised a long process and the whole people rose in the defence of the magister equitum. The dictator was blamed for *invidia*, *superbia*, and *crudelitas*. At last he made a compromise, he left Fabius at the people's mercy: (8.35.6) *Vive, Q. Fabi, felicior hoc consensu civitatis ad tuendum te quam qua paulo ante insultabas victoria; vive, ...; populo Romano, cui vitam debes, nihil maius praestiteris quam si hic tibi dies satis documenti dederit ut bello ac pace pati legitima imperia possis*. The dictator's words sound like "the only you have left is to live ... there is nothing more". The near future proved that the compromise was an unfortunate decision.

The third case is the confrontation between the wise and conservative Fabius Cunctator and the war-enthusiast hazardous Minucius; the pair which is often compared with the Athenian pair of Nicias and Cleon.<sup>35</sup> – But the comparison holds only partially, because the outcome of the situation in Livy is totally different: his solution is an idealistic one. – The struggle between the two led into the situation that the war-leadership was divided between the two – to Hannibal's good fortune. But at a

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<sup>35</sup> See Walsh, Livy and his Aims of 'historia', p. 1067.

critical phase, Cunctator displays his military skill and even braveness, when coming to the rescue of Minucius. Temerity was surpassed by fortune and by the virtue of expedience.<sup>36</sup> Minucius' mind was changed; he had found his place: "I have often heard, soldiers, that the man is pre-eminent who himself knows what to do, second is the man who follows good advice; but the person who cannot either decide for himself or obey another is last in intelligence."<sup>37</sup> Minucius confesses that he owes his being to his parents but his welfare to the man who is born to command: (22.30.3–4) '*Parentibus*' inquit '*meis, dictator, quibus te modo nomine, quod fando possum, aequavi, vitam tantum debeo, tibi cum meam salutem tum omnium horum.*'

In conclusion I shall return to the sharp dualism illustrated by the advice of the Samnite Herennius that there is no third way, no compromise. The example of Minucius shows that the beneficial concord, moderation, the middle way, is not a compromise between right and wrong, but it is the ability of finding one's own life-style to make right decisions and perform right actions, which are consistent with one's temperament, with his life, which is destined by his birth and by his mental and physical abilities. It is easy to see to which philosophical direction this interpretation leads us. It is the so-called Panaetian humanism which in fact is in harmony with the Roman upper-class ideology. This view of life and history, of life and mankind has its positive values, if it leads us to the respect of diversity, to the respect of different temperaments. But it has its negative side, too, because it tends to explain social phenomena in terms of mentalities, i. e. inclinations of mind, and ultimately in terms of virtues and vices to which different temperaments are thought to be liable by their very nature. In this Roman context the Latin word *crudelitas*, as used by Livy, is a term for a conceptual category determining the cruelty of an act not so much by the character of the act and its consequences but by the character of the doer.<sup>38</sup>

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<sup>36</sup> 22.29.1–2 *Tum Fabius primo clamore paventium audito, dein conspecta procul turbata acie 'Ita est' inquit; 'non celerius quam timui deprendit fortuna temeritatem. Fabio aequatus imperio Hannibalem et virtute et fortuna superiorem videt ... 6. Poenus receptui cecinit, palam ferente Hannibale ab se Minucium, se ab Fabio victum.*

<sup>37</sup> 22.29.7–11 *Minucius ... 'Saepe ego,' inquit, 'audivi, milites, eum primum esse virum, qui ipse consulat, quid in rem sit, secundum eum, qui bene monenti oboediat; qui nec ipse consulere nec alteri parere sciat, eum extremi ingeni esse.*

<sup>38</sup> Cf. Seneca's definition, above note 7.

Thus social conflicts, when explained at that level, can lead to insoluble clashes between mental attitudes. The only solution, therefore, seems to be that diversity becomes inequality. Similarly, in relations between people who are of different origin or different culture, xenophobia, the fear of a foreign or unknown culture, and chauvinism, declaring the superiority of one's own culture, are rooted in this mentalistic interpretation of man and his actions.

MEDIUM AEVUM QUOTIDIANUM

HERAUSGEGEBEN VON GERHARD JARITZ

SONDERBAND II

# CRUDELITAS

The Politics of Cruelty  
in the Ancient and Medieval World

Proceedings of the International Conference  
Turku (Finland), May 1991

Edited by  
Toivo Viljamaa, Asko Timonen  
and Christian Krötzl

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## Preface

The present volume is a collection of the papers read at the conference which was held in May 1991 at the University of Turku on the theme *The Politics of Cruelty in the Ancient and Medieval World*. The general aim of the conference was to advance interdisciplinary and international collaboration in the fields of humanistic studies and particularly to bring together scholars who have common interests in the study of our past. The choice of the subject of cruelty naturally resulted from different study projects concerning the political and social history of late antiquity and the Middle Ages – the Roman imperial propaganda, the conflict between paganism and christianity, the history of the Vandals, the Byzantine empires, the Medieval miracle stories, to name some of them. Perhaps also contemporary events had an influence on the idea that cruelty could be the theme which conveniently would unite those various interests. And the idea emerged irrespective of considerations whether or not we should search for models in the Ancient World or join those who, as it seems to have been a fashion, insist on investigating what we have common with the Middle Ages.

One might argue – and for a good reason indeed – that cruelty is a subject for anthropologists and psychologists, not for philologists and historians. Where does the student of history find reliable criteria for defining the notion of cruelty in order to judge the men of the past and their actions, to charge with cruelty not only individuals but also nations and even ages (“the *crudelitas imperatorum*”, “the Dark Ages”, “the violence of the Vikings”, “the cruel Muslims”)? Is it not so that the only possibility is to adapt our modern sensibilities to the past and to use our own prejudices in making judgements about others? The prejudices – yes, but this is just what makes the theme interesting for the historian because our prejudices – our conception of cruelty, for instance – are part of the heritage of past centuries. The events of our own day – maybe more clearly than ever – have demonstrated that we live in a historical world. When we investigate the history of the concept of cruelty we, as it were, look ourselves at a mirror and learn to understand ourselves better. The concept of cruelty has two sides. It is a subjective concept used to define and describe those persons

and those acts that according to the user of the term are negative, harmful, humiliating, harsh, inhumane, primitive and unnatural; in everyday life it is associated with religious habits – with crude remnants of primitive religion, it is associated with passion, an uncontrolled mental state, or with violence and with the exercise of power without justice. On the other hand the term is used to classify people by their ethical and social habits, to accuse, to invalidate and injure others; therefore the accusation of cruelty refers to basic features of ancient and also Medieval thought, to the fear of anything foreign, to the aggressive curiosity to define and subsume others simply by their otherness.

Such were the considerations which gave inspiration for arranging the “cruelty”-seminar. The conference was accommodated by the Archipelago Institute of the University of Turku, in the island Seili (“Soul island”), in an environment of quiet beauty of the remote island and sad memories of the centuries when people attacked by a cruel fate, lepers or mentally ill, were banished there from the civilized community.

The conference was organized by the Department of Classics of the University of Turku in collaboration with the Departments of Cultural History and Italian language and culture of the same university. It is a pleasure to us to be able to thank here all those who helped to make the congress possible. We would like especially to express our gratitude to Luigi de Anna and Hannu Laaksonen for their assistance in preparing and carrying out the practical arrangements. The financial assistance given by the Finnish Academy and by the Turku University Foundation was also indispensable. Finally, we close by expressing our gratitude to Gerhard Jaritz, the editor of the *Medium Aevum Quotidianum* for the *Gesellschaft für Erforschung der materiellen Kultur des Mittelalters*, for his kind cooperation and for accepting this collection of papers to be published as a supplement to the series of the studies on the Medieval everyday life. One of the starting-points for organizing the “cruelty”-conference was the firm conviction that the Graeco-Roman Antiquity did not end with the beginning of the Middle Ages, but these two eras form a continuum in many respects, and the continuity was felt not only in the literary culture, in the Greek and Latin languages which were still used, but also in the political, social and religious structures of the Middle Ages. We think that this continuity is amply demonstrated by the studies of the present volume.

Department of Classics, University of Turku, Finland